

Approved: March 6, 2012
(Date)

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Dwayne Umbarger at 8:35 a.m. on Wednesday, February 15, 2012, in Room 152-S of the Capitol.

All members were present except:
Anthony Hensley - excused

Committee staff present:
Daniel Yoza, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Laura Jurgensen, Kansas Legislative Research Department
Jane Wentz, Committee Assistant

Others appearing before the Committee:
Tom Whitaker, Kansas Motor Carriers Association
Pat Hubbell, Burlington Northern Santa Fe Railway Company
Lindsey Douglas, Chief of Governmental Affairs, Kansas Department of Transportation

Others in attendance:
See attached list.

Final action on:

SR 1806—Urging congress to repeal freeze on truck weight limits

At the request of the Chairperson, Daniel Yoza, Office of the Revisor of Statutes, briefly summarized **SR 1806**. The Chairperson recognized Tom Whitaker, Kansas Motor Carriers Association, and asked Mr. Whitaker to provide an update for the Committee members on the latest developments in Congress regarding the repeal of truck weight and length limits legislation. Pat Hubbell, Burlington Northern Santa Fe Railway Company, stated his company's support for lifting the freeze on truck weight and length limits for custom harvesters. At the request of the Chairperson, **SR 1806** will be amended to provide a focus on the custom harvesters industry and urge Congress to lift the freeze on truck weight and length limits for the custom harvesters' industry. Patrick Vogelsberg provided written testimony to urge passage of **SR 1806** (Attachment 1).

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

Minutes of the SENATE TRANSPORTATION Committee at 8:35 a.m. on Wednesday, February 15, 2012, in Room 152-S of the Capitol.

SB 342—Establishing a safety corridor program

At the request of the Chairperson, Mr. Yoza provided a brief summary of **SB 342**. Senator Reitz then presented a copy of a balloon amendment for Committee consideration. This amendment added that a conviction of exceeding the speed limit within a safety corridor would be considered a moving violation for determining whether a person's driving privileges should be restricted, suspended, or revoked, regardless of the number of miles per hour the violator's speed exceeds the speed limit. The amendment also would prohibit a diversion agreement in lieu of further criminal proceedings that would prevent the conviction of exceeding the speed limit in a safety corridor from appearing on a person's record. A copy of KAR 92-52-9, definition of moving violations, was given to each Committee member (Attachment 2). *Senator Donovan made a motion to accept the amendment as written.* Senator Reitz seconded the motion and the motion carried on a voice vote. *Senator Donovan made a motion to recommend the bill as amended favorably for passage.* *Senator Reitz seconded the motion and the motion carried on a voice vote.*

The Chairperson recognized Lindsey Douglas, Chief of Governmental Affairs, Kansas Department of Transportation (KDOT), to provide the Committee with an update on the potential impact to KDOT of tax plans proposed by the House and the Governor. Ms. Douglas indicated KDOT did not have an official position regarding the potential impact of **HB 2747—Taxation, rate reduction for income and privilege tax based state general fund receipts computations; income tax, deductions, credits and income determination; distribution of sales and use tax revenue; severance tax exemption; and rural opportunity zones**, as **HB 2747** was introduced late on Tuesday, February 14, 2012. KDOT is currently reviewing the information for the purpose of determining impact to T-Works projects underway. Ms. Lindsey also stated KDOT has been placed on a "Negative Outlook" status due to the transfers from the State Highway Fund to the State General Fund. This could potentially affect KDOT's bond rating. It was noted that Governor Brownback is committed to the T-Works program and maintains that projects be delivered as promised.

Senator Donovan stated monies coming from state fuel taxes are protected and cannot be diverted to the general fund; this is a consideration of how to protect future funding.

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Senator Marshall noted he was not in favor of adding additional taxes on fuel, as Kansas is already on the higher end compared with taxes in other states.

KDOT provided additional information for the Committee in response to questions posed following the presentation on February 8, 2012, the Service Development Plan for expanded passenger rail service (Attachment 3).

The meeting was adjourned at 9:20 a.m. The next meeting is scheduled for February 16, 2012.

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