

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 A.M. on March 6, 2007 in Room 527-S of the Capitol.

All members were present except:

Peggy Palmer- excused
Vicki Schmidt- excused

Committee staff present:

Hank Avila, Kansas Legislative Research Department
Mike Corrigan, Revisors of Statutes
Maggie Breen, Committee Assistant

Conferees appearing before the committee:

Representative Pat Colloton
Amy Campbell, Kansas Association of Beverage Retailers
Representative Ann Mah
Brad Smoot, Explore Information Services
Sara Patrick, Explore Information Services
Toni Roberts, Division of Motor Vehicles

Others attending:

See attached list.

Chairman Donovan opened the hearing on **Sub for HB 2042-Drivers' licenses, 21 year olds, renewals.**

Proponents:

Rep. Pat Colloton, said the issue she received the most complaints about after the laws went in effect in July, was the 21 year old drivers' license renewal. A law was passed last year that made the licenses automatically expire on the 21st birthday. If the birthday happened to fall on a weekend, a holiday, on a day when the drivers' license bureau wasn't open, or if you were away on vacation, you were without a valid drivers' license. There was a procedure to go in and get a two week paper license, but if you needed to fly or go somewhere that required a valid license, the piece of paper wasn't very useful plus you would need to go in again to get the permanent license. There were lots of objections so legislation was drafted to repeal it. The bill was sent to a subcommittee where a 45 day grace period was worked out and a **Sub for HB 2042** was developed and it passed in the House. (Attachment 1)

Amy Campbell, Kansas Association of Beverage Retailers, said they were a part of the compromise solution that was worked out. They, along with the Kansas Licensed Beverage Association, were proponents of the initial bill that created the vertical drivers' license as well as the bill dealing with expiration of the drivers' license on the 21st birthday. They very much appreciate the Drivers' License Division for coming in and talking about potential solutions, as well as the proponents of the first version of this bill, for reaching a compromise. The expiration date on the 21st birthday will be preserved but it still allows those individuals who need some sort of leeway to get their license renewed with a minimum of inconvenience. In many of the other states that have this law, they are allowed to come in and renew their license early. The reason that's not part of the solution here is that it would cost a significant amount of money to reprogram the system to create exceptions for those individuals who's 21st birthday was coming up. (Attachment 2)

Rep. Ann Mah, said her son turned 21 last year on a Sunday. She supported last year's bill because she was told he would be able to go in ahead of time and get his license. Then she received a letter saying he'd have to go in early and get a license then go back a second time to get another one. She said since the bureaus are closed 3 days out of 7, almost half the kids are going to turn 21 on days that the bureaus are closed. She learned that those kids who got their last license before July 1, 2006, get to carry their's until they actually expire. This substitute bill doesn't fix all the problems but it fixes a lot of them. (Attachment 3)

Philip Bradley, Kansas Licensed Beverage Association - Written Only (Attachment 4)

Chairman Donovan closed the hearing on **Sub for HB 2042** and opened the hearing on **HB 2374--Division of vehicles, records, access.**

CONTINUATION SHEET

MINUTES OF THE Senate Transportation Committee at 8:30 A.M. on March 6, 2007 in Room 527-S of the Capitol.

Proponents:

Brad Smoot, testified for Explore Information Services, he said they gather public records for insurers, employers, and law enforcement throughout the country so they can deal with traffic safety and risk control. Federal and state law currently allows employers to request the driving records of their employees who will be operation company vehicles. The bill simply makes it easier, more efficient, and, hopefully, less expensive for employers to access the driving records to which they are otherwise entitled. It would allow the state to negotiate contracts with Explore or other vendors to match up the drivers with their driving records. He said the Kansas Motor Carriers Association and J. B. Hunt Transport, Inc. were also in favor of the bill. (Attachment 5)

Sara Patrick, Director of Public Affairs, Explore Information Services, said they have been a leading provider of driver violation monitoring services to the insurance industry for more than a decade. They were acquired a little more than a year ago by USIS, one of the largest background investigations and drug testing companies in the country. They have combined the competencies and begun offering driver violation monitoring services to the employment industry. This bill would provide a mechanism for employers, or their authorized agents like Explore, to contract with the DMV to pro-actively and cost-effectively monitor the driving behavior of employees required to drive in the course of their employment. The law requires employers to provide notice to employees when driving record information is used to make any decision with regard to hiring, retention, or promotion. Employees give their consent prior to the monitoring of their driving records. The employee may also request a copy of the report and has the right to dispute any inaccuracies on the report. (Attachment 6)

Toni Roberts, Division of Motor Vehicles, said she is responsible for all of the contracts that are authorized under K.S.A. 74-2012. She said **HB 2374** allows the Secretary of Revenue to enter into a lesser rate contract for the purpose of assisting in a monitoring service for employers. They wholeheartedly support the bill. The language in the bill was written by then and approved by their legal department. It fits well within the Drivers Privacy Protection Act and they have enjoyed a very good working relationship with Explore for many years. (Attachment 7)

Kansas Motor Carriers Association - Written Only (Attachment 8)

J. B. Hunt Transport, Inc. - Written Only (Attachment 9)

The meeting adjourned at 9:10 a.m. The next meeting is scheduled for March 7th.