

MINUTES OF THE HOUSE TRANSPORTATION.

The meeting was called to order by Chairperson Gary Hayzlett at 1:50 p.m. on February 26 , 2002 in Room 519-S of the Capitol.

All members were present except:

Representative Dillmore, excused
Representative Humerickhouse, excused
Representative Kauffman, excused
Representative Levinson, excused
Representative Osborne, excused

Committee staff present:

Bruce Kinzie, Office of the Revisor
Hank Avila, Legislative Research Department
Carol Doel, Acting Committee Secretary

Conferees appearing before the committee:

D. Michael Brown, Commander, Coffeyville Police Department

Others attending:

See attached sheet

HB 2799 - Commercial driver's licenses, exempt vehicles

Representative Hayzlett opened hearings on **HB 2799**. Representative Garner introduced D. Michael Brown, Commander, Coffeyville Police Department as a proponent. He told the committee his department had recently acquired a surplus armored truck that would have multiple uses within the department. However, upon researching the current statutes the truck is considered a Commercial Motor Vehicle, therefore, any officer that operated the truck would be required to obtain a Commercial Drivers License. Being a small department this would not be practical. He said it was his understanding that the firefighters are exempt from this requirement based on the fact that a fire vehicle is a firefighting apparatus that incidentally drives on the roads and highways. They are asking that this exemption be extended to include police officers operating law enforcement specialty vehicles that are otherwise considered Commercial Motor Vehicles. (Attachment 1)

There were no further proponents and no opponents listed. Following questions from the committee Chairman Hayzlett closed hearings on **HB 2799**.

Representative Larkin made a motion to pass **HB 2799** favorably, seconded by Representative Levinson and the motion carried.

Representative Powers requested his "no" vote be recorded.

HB 2604 - driver's licenses, expiration date

Chairman Hayzlett opened **HB 2604** for discussion and final action. Representative Osborne made a motion to table **HB 2604**, seconded by Representative Powers and the motion carried.

HB 2886 - child passenger safety act

Chairman Hayzlett opened **HB 2886** for discussion and final action and called on Bruce Kinzie, Revisor, to give an overview of the bill with the amendments which had been added. He said basically the amendments changed the age and weight of children required to be in a child passenger safety restraining system, added it would not be a violation if the number of children subject to the requirements exceeds the number of passenger securing locations available for use by children affected by such requirements and all of those securing locations are in use and finally would renumber the sections and sub-sections.____

Representative Vickrey made a motion to adopt the amendments, seconded by Representative Loganbill and the motion carried.

Representative Larkin made a motion to amend page 2, line 6 eliminating the \$60.00 and making the fine back to \$20.00, seconded by Representative Long and the motion carried. Representative Levinson wished his "no" vote recorded.

Representative Huy made a motion to waive \$10.00 of the fine and the court costs if the parents could provide proof of a booster seat on a first offense (this is back to the current law), seconded by Representative Humerickhouse and the motion carried.

Representative Humerickson made a motion that line 6, page 2 be \$20.00 for the first conviction and \$60 for the 2nd conviction and subsequent convictions, seconded by Representative Levinson and the motion carried.

Representative Aday moved that on page 2, line 21 the age be moved back to 14, seconded by Representative Levinson and the motion failed.

Representative Vickrey moved to pass **HB 2886**, as amended, seconded by Representative Loganbill. There was no vote taken.

Representative Pyle made a substitute motion that officers carry a child safety seat with them. This failed for lack of a second.

Representative Ballou made a motion to table **HB 2886**, seconded by Representative Powers - no vote taken.

Representative Osborne made a substitute motion to strike weight and height on page 1, line 32. Motion died for lack of a second.

Representative McKinney made a motion to pass **HB 2886** favorably, as amended, seconded by Representative Loganbill and the motion carried.

Representatives Ballou and Osborne wished their "no" vote recorded.

Chairman Hayzlett adjourned the meeting at 2:40 p.m. The next meeting of the House Transportation Committee will be March 7th at 1:30 p.m. in Room 519-S.