

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 10, 2011, in Room 783 of the Docking State Office Building.

All members were present: except

- Representative Bob Grant - excused
- Representative Jerry Henry - excused
- Representative Eber Phelps - excused

Committee staff present:

- Scott Wells, Office of the Revisor of Statutes
- Daniel Yoza, Office of the Revisor of Statutes
- Jill Shelley, Kansas Legislative Research Department
- Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

- Representative Elaine Bowers
- John Faber, representing ABATE of Kansas
- Tim Farr, representing ABATE District 4
- Tony McClelland, Galva, KS
- Ty Dragoo, Director, United Transportation Union of KS
- Ray Thomas

Others attending.

See attached list.

Chairman Hayzlett opened the meeting. He opened the hearing on **HB 2058**.

### **HB 2058 – Establish conditions when motorcyclists may proceed through red traffic signals**

Chairman Hayzlett recognized John Faber, representing ABATE, as the first conferee. According to Mr. Faber (Attachment #1) **HB 2058** would allow the driver of a motorcycle to proceed through a steady red signal, subject to other traffic rules governing right of way, if the red light has failed to change to green within a reasonable period of time because the signal has malfunctioned or has failed to detect the motorcycle. He said passage of this bill is the cheapest fix to this problem. He said this simply makes it possible for a motorcyclist to use the stop light as a stop sign and proceed with caution when it is safe to do so.

The Chairman recognized Tim Farr, also representing ABATE. (Attachment #2) Mr. Farr explained the problem motorcyclists have when they stop at a red light. Mr. Farr said that late at night or during a lull in traffic, they sit and wait for vehicles to pull in behind them to trip the sensor – or they have to run the red light. He said it would be much safer if a motorcycle was allowed the authority to proceed after stopping whether the light changes or not. Mr. Farr also said weather affects the light system.

## CONTINUATION SHEET

The next conferee recognized was Tony McClelland. (Attachment #3) Mr. McClelland said he was asking for support of this bill which is aimed at addressing a very common and frustrating issue that plagues motorcyclists throughout the state, that being the traffic control lights that do not detect motorcycles.

The Chairman drew the committee's attention to written testimony submitted in support of **HB 2058**, from Lynn Auernheimer (Attachment #4), Richard Goering (Attachment #5), and Arthur Barnett (Attachment #6).

Chairman Hayzlett asked committee members if they had questions of the proponents. When all questions were answered, the Chairman recognized Ty Dragoo, Director, United Transportation Union, whose testimony was listed as Neutral. (Attachment #7) Mr. Dragoo said his concern is with motorcyclists going through a "Flashing light lowered gate" protection device. He said he was concerned with some of the wording in the bill and proposed language that would clear his concern.

The Chairman opened for questions, when all questions were answered, he drew the committee's attention to written testimony submitted in opposition to **HB 2058** from Ed Klumpp, representing the KS Association of Chiefs of Police, and KS Peace Officers Association. (Attachment #8)

Chairman Hayzlett closed the hearing on **HB 2058**.

The Chairman then allowed an informational presentation on **HB 2199**.

### **HB 2199 – Right-of-way violations; increased penalties.**

After all presenters had a chance to speak, the Chairman thanked them for coming.

Chairman Hayzlett then opened the hearing on **HB 2003**.

### **HB 2003 – Designating part of K-18 as Medal of Honor Donald K. Ross memorial highway**

Chairman Hayzlett recognized Representative Elaine Bowers. (Attachment #9) According to Representative Bowers, **HB 2003** would designate the portion of U.S. Highway 81 and K-18 Highway then west on K-18 Highway to the western boundary of Lincoln County as the Medal of Honor recipient Donald K. Ross Memorial Highway. Representative Bowers explained how prestigious the Medal of Honor Award is and briefed the committee on the actions which caused the Medal of Honor Award to be bestowed on Donald K. Ross. She said a destroyer, the USS Ross, is still in service honoring his name. Mr. Ross died on May 27, 1992.

There were no questions from the committee. The Chairman drew the committee's attention to written testimony submitted in support of **HB 2003** from Joe Cassell, Salina, KS. (Attachment #10)

There were no opponents so Chairman Hayzlett closed the hearing on **HB 2003**.

CONTINUATION SHEET

It was the Chairman's desire for discussion and action on **HB 2093**.

Representative Swanson moved **HB 2093** favorable for passage, the motion was seconded by Representative Grange. Representative Swanson moved an amendment to **HB 2093** (Attachment #11), which would increase the hourly and minimum fee to \$20, seconded by Representative Wolf, and the motion to amend carried. Following discussion Representative Fawcett moved to pass **HB 2093, as amended**, favorable for passage. The motion was seconded by Representative Arpke and the motion carried.

There being no further business before the committee, the meeting was adjourned.

