

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 12, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator David Adkins- absent

Committee staff present:

Hank Avila, Legislative Research Department

Bruce Kinzie, Revisors of Statutes

Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Carmen Alldritt, Dir. Motor Vehicles Div., KDOR

Gary Davenport, KS Motor Carriers Assn.

Terry Holdren, Kansas Farm Bureau

Senator Phillip Journey

Others attending:

See Attached List.

### **SB 383: Commercial drivers' license, hazardous material endorsement**

Carmen Alldritt, Kansas Department of Revenue, Director Division of Motor Vehicles requested this bill in order to bring Kansas into compliance with the US Patriot Act. Commercial drivers who wish to renew a hazardous materials endorsement on their driver's license will be subject to fingerprinting and background checks (Attachment 1). Discussed possibility of problem with effective date because of federal time line. If necessary, an amendment to eliminate that problem will be proposed.

Gary Davenport, Kansas Motor Carriers Association addressed the implementation date issue which will be dependent on actions by Transportation Security Administration (TSA). This organization strongly supported the Kansas Uniform Commercial Driver's License Act when it was adopted and they also support **SB 383**. His testimony provided members with a list of disqualifying crimes and felonies (Attachment 2). Terry Holdren, Associate State Director, Kansas Farm Bureau Governmental Relations also presented testimony in support of the bill (Attachment 3). His testimony raised some questions regarding how it would impact their members. They are concerned about "threshold levels." Tom Whitaker, Kansas Motor Carriers Association, explained that Kansas Uniform Commercial Driver's License statutes exempt a farmer operating a vehicle registered as a farm truck within 150 miles of that farm. Farm Bureau is also concerned about the definition of hazardous material. Current law typically exempts farm materials. Nothing in this bill changes the current status of farm trucks. With these answers to his questions, Mr. Holden testified that in general his group supports the bill. Hearing closed.

### **SB 385: School zones, disobeying school crossing guard**

Senator Phillip Journey explained his bill. It has two operative sections which would change existing law. It doubles the fines for violations in school zones and it creates a new infraction for refusing to comply with any lawful order or direction of any uniformed adult school crossing guard. Included in his testimony is a copy of the Attorney General's opinion which establishes the authority of school crossing guards (Attachment 4). It is felt this specific law will increase law enforcement. Several questions were raised. Members learned it is not a violation of school zone law to drive through the zone at normal speed when school is not in session. This law will not usurp local control. A school zone is a creature of local government unless it is located on a designated highway. The Highway Patrol will issue tickets for violations in the latter instance. Mark Desetti, Kansas National Education Association provided written testimony urging passage of this bill (Attachment 5). Diane A. Gjerstad, Wichita Public Schools, answered members' questions regarding problems in school zones. She advised the usual problems occur because of congestion around schools. No written testimony. Hearing closed

## CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on February 12, 2004 in Room 527-S of the Capitol.

### **Committee discussion**

Chairman Donovan reviewed the upcoming schedule. The Committee has some bills which have not yet been scheduled for hearings and time is getting short to get bills out of Committee. Discussed bills dealing with distinctive license plates and problems these have created. A big problem is the unsold special tags. Carmen Alldritt, KDOR Director of Motor Vehicles Division has agreed to store the plates here in Topeka. . The issuance of distinctive license plates has become a problem and something needs to be done about it. It was suggested a study should be given to the distinctive license plate issue. Perhaps consideration could be given to the use of decals.

Meeting adjourned at 9:20 a.m.

The next meeting is scheduled for February 17, 2004.