

To: Chairman Petersen, Senate Transportation
From: Deborah Barnes, Staff Attorney
Date: February 24, 2021

RE: SB 167 Neutral - Written

We want to thank Chairman Petersen and the Committee members for giving the League of Kansas Municipalities the opportunity to present neutral testimony on SB 167.

SB 167 would add a category of motor vehicles to those that can be designated as emergency vehicles when operated by an authorized person as defined in K.S.A. 66-1710 – motor vehicles working on emergency repairs that are needed on electric utility or natural gas equipment to restore necessary services or ensure public safety. These vehicles would not be required to go through the process of designation by the board of county commissioners as authorized emergency vehicles.

We appreciate the need for protection to ensure the safety of those working to repair and maintain vital utilities and of citizens in proximity to this needed and often dangerous work. We believe we understand that the main concern is to give better protection to stationary utility vehicles carrying out the emergency work defined in the bill. However, we have concerns about the approach set out in SB 167. Most vehicles go through the process for designation by the board of county commissioners to be an authorized emergency vehicle. This generates a written designation that clearly sets out the status of the vehicle. Emergency vehicles operated by public utilities can already make an application to be so designated. There is also a catch all category under K.S.A. 8-2010a for designation of “any other vehicle where designation is necessary to the preservation of life or property or carrying out of emergency governmental functions.” There are various traffic laws that do not apply to authorized emergency vehicles when displaying proper lighting, including but not limited to the ability to (1) ignore all parking/standing rules, (2) proceed past a red or stop signal or stop sign, (3) exceeding the maximum speed limits so long as such driver does not endanger life or property, (4) disregarding regulations governing direction of movement or turning in specified directions; and (5) proceed through toll booths on roads or bridges without stopping for payment of tolls, but only after slowing down as may be necessary for safe operation and the picking up or returning of toll cards. Are all of these various exemptions necessary to accomplish the goal of the legislation?

The League requests the Committee to consider, before passing legislation out of Committee, whether SB 167 is the best way to alert the public to stationary vehicles and to secure the safety of utility workers carrying out emergency repairs on electric utility or natural gas equipment.