

Approved: March 2, 2012

Date

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on January 31, 2012, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Scott Wells, Office of the Revisor of Statutes  
Jill Shelley, Kansas Legislative Research Department  
Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

Representative Tom Sloan  
Col. Derek Rogers, 190<sup>th</sup> Air Refueling Wing, Forbes Field  
Patrick Vogelsberg, Representing National Solid Wastes Mgmt. Ass'n.  
Larry W. Smith, President, L & K Services, Inc. Louisburg, KS

Others attending.

See attached list.

The Chairman opened the meeting and asked for bill introductions.

Representative Bob Bethell asked for the introduction of a bill which would require the division of vehicles to maintain a supply of decals for the year the license plate was issued on an antique vehicle. The decal would be identical to the decals issued in the year the plate was originally issued. *A motion was made by Representative Pottorff to introduce this bill, seconded by Representative Phelps. The motion carried.*

There were no other bill introductions.

The Chairman opened the hearing on **HB 2459**.

**HB 2459 – Allowing department of defense motorcycle training to qualify with reciprocity for Kansas licensure requirements**

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

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Chairman Hayzlett recognized Representative Sloan. According to Representative Sloan this bill would require the State of Kansas to recognize the training of motorcycle operators provided to persons in the military by the Department of Defense. (Attachment #1) He said **HB 2459** would exempt applicants for class M motorcycle licenses who have completed prior motorcycle safety training from further training or testing.

The next proponent was Colonel Derek Rogers who said he appeared on behalf of the Office of the Under Secretary of Defense to testify about the quality of motorcycle safety training which is already required by the Department of Defense (DOD). (Attachment #2) He said the training required by the DOD meets or exceeds the training required by the State of Kansas for DMV licensing. Col. Rogers concluded by saying the DOD recommends that refresher training be accomplished every five years or after five years of inactivity, if you get a new motorcycle or relocate to a major geographic location.

Chairman Hayzlett drew the Committee's attention to the written testimony of Martin L. Dempsey, State Liaison, Office of the Deputy Under Secretary of Defense in support of passage of **HB 2459**. (Attachment #3)

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **HB2459**.

Chairman Hayzlett opened the hearing on **HB 2458**.

### **HB 2458 – Providing an exemption for certain vehicles from gross weight limitations**

Chairman Hayzlett recognized Patrick Vogelsberg, representing National Solid Wastes Management Ass'n. According to Mr. Vogelsberg the purpose of **HB 2458** is to clarify the existing exception for garbage trucks that is already in place. (Attachment #4) He said the need for this bill arises out of a recent Kansas Court of Appeals opinion which provides the criminal penalties for violating the size and weight regulations of trucks and also provides exceptions. He said **HB 2458** does not expand the current exception rather it will provide the necessary clarification of the exception in KSA 8-1901(e).

The next proponent was Larry W. Smith, President of L & K Services, Inc. According to Mr. Smith (Attachment #5) on behalf of his company as well as the Kansas Chapter of National Solid Waste Management Association he was looking for clarification which this bill would provide.

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There were no other proponents and no opponents.

In response to a question, Tom Whitaker, KS Motor Carriers Association and Lindsey Douglas, KDOT, stepped forward to say they did not have a problem with this bill and in fact the language had been cleared with them.

After all questions were answered the Chairman closed the hearing on **HB 2459**.

It was the Chairman's desire for discussion and action on **HB 2441**.

*Representative Swanson moved **HB 2441** favorable for passage, the motion was seconded by Representative Grant and the motion carried.*

There being no other business before the committee the meeting was adjourned.