

Approved: March 3, 2011  
Date

#### MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m., on February 16, 2011, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Scott Wells, Office of the Revisor of Statutes  
Daniel Yoza, Office of the Revisor of Statutes  
Jill Shelley, Legislative Research Department  
Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

Representative Tom Burroughs  
Representative Richard Proehl  
Representative Vince Wetta

Chairman Hayzlett called the meeting to order and opened the hearing on **HB 2192**.

#### **HB 2192 – Making seat belt regulations part of uniform act regulating traffic on highways**

Chairman Hayzlett recognized Representative Tom Burroughs. (Attachment #1) According to Representative Burroughs part of this much debated issue concerned the amount of fine assessed to violators. The legislature recommended an educational period of one year be implemented. After the warning or educational period the fine would be \$5 for the first year and the second year fine would be \$10. He said the legislative intent was to address seat belt safety and felt legislature needed to once again restate their intent. He concluded by asking the committee to favorably pass **HB 2192**.

The Chairman recognized Representative Proehl who encouraged support of **HB 2192** because the original intent of legislature was for fines to be \$5 per violation the first year and \$10 per violation in subsequent years. (Attachment #2) He said this bill prohibits the practice of some cities enacting and enforcing higher fines and court costs.

The next conferee was Representative Wetta. (Attachment #3) He also spoke in support of **HB 2192**. He felt this bill was necessary because of excesses by some city and government entities in the implementation of the seat belt law.

Chairman Hayzlett referred to his written comments (Attachment #4). He said he had asked that this bill be drafted because he had received many calls from people asking why they were getting fined in excess of what the state law provides. After inquiring into this matter staff advised him that some cities were using their home rule authority to circumvent the intent of the bill originally passed. According to Representative Hayzlett the express purpose of the original bill was safety, not money.

The Chairman drew the committee's attention to Neutral testimony submitted by Jim Hanni, Executive Vice President, AAA Allied Group (Attachment #5). Chairman Hayzlett also drew the

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committee's attention to Written Testimony submitted by Larry Baer, Assistant General Counsel, League of KS Municipalities in opposition to this bill. (Attachment #6).

The Chairman asked if there were any other proponents or opponents present who wanted to address the committee. No one came forward.

The Chairman then asked if anyone else wanted to speak on this subject and some members made comments pertaining to calls they had received and the intent of the original bill. Chairman Hayzlett's final comment was that this bill was not proposed to be punitive but to maintain consistency with the intent of the original bill.

When there were no more comments Chairman Hayzlett closed the hearing on **HB 2192**.

Under Announcements Pat Hubbell spoke to the committee briefly about the March 8<sup>th</sup> tour to the Johnson County Community College/Engineer Training Center.

There being no further business before the committee, the meeting was adjourned with plans to meet on February 17, 2011.