

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Rep. Gary Hayzlett at 1:40 p.m. on February 2, 2000 in Room 519-S of the Capitol.

All members were present except:

Representative Vaughn Flora
Representative Phill Kline

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Research Department
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Representative Doug Johnston
Ron Kurtz, Vice President, Kansas State Troopers Association
Alex Petigna, Kansas State Trooper
Marilyn Goodheart, Salina, Kansas
Lt. Col. Terry Maple, Kansas Highway Patrol
Sheila Walker, Director of Vehicles, State of Kansas
Dale Lehning, Kansas Auto Recyclers
Paul Davis, Kansas Auto Recyclers
Don McNeely, Kansas Automobile Association
Marsha McAlister, Insurance Auto Auctions
Bill Sneed, State Farm Insurance
Lee Wright, Farmers Insurance
Peter Dembe, World Association of Security Professionals
Tom Whitaker, Kansas Motor Carriers Association

Others attending:

See attached sheet

Chairman Hayzlett opened the meeting with introductions of bills. Peter Dembe, World Association of Security Professionals, requested introduction of a bill regarding flashing green lights on security guard cars. Representative Johnston made a motion to introduce this bill, seconded by Representative Ray and the motion carried.

Chairman Hayzlett asked the Revisor to explain a request from a constituent regarding motorized bicycles. Representative Ballou made a motion to introduce this bill, seconded by Representative McClure and the motion carried.

HB 2643 - concerning width of certain loads on vehicles

The Chair opened the floor for discussion and final action on **HB 2643**. Representative Larkin made a motion to pass HB 2643 favorably and place on the consent calendar, seconded by Representative Flower and the motion carried.

HB 2641 - passing stopped authorized vehicles

Chairman Hayzlett opened hearings on **HB 2641**. Representative Johnston stated this bill would require drivers on Kansas highways to drive in the far lane whenever approaching any emergency vehicles parked along the road which have their lights flashing, however there is language in the bill to allow for situations where moving to the opposite lane is not possible or safe. He also presented a packet listing the names of law enforcement and emergency personnel who have died as a result of accidents while they were working along the roads.. (Attachment 1)

Ron Kurtz, Vice President of the Kansas State Troopers Association, was the next proponent to speak. He told the committee **HB 2641** was an officer safety issue and provides the opportunity for additional safety to those officers who work along the busy streets and highways on a daily basis. (Attachment 2)

Trooper Alex Petigna related to the committee several near misses he had while performing his job and the damage sustained to his patrol car. He concluded **HB 2641** provides the employee a safer work environment and space for the unexpected. (Attachment 3)

CONTINUATION SHEET

Marilyn Goodheart spoke in support of **HB 2641**, stating she was the surviving spouse of a trooper killed in 1995 and asked that this bill be passed so motorists would show a little more respect and safety while driving. (Statement 4)

Lt. Col. Terry L. Maple spoke on behalf of the Kansas Highway Patrol. He said the protection of the troopers and all operators of authorized emergency vehicles who have no choice but to work along the streets and highways is paramount and from this traffic safety vantage point they respectfully request this bill be given serious consideration. (Attachment 5)

Tom Whitaker, Kansas Motor Carriers Association, clarified a question by the committee that tow trucks were considered the same as emergency vehicles.

Following other questions from the committee Chairman Hayzlett closed hearings on **HB 2641**.

HB 2561 - motor vehicle certificates of title

Chairman Hayzlett opened hearings on **HB 2561** and called on Sheila Walker, Director of Vehicles, State of Kansas.

She told the committee the portion of **HB 2561** the Division of Vehicles was most interested in is the proposal to create new certificate of title brands for salvage vehicles. She concluded Kansas supports a nationwide brand for wrecked or damaged vehicles and **HB 2561** was a step in the right direction. (Attachment 6)

Dale Lehning spoke on behalf of the Kansas Automotive Recyclers Association. He told the committee the purpose of **HB 2561** was twofold: 1) issue of safety and consumer protection and 2) instrumental in curbing certain types of auto theft and therefore a benefit to law enforcement. (Attachment 7)

Paul Davis is the owner and operator of a salvage business in Wichita, Kansas He stated **HB 2561** was an important legislative matter for the Kansas automotive consumer and listed several things he felt the bill would accomplish. (Attachment 8)

The President of the Kansas Automobile Dealers Association, Don McNeely, was the next proponent. He told the committee while they supported the intent and purpose of the bill they felt there were a number of major issues that needed to be addressed in order to accomplish the intended purpose and they would look forward to working with the various entities to successfully address the issue. (Attachment 9)

Marcia McAllister, Vice President of Government Affairs for Insurance Auto Auctions, spoke in opposition to **HB 2561**. She said the Insurance Auto Auctions opposes the bill because the bill proposes definitions for “salvage vehicle” and “nonrepairable vehicle” that are adverse to consumers, the insurance industry and the salvage pool industry. She proceeded to explain to the committee the differences and the consequences between the two definitions. (Attachment 10)

Bill Sneed, State Farm Insurance Companies, stated although State Farm is in agreement with the overall goal of preventing “title washing”, **HB 2561** falls far short of accomplishing that goal and actually creates more problems than it attempts to solve and is especially burdensome to policyholders that have older model vehicles. He asked the committee to defeat this bill. (Attachment 11)

Lee Wright spoke on behalf of Farmers Insurance. He informed the committee Farmers Insurance was the second largest writer of auto insurance in Kansas and as such there wasn't a great deal they liked about the bill and proceeded to highlight two of the sections of the bill they were especially in disagreement with. (Attachment 12)

In view of the willingness of the proponents and opponents to work toward a compromise, Chairman Hayzlett appointed a Sub-Committee to study this bill which consisted of Representative John Ballou, Chairman and Representatives Humerickhouse and Pauls.

Following questions from the committee Chairman Hayzlett closed hearings on **HB 2561**.

Chairman Hayzlett adjourned the meeting at 3:20 p.m. The next meeting of the House Transportation Committee will be Thursday, February 3, 2000 in Room 519-S.

