

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on January 29, 2009, in Room 136-N of the Capitol.

All members were present except:

Senator Anthony Hensley- excused

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Hank Avila, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Cindy Shepard, Committee Assistant

Conferees appearing before the committee:

Bill Wullenschneider, 1011th Quartermaster Co. U.S. Army
Terry Heidner, Legislative Liaison, Kansas Department of Transportation
Roderick Bremby, Secretary of Health & Environment, State of Kansas
Colonel Terry Maple, Kansas Highway Patrol
Kathy Porter, Executive Assistant, Judicial Administration, State of Kansas
James Hanni, Executive Vice President, AAA of Kansas
Darlene Whitlock, RN, MSN, EMT, KS State Nursing Association & KS Emergency Nurses Association
Ed Klumpp, Retired Chief of Police, KS Association of Chiefs of Police and KS Peace Officers

Others attending:

See attached list.

The Chairman opened the hearing on **SB 5 - Designating part of U.S. 160 as the 1011th Quartermaster Co. U.S. Army Reserve memorial highway.**

Chairman Umbarger recognized Senator Derek Schmidt who introduced Bill Wullenschneider, retired Sergeant First Class with the Army Reserve, 1011th Quartermaster Co. U.S. Army. Appearing as a proponent, his main reason for wanting a memorial highway named after the 1011th Quartermaster Company, is simply that the former and current members deserve it. The 1011th was activated and served in the Vietnam Conflict, Operation Desert Shield/Desert Storm, and Operation Iraqi Freedom, one of just a few units to do so. Mr. Wullenschneider provided six local letters of support, noted that the funding responsibilities are known, and that this highway designation is a way of recognizing our veterans' contributions (Attachment 1).

There being no other conferees, the hearing on **SB 5** was closed.

Senator Umbarger indicated that he would like to work the bill today. Senator Petersen inquired if it would be possible to put this on the consent calendar. Senator Donovan moved, Senator Kultala seconded, to recommend **SB 5** favorably for passage and be placed on the consent calendar. Motion carried.

The Chairman opened the hearing on **SB 59 - Primary seat belt law, penalty.**

Terry Heidner, Legislative Liaison, speaking on behalf of Deb Miller, Secretary of Transportation, State of Kansas, testified in support of the bill. The proposed legislation will make the law a primary law, cover all occupants in the vehicle, not just the front seat, and increase the fine from \$30 to \$60. The passage of this law will save lives and, if in place by June 30, 2009, Kansas will be eligible to receive an additional \$11.2 million under the current federal transportation program, SAFETEA-LU. Mr. Heidner requested a minor amendment on the last line of the bill, that the law would be in force after it's published in the Kansas Register (Attachment 2).

Secretary Bremby, representing the Kansas Department of Health & Environment, presented testimony in favor of **SB 59**. According to the National Highway Transportation Safety Administration (NHTSA), safety belt use is the single most effective counter measure available to passenger vehicle occupants in preventing fatalities and injuries in traffic crashes. Passing a primary law in Kansas would result in a 10% increase in the state's seat belt usage rate, approximately 30 fewer deaths, and 300 fewer serious injuries on Kansas

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roads. The medical bills of unbelted crash victims are 50% higher than belted victims and society bears 74% of the cost through increased insurance premiums, taxes, and health care costs ([Attachment 3](#)).

Colonel Terry Maple appeared on behalf of the Kansas Highway Patrol (KHP) as a proponent of **SB 59**. This is a public safety issue and this bill will undoubtedly save lives. The KHP will actively support compliance by diligently enforcing the law ([Attachment 4](#)).

Kathy Porter, representing the Judicial Administration, State of Kansas, requested that the committee consider adding the statutory docket fee for safety belt violations ([Attachment 5](#)).

James Hanni, Executive Vice President, AAA of Kansas, spoke in support of the bill. The national average of seat belt use is 83%. Kansas's rate is 77.4 % which ranks 44th among the 50 states. The average usage rate of states with a standard seat belt law is 88%. Standard seat belt laws have a proven track record of increasing a State's seat belt use rate ([Attachment 6](#)).

Darlene Whitlock, on behalf of the Kansas State Nurses Association and the Kansas Emergency Nurses Association, presented testimony in favor of **SB 59**. Their primary goal for support of this bill is that preventing injuries is better than the best trauma care that they can deliver ([Attachment 7](#)).

Ed Klumpp, representing the Kansas Association of Chiefs of Police and Kansas Peace Officers Association as a proponent, testified on the bill. Unrestrained vehicle occupants are thrown about inside the passenger compartment striking other occupants. The result is many cases of serious injuries and deaths to a restrained occupant being struck by an unrestrained occupant of the vehicle in a collision. Restraints also secure the driver so they have increased vehicle control. The bill addresses this problem ([Attachment 8](#)).

Written testimony in support of **SB 59** was submitted by:

Jan Stegelman, Safe Kids Kansas ([Attachment 9](#))

Phyllis Larimore, RN, BSN, CPSTI, Children's Mercy Hospitals and Clinics ([Attachment 10](#))

William Sneed, Legislative Counsel, State Farm Insurance Companies ([Attachment 11](#))

There being no further conferees, the hearing on **SB 59** was closed.

The meeting was adjourned at 9:25 a.m. The next meeting is scheduled for February 3, 2009.