

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Richard Proehl at 1:30 pm on Thursday, February 11, 2021, in room 582-N of the Capitol.

All members were present except:

Representative Ponka-We Victors – Excused

Substitute members:

Representative Mari-Lynn Poskin, appointed substitute member to the committee

Committee staff present:

Adam Siebers, Office of Revisor of Statutes

Andrew Finzen, Legislative Research Department

Betty Boaz, Committee Assistant

Chris Waggoner, Office of Revisor of Statutes

Jill Shelley, Legislative Research Department

Conferees appearing before the Committee:

Representative Gail Finney

Senator Oletha Faust-Goudeau

Dr. Walt Chappell

Faith Martin

Marilyn Harp, Kansas Legal Service

Wendi Stark, League of KS Municipalities

Ed Klumpp, representing KS Ass'n. of Chiefs/Police, KS Sheriffs Ass'n. and KS Peace Officers

Caroline Grootes, Human Services Coalition

Shawn Jurgensen, Deputy Special Counsel to the Chief Justice

Mike Fonkert, KS Appleseed Center for Law and Justice

Others in attendance:

No list available

Chairman Proehl called the meeting to order and opened the hearing on **HB2193**.

Hearing on: HB2193 — Prohibiting an application fee for drivers' license reinstatements, removing additional suspension period when convicted of driving while suspended and limiting reinstatement fee to one per case.

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Staff briefed the Committee on the bill contents and answered questions. ([Attachment 1](#))

Chairman Proehl called for Representative Finney who was not in attendance so her testimony was deemed written testimony. ([Attachment 2](#))

The Chairman recognized Senator Faust-Goudeau as the next proponent. ([Attachment 3](#)) Senator Faust-Goudeau provided background information on the origin of this bill, the problems causing a need for the bill and what she believes the outcome could be.

Chairman Proehl recognized Dr. Walt Chappell. ([Attachment 4](#)) According to Dr. Chappell over 140,000 Kansans have had their driver's license suspended because they did not have enough money to pay their original traffic fine and court costs within the 30 days required by State statute. He said this bill with proposed amendments will ensure these Kansans can once again drive legally.

The next proponent was Faith Martin. ([Attachment 5](#)) She said if this bill was passed court resources would be saved, fewer warrants would be issued, drivers could afford to pay their original fines and court cost, thousands of court cases are cleared, Kansas is in Constitutional compliance and millions of dollars are received back into the courts.

The Chairman recognized Marilyn Harp. ([Attachment 6](#)) Ms. Harp said a significant burden on low income clients is traffic fines. She said because the law sets a standard fine, without regard to the income of the person being fined, the impact is much greater on a low income person.

The next proponent was Wendi Stark. ([Attachment 7](#)) According to Ms Stark this bill with amendments would lessen the burden of reinstatement fees on individuals seeking to get their driver's license back. She said the levying of reinstatement fees for each charge has been found to perpetrate a cycle of violations rather than increase compliance.

The Chairman recognized Ed Klumpp. ([Attachment 8](#)) He said before addressing the bill contents, it is important to explain that the suspension action for failure to pay or failure to appear is an important tool to hold traffic offenders accountable for their offenses. He said without this tool their only method to hold offenders accountable is through a collection process which can result in a damaged credit history that will affect them for years. He said the provision to allow or suspended drivers to operate a vehicle in limited circumstances through a restricted driver's license status is a good provision in existing law.

The next proponent was Caroline Grootes. ([Attachment 9](#)) Ms. Grootes said **HB2193** offers meaningful improvements to reinstating driver's licenses for community members who are seeking opportunities to survive and thrive in Kansas communities. She said the impact of this legislation on the length of suspension periods and the fees associated with reinstatement of driver's licenses represents a

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significant step toward their community goals relating to reducing poverty and supporting vulnerable populations.

Written testimony in support of **HB2193**:

Danielle Johnson ([Attachment 10](#))

Jeanette Bottler, Deputy Director, the Justice Action Network ([Attachment 11](#))

John Jenks, KC Chamber of Commerce ([Attachment 12](#))

Mallory Lutz, Little Government Relation ([Attachment 13](#))

LaWanda DeShazer, Wichita, KS ([Attachment 14](#))

Bonita Gooch, President, KS Black Leadership Council ([Attachment 15](#))

Jim Howell, Sedgwick County Commissioner ([Attachment 16](#))

Sheila Officer ([Attachment 17](#))

Neutral testimony

The first Neutral testimony was by Shawn Jurgensen. ([Attachment 18](#)) According to Mr. Jurgensen this bill would alter the method by which the drivers' license reinstatement fee is assessed against those drivers who fail to comply with a traffic citation. He said the Judicial Branch anticipates that this bill would reduce the total number of reinstatement fees that are assessed and significantly impact their budget.

The next Neutral testimony was submitted by Mike Fonkert. ([Attachment 19](#)) Mr. Fonkert said that research showed that nearly 75 percent of suspended drivers continue to drive, because they have no choice if they want to provide for their families. He said while this bill does propose important steps it does not solve the state's driver's license suspension problem.

Opposition testimony

Written testimony in opposition was submitted by Chief Judge Merlin G. Wheeler. ([Attachment 20](#))

The Chairman asked if there were any other proponents, neutrals or opponents who wished to speak. There were none so Chairman Proehl closed the hearing on **HB2193** and called for Final Action on

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HB2015.

Final action on: HB2015 — Providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force and coast guard.

Staff briefed the Committee on **HB2015**. ([Attachment 21](#))

*Representative Ballard moved favorable passage of **HB2015** seconded by Representative Hoheisel. Representative Hoheisel moved passage of an amendment ([Attachment 22](#)) to add the word "retired" throughout the bill. Discussion followed. The Motion was defeated. Back on the bill. Representative Hoheisel moved passage of a second amendment, seconded by Representative Minnix. ([Attachment 23](#)) Motion carried. Back on the bill as amended. Representative Ballard moved favorable passage of **HB2015, as amended**, seconded by Representative Hoheisel. Motion carried.*

Final action on: HB2166 — Providing for the Braden's Hope distinctive license plates and changing the requirements to begin production on distinctive license plates.

Staff briefed the Committee. ([Attachment 24](#))

*Representative Ballard moved favorable passage of **HB2166**, seconded by Representative Hoheisel. There was discussion. Motion carried.*

Final action on: HB2169 — Providing for the proud educator license distinctive license plate and decreasing the plate commitment prior to production.

Staff briefed the Committee on the contents of this bill. ([Attachment 25](#))

*Representative Ballard moved favorable passage of **HB2169**, seconded by Representative Helgerson. Motion carried.*

Final action on: HB2194 — Providing for the alpha kappa alpha distinctive license plate.

Staff briefed the Committee on the contents of this bill. ([Attachment 26](#))

*Representative Ballard moved favorable passage of **HB2194**. Representative Helgerson seconded the motion. Motion carried.*

*Representative Helgerson then moved to remove contents of **HB2015**, **HB2169** and **HB2194** and place the language in **Sub. HB2166**, seconded by Representative Jacobs. Motion carried.*

Announcements - Chairman Proehl announced that the next Committee meeting will be on February 16th. The Committee will hear **HB2201**, **HB2247** and **HB2296**.

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.

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Adjournment

There being no further business before the Committee the meeting was adjourned.