

MINUTES

SPECIAL COMMITTEE ON TRANSPORTATION

October 22, 2007
Room 514-S—Statehouse

Members Present

Representative Gary Hayzlett, Chairperson
Senator Dennis M. Wilson, Vice-Chairperson
Senator Terry Bruce
Senator Mark Gilstrap
Senator Vicki Schmidt
Representative Margaret Long
Representative Julie M. Menghini
Representative Richard J. Proehl
Representative Vincent Wetta
Representative William Wolf
Representative Ron Worley

Staff

Chris Courtwright, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Bruce W. Kinzie, Revisor of Statutes Office
Michael K. Corrigan, Revisor of Statutes Office
June Evans, Secretary

Monday, October 22 **Morning Session**

Chairperson Gary Hayzlett called the meeting to order at 10:00 a.m.

The Chairperson asked for approval of the minutes and Senator Schmidt had some corrections. The Chairperson stated the minutes would be taken up later in the meeting.

The Chairperson stated all five topics would be covered, in this order:

- Topic No. 2 – Inter-municipality Light Rail Systems;
- Topic No. 3 – Kansas Affiliation with the Midwest Interstate Passenger Rail Compact;
- Topic No. 5 – Regulation of Work-Site Utility Vehicles;

- Topic No. 4 – Graduated Driver’s Licensing; and
- Topic No. 1 – Short Line Railroads.

The Chairperson opened the discussion on Topic No. 2 – Inter-municipality Light Rail Systems.

Staff gave a briefing, stating the Kansas City metropolitan area had pursued light rail, trying to reduce the traffic on highways including the interstates.

The Chairperson asked what proponents were seeking from the Legislature.

Staff stated Kansas City had a plan and a funding source but authorization for the funding would sunset soon.

Representative Worley said there had been an ongoing study and that Kansas City area officials are somewhat undecided as to how to proceed and unsure their current plan is workable. They are developing a new plan. He was not sure those who provided information were asking for any action from the Legislature, but they were providing information on this regional matter.

The Chairperson stated testimony was received and was instructional for the Committee. There was no recommendation at this time, but the Committee looks forward to further updates on the Kansas City area plan (Attachment 1).

The Chairperson opened the discussion on Topic 3 – Kansas Affiliation with the Midwest Interstate Passenger Rail Compact (Attachment 2).

Senator Wilson asked how many states are members of the Compact and the cost to join.

Staff said there are nine states in the Compact and it costs \$15,000 per year. The Compact addresses rail issues.

After discussion, Senator Bruce moved and Senator Wilson seconded to recommend denying joining the Midwest Interstate Passenger Rail Compact. The motion carried.

Representative Wetta voted No.

The Chairperson opened the discussion on Topic No. 5 – Regulation of Work-Site Utility Vehicles.

Senator Wilson stated he had spent a lot of time on this issue and traveled to South Dakota to meet with two distributors. These vehicles serve a purpose and should be titled and licensed. South Dakota and five other states are permitting these vehicles on county and state roads. This would bring in additional state revenue.

Staff stated the provisions of 2007 SB 8 allow these vehicles to be operated on county roads. Owners must get a non-highway title, but probably some do not get the non-highway title. Work-site utility vehicles can be operated in any city that has passed an ordinance allowing work-site utility vehicles to operate within the city. Drivers could use county roads to cross the entire state. Drivers need to have a driver’s license to operate legally.

Senator Bruce moved and Senator Wilson seconded a motion to allow these vehicles on any county road or city street in the state, require these vehicles to be titled and licensed, make insurance mandatory, and require the importer to be responsible for having the title printed in English.

Senator Schmidt stated she would like to amend the motion to allow municipalities to disallow work-site utility vehicles within municipal boundaries.

After discussion, Senator Bruce and Senator Wilson withdrew their original motion to allow municipality "opt out" to be added to the motion.

The Chairperson stated the Committee had not had a chance to determine the effects of the provisions of 2007 SB 8.

