

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 5, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Hank Avila, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Tom Whitaker, Executive Director, KS Motor Carriers Association
Joel Skelley, State Multimodal Planner, KDOT
Mike Floberg, Chief, P.E., KDOT
Captain Art Wilburn, KHP

Others attending:

See attached list.

The next meeting is scheduled for February 9, 2009.

The meeting was adjourned at 2:30 p.m.

Chairman Hayzlett called the meeting to order. He opened the meeting with a hearing on **HB 2146**.

HB 2146 - Special overweight or oversize permits; increasing fees.

Chairman Hayzlett recognized Tom Whitaker, Executive Director with the Kansas Motor Carriers Association. (Attachment #1) According to Mr. Whitaker the fee increases have been agreed to by the KS Motor Carriers Ass'n., the KS Department of Revenue, the KS Department of Transportation, the KS Corporation Commission and the KS Highway Patrol. Mr. Whitaker said the passage of **HB 2146** will benefit both the State and the motor carrier industry through increased service levels in the permitting process. He said, "it is critical to ensure that the permitting process fulfills safety requirements while facilitating the efficient movement of these goods." Mr. Whitaker urged the Committee's support of this bill.

The Chairman recognized Joel Skelley, State Multimodal Planner with KDOT. (Attachment #2) Mr. Skelley spoke in support of **HB 2146**. According to Mr. Skelley, the passage of **HB 2146** would provide the State a fee structure that better reflects the costs associated with the service being provided and would allow KDOT to make the technological improvements necessary to increase efficiency for Kansans. He concluded by saying that industries that rely on the delivery of these specialized loads are vital to the Kansas economy, and the passage of **HB 2146** is critical for the overall safety and efficiency of the transportation system that supports them.

There were no other proponents.

After questions the Chairman called for Opponents. There were no opponents to **HB 2146**.

Chairman Hayzlett asked if there were any Neutrals. He recognized Martha Neu Smith, Executive Director of the KS Manufactured Housing Ass'n. She had provided written comments but was asked to come forward to answer questions. (Attachment #3)

The Chairman drew the Committee's attention to Neutral written testimony submitted by Leslie Kauffman, of the Kansas Cooperative Council. (Attachment #4)

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 5, 2009, in Room 783 of the Docking State Office Building.

There being no other testimony to bring before the Committee, the Chairman closed the hearing on **HB 2146** and opened hearings on **HB 2147**.

HB 2147 - Regulating traffic; removal of vehicles from highways.

Chairman Hayzlett recognized Chief Michael D. Floberg, P.E., KDOT as the first proponent. (Attachment #5) Chief Floberg said that according to the National Highway Traffic Safety Administration, almost two-thirds of the nation's traffic crashes result in property damage only, which means that these vehicles could be moved from the road immediately alleviating congestion caused by the accident and reducing the risk of secondary accidents and additional property damage. He explained that with the passage of this bill KDOT workers and law enforcement officials would not need consent to remove any vehicles or property obstructing traffic, which would help to alleviate traffic congestion. He concluded by saying with the passage of this bill it will help save lives, improve the safety of our roadways and reduce costly congestion.

Chairman Hayzlett called on the next proponent. In Major Mark Bruce's absence, Captain Art Wilburn stood in and provided his testimony on behalf of the Kansas Highway Patrol. (Attachment #6) According to testimony **HB 2147** is intended to prevent non-serious accidents from unnecessarily blocking the traveled portion of the roadway. He said non-injury accidents that don't involve the transportation of hazardous materials would require the driver or owner of a vehicle to remove it from the roadway if possible because the longer such vehicles block the roadway, the greater the risk of injury or death to motorists involved. KHP asked the Committee to favorably consider the traffic safety enhancing requirements of **HB 2147**.

The Chairman drew the Committee's attention to written testimony provided by Ed Klumpp (Attachment #7) on behalf of the Kansas Association of Chiefs of Police and the Kansas Peace Officers Association in support of **HB 2147**.

There were no other proponents of this bill and no opponents so the Chairman closed the hearings on **HB 2147**.

It was the Chairman's desire to work **HB 2023**. He asked Deann Williams to refresh the Committee on this bill and then he asked for any comments, questions or Motions from the Committee. A motion was made by Representative Ballard to favorably pass this bill out of Committee, seconded by Representative Swanson and the motion carried.

The Chairman also desired to work **HB 2045**. He opened the floor for comments, questions or motions. Representative Menghini made a motion to favorably pass this bill out of Committee, seconded by Representative Proehl and the motion carried.

Chairman Hayzlett advised the Committee that the bills the Committee was going to hear the day before will be heard next Wednesday, February 11, 2009.

There being no further business before the Committee, the meeting was adjourned.