

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on March 22, 2004 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Cindy Samuelson, KS Safe Kids
Danielle Roeber, National Transportation Safety Board
Major Mark Goodloe, KS Highway Patrol
Eric Haar, Executive Director, State Child Death Review Bd., Office of Attorney General
Dr. Dennis Cooley, KS Chapter of American Academy of Pediatrics
Darlene Whitlock, Emergency Nurses Ass'n.
Terry Heidner, Director of Planning and Development, KDOT
Jim Hanni, representing AAA
Sally Finney, Executive Director, Public Health Ass'n.
Gary Brunk, KS Action for Children
Tara Eubanks, Public Affairs Specialist, State Farm Insurance
Pam Kemp, Clay County EMP Administrator
Phyllis Larimore, Childrens Mercy Hospital
Sandra Bohne, Leavenworth, KS, Parent
John Drees, Douglas County Safe Kids
Paula F. Marmet, Director of Health Promotion, KS Dept of Health and Environment
Tom Whitaker, KS Motor Carriers Ass'n. (Written testimony only)
Traci Meyer, Emporia, KS, a parent of two children (Written testimony only)
Gary Davenport, KS Motor Carriers Ass'n.
Carmen Alldritt, Director, Division of Motor Vehicles

Others attending:

See Attached List.

SB 329 - Child passenger safety act, age requirements, penalties

Chairman Hayzlett opened the hearing on **SB 329**. Chairman Hayzlett introduced each of the following proponents of **SB 329**. Each of the following proponents addressed the Committee and urged the Committee to favorably pass this bill:

- Cindy Samuelson, KS Safe Kids - showed a short video to the Committee ([Attachment 1](#))
- Danielle Roeber, National Transportation Safety Board ([Attachment 2](#))
- Major Mark Goodloe, Kansas Highway Patrol ([Attachment 3](#))
- Eric Haar, Ex Dir, State Child Death Review Bd, Office of Attorney General ([Attachment 4](#))
- Dr. Dennis Cooley, Kansas Chapter of American Academy of Pediatrics ([Attachment 5](#))
- Darlene Whitlock, Emergency Nurses Ass'n. ([Attachment 6](#))
- Terry Heidner, Director of Planing and Development, KDOT ([Attachment 7](#))
- Jim Hanni, representing the American Automobile Ass'n. of Kansas ([Attachment 8](#))
- Sally Finney, Executive Director, Public Health Ass'n. ([Attachment 9](#))
- Gary Brunk, Kansas Action for Children ([Attachment 10](#))
- Tara Eubanks, Public Affairs Specialist, State Farm Insurance ([Attachment 11](#))
- Pam Kemp, Clay County EMP Administrator ([Attachment 12](#))
- Phyllis Larimore, Childrens Mercy Hospital ([Attachment 13](#))
- Sandra Bohne, Leavenworth, KS, Parent ([Attachment 14](#))
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- John Drees, Douglas County Safe Kids ([Attachment 15](#))

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE at 1:30 p.m. on March 22, 2004 in Room 519-S of the Capitol.

- Paula F. Marmet, Dir of Health Promotion, KS Dept. of Health and Environment (Attachment 16)

The following proponents submitted written testimony for the Committee's consideration:

- Tom Whitaker, Kansas Motor Carriers Association (Attachment 17)
- Traci Meyer, Emporia, KS, Parent of two children (Attachment 18)

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **SB 329**.

SB 383 - Commercial drivers' license, hazardous material endorsement

The Chairman opened the hearing on **SB 383** and introduced Gary Davenport, Director of Safety and Risk Management of the Kansas Motor Carriers Ass'n. (Attachment 19) Mr. Davenport said they were in support of **SB 383** but wanted to offer an amendment to change the April 1, 2004, implementation date on page 1, line 14 by adding the following language, "or upon final determination by the Transportation Security Administration of the implementation date of the procedures for collecting the fingerprints whichever comes later." Mr. Davenport said it was their understanding that the Transportation Security Administration of the Office of Homeland Security is still trying to develop uniform procedures for the collection and the administration process for handling the fingerprint information. He said **SB 383** is legislation to bring Kansas into compliance with requirements of the USA Patriot Act which was enacted by Congress on October 25, 2001, to help protect the security of hazardous materials shipments.

Carmen Alldritt, Director of Motor Vehicles, Department of Revenue was the next proponent. (Attachment 20) Director Alldritt said **SB 383** requires CDL drivers who wish to attain or renew a hazardous materials endorsement on their drivers license be subject to fingerprint capture and background check. This requirement brings Kansas into compliance with the US Patriot Act.

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **SB 383**.

The Chairman called for final action on **SB 501**. Representative Beggs made a motion to favorably pass this bill out of Committee, Representative Wilk seconded the motion. Representative Humerickhouse made a substitute motion to amend the language of HB 2666 into this bill, seconded by Representative Burgess. Representative Davis explained the balloon amendment (Attachment 21). After some discussion Representative Humerickhouse withdrew his motion to amend, the second to this motion was also withdrawn.

Chairman Hayzlett called for final action on **SB 383**. Representative Larkin made a motion to amend this bill with the information provided by the proponents, Representative Wilk seconded the motion. The motion carried. Representative Larkin made a motion to favorably pass **SB 383, as amended**, Representative Toelkes seconded the motion, the motion carried.

The Chairman adjourned the meeting. The next meeting will be March 23, 2004, at 1:30 in Room 519-S.