Senator Wilson stated he would like a new bill just for these work-site utility vehicles.

Senator Wilson moved and Representative Menghini seconded to revisit 2007 HB 2559 and recommend the bill include the following provisions: vehicles must meet state safety requirements for operation upon state and county roads; vehicles must be licensed, titled, and insured; titles must have been translated into English; and these vehicles may operate on all county roads, except that municipalities could disallow such vehicles. The motion carried.

Representative Worley said he would vote against the bill as he did not believe micro-truck work-site utility vehicles could meet the safety requirements. He was concerned about the vehicles' speed as governors placed on the vehicles to reduce maximum speeds easily could be removed, would prefer to require that cities or counties specifically allow the vehicles rather than having to disallow them, and would like to learn whether the provisions of 2007 SB 8 are effective in regulating work-site utility vehicles ([Attachment 3](#)).

Afternoon Session

The Chairperson opened the discussion on Topic No. 4 – Graduated Driver's Licensing.

Senator Schmidt stated SB 294 passed the Senate on February 22, 2007, showing the Senate's position on this issue, and she urged the Committee to endorse the Senate amendments and urged the House to pass the bill.

Staff gave a briefing on the provisions of SB 294. It would allow teenage drivers to receive an instructional permit at age 15 and have that instructional permit for at least one year before receiving a restricted license at age 16. In order to receive a license before age 18, teenage drivers would need to pass a driver's education course and have an affidavit showing they have driven 50 hours supervised by an adult with at least 10 of the 50 hours driven at night. For the first six months, a teenage licensed driver would be allowed to drive from 5:00 p.m. to 9:00 p.m. to and from work, school and school-related activities, and religious functions, and no more than one passenger would be allowed unless multiple passengers are family members. An unrestricted license would be available at an age no younger than 16 ½. The bill would create a farm instructional permit for 14-year-olds. No holder of an instructional or restricted license could operate a wireless communications device while driving.

The Chairperson commented \$6.65 million has been swept from the State Safety Fund to the State General Fund and, as a result, was not available to help school districts pay for driver's education.

The Chairperson expressed hope that SB 294 could be tweaked to be more enforceable.

Representative Menghini stated that SB 294 contained some good ideas, but teenagers are going to drive anyway. She said parents must make sure teenagers drive legally. She added many teenagers are not receiving the course in school and it is too expensive for many families to pay a private contractor.

Representative Worley stated many students cannot receive driver's education in school because it is difficult to find the class time and instructors. It is costly to go to private providers and many cannot afford it, thus forcing them to wait to drive until age 18. He expressed hope that driver's education can be addressed (Attachment 4).

Senator Schmidt moved the interim Transportation Committee favorably recommend SB 294 with modifications and recommendations. There was no second.

Senator Schmidt moved and Representative Long seconded to recommend the House Transportation Committee hear SB 294 and address concerns expressed by this Committee. The motion carried.

The Chairperson opened the discussion on Topic No. 1 – Short Line Railroads.

Staff gave an update on Short Line Railroads.

Representative Menghini recommended the Secretary of Transportation continue to support short line railroads to help them rehabilitate track and keep the short line railroads operating (Attachment 5).

Representative Menghini moved and Representative Wetta seconded to continue the Secretary's discretion on how to use funds designated for short line railroads. The motion carried.

Senator Bruce moved and Senator Wilson seconded to recommend that a portion of the Highway Plan monies be used for the short line railroads, to promote improved infrastructure and maintenance. The motion carried.

Senator Gilstrap moved and Senator Wilson seconded the minutes of September 13 and 14 be approved, with the corrections requested by Senator Schmidt. The motion carried.

The Chairperson thanked the members for their time and said this would be the last meeting of the 2007 Special Committee on Transportation. The meeting adjourned at 2:20 p.m.

Prepared by June Evans
Edited by Jill Shelley and Hank Avila

Approved by Committee on:

November 9, 2008

(Date)