

SESSION OF 2016

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2610**

As Agreed to March 24, 2016

**Brief\***

HB 2610 would designate portions of highways to honor several Kansans and allow the Secretary of Transportation (Secretary) to increase speed limits on certain rural highways.

**Highway designations.** The bill would designate these interchanges and portions of highway:

- The junction of I-70 and Commerce Parkway in Ellis County, on the eastern edge of Hays, as the Chief Warrant Officer 5 David Carter Fallen Veterans Memorial Interchange;
- US-400 in Labette County, between Queens Road and Udall Road near Parsons, as the John Troy, Pete Hughes, and Earl Seifert Highway;
- The junction of I-235 and Central Avenue in Sedgwick County, as the Captain Chris Norgren Memorial Interchange; and
- K-148 from the intersection with 23rd Road in Washington County north to the Nebraska state line, as the SGT Lavern W Tegtmeier Memorial Highway.

The bill would require the Secretary of Transportation to place signs in the highway right-of-way at proper intervals to

---

\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

indicate the designations, after sufficient moneys are received from gifts and donations to reimburse the Secretary for the cost of placing such signs and an additional 50.0 percent of the initial cost to defray future maintenance or replacement costs of such signs.

**Speed limits.** The bill would authorize the Secretary to increase the speed limit on certain highways outside of an urban district by 5 miles per hour (mph). The highways on which speed limits could be increased from 65 mph to 70 mph would be those that are not separated multilane highways (current speed limit of 75 mph) or any county or township highway (current speed limit of 55 mph). The bill would require the Secretary to consider, before increasing any such speed limit, the effects of certain violations of maximum speed limits not being construed as moving traffic violations or considered for liability insurance.

### **Conference Committee Action**

The Conference Committee agreed to the contents of HB 2610, as amended by the Senate Committee on Transportation, and added the contents of HB 2643, with an addition agreed to by the Conference Committee directing the Secretary to consider the effects of certain speed limit violations not being construed as moving traffic violations and a prohibition on certain speed limit violations being reported to the Division of Vehicles or considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy (known as the speed limit “buffer”).

### **Background**

The bill would include provisions of HB 2610 and HB 2643.

### ***HB 2610 Background***

The Senate Committee on Transportation amended the bill to add contents identical to those of HB 2722 to HB 2610, as amended by the House Committee of the Whole.

The Senate Committee on Transportation amended the bill to add contents identical to those of HB 2722 to HB 2610, as amended by the House Committee of the Whole.

### ***HB 2610 Background***

**Carter designation.** Representative Boldra provided proponent testimony to the House Committee on Transportation. According to testimony, David Carter was a graduate of Hays High School and of Fort Hays State University. He died in Afghanistan in 2011, of wounds suffered when the helicopter of which he was one of two pilots was shot down. (The other pilot also was from Hays and is honored with the CW2 Bryan J. Nichols Fallen Veterans Memorial Interchange at the interchange of I-70 and US-183.) There was no other testimony.

The House Committee amended the bill to reflect the honoree's final rank of Chief Warrant Officer 5 and to insert the provisions of HB 2520, as introduced.

According to the fiscal note prepared by the Division of the Budget, the Kansas Department of Transportation (KDOT) estimates it will cost \$10,180 to manufacture and install four signs showing the designation, two along I-70 and two along Commerce Parkway. Including an additional 50.0 percent of the initial cost to defray future sign maintenance, a total of \$15,270 would need to be received from donations to install the signs.

**Tegtmeier designation.** Senator Bowers and Representative Schwartz testified to the Senate Committee on Transportation in support of the bill and asked that the

language of HB 2722 to honor Sgt. Lavern W. Tegtmeier be added to HB 2610. According to testimony, Sgt. Tegtmeier was the first soldier from Washington County to die in the Vietnam War; he died in 1968, while assisting a fellow soldier.

The Senate Committee amended the bill to add language identical to that of HB 2722.

According to the fiscal note prepared by the Division of the Budget on HB 2722, KDOT estimates it will cost \$2,620 to manufacture and install two signs showing the designation. Including an additional 50.0 percent of the initial cost to defray future sign maintenance, a total of \$3,930 would need to be received from donations to install the signs.

#### *HB 2520 Background*

Representative Proehl requested the bill and offered proponent testimony to the House Committee on Transportation. According to testimony, the three men were instrumental in the effort to have US-160 redesignated as US-400. (A highway farther south is now designated as US-160.) There was no other testimony.

According to the fiscal note prepared by the Division of the Budget, KDOT estimates it will cost \$2,340 to manufacture and install two signs showing the designation. Including an additional 50.0 percent of the initial cost to defray future sign maintenance, a total of \$3,510 would need to be received from donations to install the signs.

Any fiscal effect associated with the bill is not reflected in *The FY 2017 Governor's Budget Report*.

#### *HB 2643 Background*

At the House Committee on Transportation hearing, Representative Kleeb provided proponent testimony on the

bill. He cited good pavement conditions in Kansas and provided information on speed limits in nearby and other western states. Neutral written testimony from KDOT states it would conduct an engineering study on specific corridors when requested to determine whether the posted speed limit should be increased and would base a decision to increase a speed limit in a specific area on the results of those studies, engineering principles, and professional judgment.

A representative of the Kansas Motor Carriers Association (KMCA) offered opponent testimony that requested repeal of the “buffer” that allows certain speeding violations to not be reported to the Division of Vehicles, considered a moving violation, or used in certain insurance-company decisions [KSA 2015 Supp. 8-1560d]. The KMCA representative also stated the association supports strict enforcement of speed limits. A representative of the Kansas Highway Patrol submitted written opponent testimony, providing information on the lengthy process for a speed limit investigation and stating any benefit could be offset by the increased risk of serious injury or fatality crashes.

According to the fiscal note prepared by the Division of the Budget, KDOT indicates it is unable to estimate the full fiscal effect of the bill because the number of rural highways on which the agency would choose to increase speed limits is unknown. However, KDOT believes any increased expenditures associated with the enactment of the bill could be absorbed within the agency’s existing resources.

highway; interchange; speed limit

ccrb\_hb2610\_01\_highways.odt