

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 11, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator Dave Jackson- excused  
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:

Representative David Huff  
Dennis Meyers, Fire Chief, Overland Park, KS  
Brian Shields, Overland Park Assistant Traffic Engineer  
Alonzo Leon, Traffic Division Manager, City of Olathe

Others attending:

See Attached List.

### **HB 2522: Mobile infrared transmitters, prohibited, exceptions**

Representative Huff described the product called a "Mobile Infrared Transmitter." This device installed on emergency vehicles can change stop lights to green in order to allow more rapid and safer passage of these vehicles. He described the dangers involved in individual usage of this device (Attachment 1).

Mr. Dennis Meyers, Overland Park ,Kansas Fire Chief and several of his staff people appeared to testify in support of the bill. He strongly urged passage of the bill for the safety of emergency responders and the citizens they serve. They too pointed out the problems created by the average citizen's use of this device (Attachment 2). They have no idea how many of these are currently in use by private citizens. However, it is readily available through internet purchase. It costs anywhere between \$300 and \$500. Also in support of the bill, Lt. John Eichkorn, who had a scheduling conflict, provided written testimony on behalf of Colonel William Seck and the Kansas Highway Patrol (Attachment 3). David Lake, Administrator, Kansas Board of Emergency Medical Services could not attend but provided written testimony in support of **HB 2522** (Attachment 4).

During Committee discussion of the bill, Brian Shields, Overland Park Assistant Traffic Engineer and Alonzo Leon, Traffic Division Manager for City of Olathe responded to questions regarding how these devices work, how they are monitored, how the law could be enforced. The devices have identifying codes and can be distinguished from those used by official vehicles. The penalty section of the bill was also discussed. A prison sentence would result only if a citizen's use of the device resulted in a death. There would be different penalties assessed, depending on the offense involved. Senator Salmans moved to recommend HB 2522 favorable for passage. Senator Schodorf seconded the motion. Motion carried.

### **SB 329: Child passenger safety act, age requirements, penalties**

This issue has been before the Legislature several times. In fact, the Senate previously passed out a bill similar to this, but the House did not take action on it. In the present bill there is a typo on line 35 which should read "213" not "203". Senator Schodorf moved to so amend the bill. Senator Goodwin seconded the motion. Motion carried. Senator Schodorf moved to recommend the bill, as amended, favorable for passage. Senator Goodwin seconded the motion. Discussed the danger to teens under present law and the problems with younger/smaller children being required to wear seat belts that were not designed for their size. It was also pointed out that there are 40 Senators who should have their say on this bill. There is the other point of view that government should not usurp the rights of parents; that education is important but not legislation. The Chairman called for a vote on passing the bill out favorably. Motion carried. Senator Pugh wished to be recorded as voting "No."

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on February 11, 2004 in Room 527-S of the Capitol.

**Approval of minutes**

Senator Goodwin moved to approve minutes of the February 5, 2004 meeting. Senator Schodorf seconded the motion. Motion carried.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for February 12, 2004.