

MINUTES OF THE HOUSE TRANSPORTATION.

The meeting was called to order by Chairperson Gary Hazylett at 1:35 p.m. on March 7, 2001 in Room 519-S of the Capitol.

All members were present except:

Representative Marti Crow, excused

Committee staff present:

Bruce Kinzie, Revisor

Hank Avila, Research

Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Sheila Walker, Director, Division of Vehicles

Tom Whitaker, Kansas Motor Carriers Association

Steve Neske, Research Analyst, Motor Vehicle Department

Others attending:

See attached sheet

SB 53 - apportioned fleet registration

Chairman Hayzlett opened hearings on **SB 53**.

Sheila Walker, Director, Division of Vehicles, said this bill would repeal a statute relating to interstate reciprocity permits for fleet vehicles. She said the Bureau has not issued an interstate reciprocity permit for fleet vehicles for several years and the statute is no longer needed since all jurisdictions that were in the Uniform Agreement are members of the International Registration Plan. (Attachment 1)

Tom Whitaker, Kansas Motor Carriers Association, appeared before the committee with an amendment which addresses a trucking company leasing a vehicle for more than 30 days. Under current Kansas law, such vehicle must be registered in the name of the trucking company and not the leasing company. This amendment would allow a leasing company, when the lease does not include a driver, to remain the registered owner of the vehicle. He said the Department of Revenue has indicated support for this amendment and there is no fiscal note. (Attachment 2)

There were no opponents.

Following questions from the committee the Chair closed hearings on **SB 53**.

SB 54 - bonding requirements for liquid-fuel carriers

Chairman Hayzlett opened hearings on **SB 54**. Steve Neske, Research Analyst, Motor Vehicle Department, said this bill would remove the requirement that a liquid-fuel carrier post a \$1,000 bond in order to obtain a liquid-fuel carrier's license. He said the bond requirement was initially imposed at a time when the motor vehicle fuel taxes were not yet paid before a liquid-fuel carrier took possession of such fuel. However, under current law the motor vehicle fuel tax is imposed on the distributor of first receipt and by the time a liquid-fuel carrier takes possession of fuel from a distributor the tax should already have been paid. He concluded that under current law, the liquid-fuel carrier's bond serves no real purpose. (Attachment 3)

There were no opponents.

Following questions from the committee Chairman Hayzlett closed hearings on **SB 54**.

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 519-S of the Capitol at 1:35 p.m. on March 7, 2001.

HB 2145 - concerning the use of child passenger safety seats and safety belts

Chairman Hayzlett called on Representative John Ballou to give a sub-committee report on **HB 2145**. He told the committee they recommended adding on line 19, Section 1 “and any and all components contained in such federal standards, including but not limited to any motorized components”. He told the committee they went to the federal standards that listed all of the components and felt that should take care of the problem. He said the people in the industry and the Attorney General’s office agreed to this amendment.

Jim Welch, Attorney General’s office, said their only concern was there was no penalty in this bill and no enforcement mechanism. However, following discussion it was determined the industry had agreed to honor this amendment and if there was a problem in the future it could be amended further at that time.

Chairman Hayzlett thanked Representatives Ballou, Dreher and Long for their report.

SB 53 - apportioned fleet registration

Chairman Hayzlett called for discussion and final action on **SB 53**. Representative Vickery made a motion to accept the amendment as recommended by Tom Whitaker, seconded by Representative Dreher. Representative Ballou made a motion to pass SB 53, as amended, seconded by Representative Levinson and the motion carried.

SB 54 - bonding requirements for liquid-fuel carriers

Chairman Hayzlett called for discussion and final action on **SB 54**. Representative Ballou made a motion to pass SB 54 and place on the Consent Calender, seconded by Representative Dreher and the motion carried.

HB 2145 - concerning the use of child passenger safety seats and safety belts

Chairman Hayzlett called for discussion and final action on **HB 2145**. Following discussion by the committee Representative Vickery made a motion to accept the sub-committee report and the amendment, seconded by Representative Levinson and the motion carried.

Representative Ballou made a motion to pass HB 2145, as amended, seconded by Representative Long and the motion carried.

SB 172 - traffic regulation relating to child passenger seat requirements and seat belts

Chairman Hayzlett called for discussion and final action on **SB 172**. Representative Powell offered an amendment which would strike all of new Section 4 and restore to current law, seconded by Representative Howell and the motion carried.

Representative Long offered an amendment adding on line 3, Section 2, (c) “there is not a violation of this section, if a parent or guardian is transporting such parent’s or guardian’s own children and the number of children subject to the requirements of subsection (a) exceeds the number of passenger securing locations available for use by such children affected by such requirements, and all of those securing locations are in use by children”. This was seconded by Representative Powell. Following discussion Chairman Hayzlett called for a vote and the amendment failed.

Representative Pyle made a motion which would restore lines 3-7 back into the bill, Section 2. This was seconded by Representative Long and on a division of vote, the motion carried.

Representative McKinney made a motion to pass SB 172 as amended, seconded by Representative Powers and the motion carried.

Chairman Hayzlett adjourned the meeting at 2:25. The next meeting of the House Transportation Committee is scheduled for Thursday, March 8th in Room 519-S.