

Written Testimony on Senate Bill 98
Senate Committee on Federal and State Affairs

Prepared by
Kansas Highway Patrol

February 10, 2015

The Kansas Highway Patrol appreciates the opportunity to provide the following written comment on changes set forth in Senate Bill 98.

The Kansas Highway Patrol is in opposition to SB98, which will eliminate most charges for documents unless the report is twenty five (25) or more pages or if it takes more than one hour of research time to provide the documents.

The fiscal impact of the bill would be extraordinarily detrimental and have a severe impact on the Agency. In 2013 and 2014, the Agency printed over 43,741 pages for the public. In FY 2012, the Patrol had annual sales of \$62,856 from the sale of records. In FY 2013, annual sales were slightly higher at \$70,076, presumably due to the implementation of the Patrol's online accident report sales system.

It is important to note that the vast majority of records sought by the public are often less than twenty-five (25) pages.

Additionally, in 2013, the Agency added the feature of online sales of accident reports and witness statements. This has greatly enhanced the ability of the public to access these reports. The cost of having online records available is made possible by charging the nominal fees for the documentation. Should SB10 pass, the Agency would have no choice but to eliminate the online records sales, as there would be no revenue source to fund the program.

There are times when individuals have a hardship and cannot afford to pay for the reports, which many insurance companies are now requiring in order to pay a claim. In these instances, the costs are waived so that the injured party may be compensated for their costs, including damages to their property or health costs associated with their recovery.

The Kansas Open Records Act specifically allows an agency to prescribe fees and costs to the agency for providing requested documentation. The sole purpose for these fees is to recoup the actual costs associated with providing access or copies of public records.

In closing, the impact of SB98 if passed would be dire to the Kansas Highway Patrol, and every other state and local government agency. These agencies would not only lose a valuable revenue source, but would have the additional burden to absorb the costs associated with providing the records to the public.

We respectfully request the Committee oppose this SB98.

###