

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 17, 2009, in Room 783 of the Docking State Office Building.

All members were present except Representative Henry who was excused.

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:

Representative Ann Mah
Vince Melvin, M & M Salvage
Steve Kearney, Representing Auto Sales Dealers

Others attending:

See attached list.

Chairman Hayzlett opened the meeting and advised the Committee there was going to be a presentation by representatives from CarFax. The first representative was Timothy Sowton, Government Relations and Business Development, R. L. Polk & Company. R. L. Polk & Company buy automotive records from every state. He said they were here on their annual visit to Topeka to meet with the Motor Vehicle Division staff. He then introduced Paul Kinitra, who is the Governmental Relations Manager for Car-Fax. He gave a power-point presentation to the Committee.

Chairman Hayzlett introduced Secretary Miller. Secretary Miller passed on remarks from the Governor regarding her vision for transportation. She quoted the Governor as saying the new strategic approach to transportation crafted by the Transportation-Leveraging Investments in Kansas Task Force (T-LINK) will give Kansas the flexibility to seize future economic opportunities while demanding greater accountability and efficiency in meeting our transportation needs. The Governor asked T-LINK members to continue their service to the state by serving as an advisory body for implementation. According to Secretary Miller, Governor Sebelius said KDOT has been directed to report progress to and seek input from T-LINK as recommendations are being implemented.

The Chairman opened the hearing on **HB 2258**.

HB 2258 - Licensing vehicle crushers, recyclers, rebuilders scrap metal recycler.

Chairman Hayzlett recognized Representative Mah. (Attachment #1) According to Representative Mah she became aware of the issues related to automobile recycling last summer when she learned of a recycler in her district who might be recycling stolen vehicles. She notified the Department of Revenue to provide information which eventually led to an arrest. She was advised by staff in the Department of Revenue that there are some holes in the law that need to be covered to reduce the opportunities for cars to be stolen and crushed with no oversight.

The next proponent was Vincent P. Melvin, Jr., President of M & M Auto Parts, Inc. (Attachment #2) According to Mr. Melvin he feels that the scrap dealers should be licensed and controlled by the State. He said the biggest reason is to control the vehicles that are being removed from service. He said the other reason is to assist the local police department with vehicles that may be stolen.

The Chairman recognized Steve Kearney who was representing the KS Automotive Recyclers Ass'n. (Attachment #3) According to Mr. Kearney there is a problem in the disposition of an automobile in which all those involved are not licensed and regulated. He said this bill is intended to take care of that issue which will create a system that discourages fraud, auto theft and protects consumers by licensing vehicle crushers, recyclers, scrap metal recyclers, rebuilders, and salvage vehicle pools. He said the salvage pool was another gap in the life of an automobile that presents opportunity for fraud and auto theft.

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 17, 2009, in Room 783 of the Docking State Office Building.

Chairman Hayzlett drew the Committee's attention to written testimony in support of **HB 2258** from Chief of Police Ronald L. Miller, Topeka Police Department (Attachment #4). Written testimony was also provided by Michael George on behalf of Sheriff Richard W. Barta, Shawnee County Sheriff's Office saying they are not opposed to **HB 2258**. (Attachment #5)

Michael J. McLlin, Manager of Titles and Registration Bureau, Division of Vehicles offered a balloon amendment on **HB 2258**. (Attachment 6)

There being no other proponents and no opponents the Chairman closed the hearing on **HB 2258**.

It was the Chairman's desire to work **HB 2133** so he opened it to the Committee for discussion, comments or motions. The Committee discussed the bill at length. Representative King made a motion to Table **HB 2133**, seconded by Representative Wetta and the motion carried.

Chairman Hayzlett opened **HB 2134** for discussion, comments or motions. After discussions, Representative Long made a motion to carry over **HB 2134** until next year, Representative Rardin seconded it. There was more discussion. Representative Long withdrew her motion as did the second. Representative Peck made a motion to pass favorably **HB 2134**, seconded by Representative Proehl and the motion carried.

The Chairman opened **HB 2188** for discussion, comments or motions. Staff explained **HB 2188** to the Committee. Representative Vickrey made a motion to pass favorably **HB 2188**, seconded by Representative Peck., After more discussion Representative Vickrey amended his motion to align the renewal date with the renewal date for a dealer license to avoid confusion of the expiration dates, seconded by Representative Proehl, the motion carried.

It was the Chairman's desire to work **HB 2258**. Representative Burgess made a motion to amend the bill to make the new requirements apply consistently to all of these types of businesses; to allow any member of law enforcement rather than only members of the Highway Patrol to have access to business records; and to make technical corrections, seconded by Representative Ballard, motion to amend **HB 2258** carried. Representative Menghini made a motion to pass **HB 2258, As Amended**, seconded by Representative King, the motion carried.

There being no further business before the Committee, the meeting was adjourned at 2:30 p.m. The next meeting will be on March 4, 2009.