

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on February 18, 2009, in Room 136-N of the Capitol.

All members were present except:

Senator Bob Marshall- 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

Others attending:

See attached list.

The Chairman called for final action on **SB 59 - Primary seat belt law, penalty.**

Staff distributed a balloon amendment clarifying the effective date to begin with publication in the Kansas Register, a warning citation issued prior to June 30, 2009, then on and after June 30, fined at \$25. Docket fees are not included in the fine (Attachment 1). Following discussion, Senator Schmidt moved, Senator Brownlee seconded, to adopt the proposed amendment. Motion carried.

Senator Schmidt moved, Senator Brownlee seconded, to recommend SB 59 as amended favorably for passage. Motion carried.

Final action on **SB 37 - Regulating traffic, concerning golf carts** continued.

Hank Avila gave an overview of the proposed substitute for **SB 37 (Attachment 2)**. Discussion followed and the committee indicated that they wanted to return to the original bill language with the slow moving vehicle emblem amendment adopted, removing all of the new substitute bill.

Senator Petersen moved, Senator Kultala seconded, to recommend the original SB 37, as amended, favorably for passage. Motion carried.

Final action on **SB 152 - Regulation of certain motor carriers by the corporation commission.**

Staff distributed and reviewed a proposed amendment from Senator Apple (Attachment 3). Senator Schmidt requested that any related rules and regulations be adopted by a date certain, on or before July 1, 2010. Senator Schmidt moved, Senator Brownlee seconded, to adopt the date certain amendment. Following discussion, Senator Schmidt withdrew her amendment. After further discussion on the original proposed amendment, Senator Apple moved, Senator Schmidt seconded, to further amend the amendment by adding "except as provided in paragraphs (8) and (9) of subsection (a)" to paragraphs (c)(3)(A) and (B) on page 2, and to adopt the Apple amendment as amended. Motion carried.

Senator Apple moved, Senator Brownlee seconded, to recommend SB 152 as amended favorably for passage. Motion carried.

The Chairman called attention to final action on **SB 153 - Regulation of certain motor vehicles and motor carriers by the corporation commission.**

An amendment request from Bill Miller, American Subcontractors Association, was distributed and brought to the committee's attention (Attachment 4). Clarification of current law was requested from Mike Hoeme, Director of Transportation for the Kansas Corporation Commission. Discussion followed and the Chairman indicated the committee's concerns to get the language correct. The bill will be put on hold until a later date.

The meeting was adjourned at 9:27 a.m. The next meeting is scheduled for February 26, 2009.