

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 4, 2009, in Room 136-N of the Capitol.

All members were present except:

Senator Anthony Hensley- excused

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Hank Avila, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Cindy Shepard, Committee Assistant

Conferees appearing before the Committee:

Janis Lee, Senator, State of Kansas
Von Rothenberger, Osborne County Tourism
Laura McClure, Osborne County Tourism
Scott Shields, State Scenic Byway Coordinator, Kansas Department of Transportation
Deann Williams, Bureau Chief, Motor Carrier Services Bureau, Kansas Department of Revenue
Kevin Gregg, Director of Industry Relations, Kansas Motor Carriers Association

Others attending:

See attached list.

The Chairman opened the hearing on **SB 274 - Enacting Kansas scenic and heritage backroads act.**

Hank Avila gave an overview of the bill and provided a flowchart of "Georgia Scenic Byway Designation Process" as an example([Attachment 1](#)).

Senator Janis Lee, appeared as a proponent, indicating this bill sets out the qualifications which must be met by a road in order for it to be designated as a Kansas scenic and heritage backroad. Passage of **SB 274** would be an excellent way for our state to assist local tourism committees to better spread the word about their local attractions with very little, if any, cost to the state ([Attachment 2](#)).

Von Rothenberger, representing Osborne County Tourism, testified in support of **SB 274**. He stated that Osborne County Tourism has established two heritage backroads, and completed the groundwork needed for state level designation as a "backroad." The assistance of the state is needed to broadly advertise them. Backroads who meet all criteria and gain official state status will be indicated on the Official State Transportation Map and on the Kansas Travel and Tourism website ([Attachment 3](#)).

Laura McClure, on behalf of Osborne County Tourism, spoke in favor of **SB 274** Self guided backroad tours compliment the increasing public desire to have an opportunity to experience something "real" and dirt roads are an essential part of the backroad tour experience. Ms McClure stated it is imperative that two directional signs are installed on the State Highway indicating where the backroad tours begin ([Attachment 4](#)).

Written testimony in support of **SB 274** was submitted by:

Connie Dougherty, Director, Lucas Area Chamber of Commerce ([Attachment 5](#))
Roger Hrabe, Past-President, Northwest Kansas Travel Council ([Attachment 6](#))
Sheila Lampe, Southeast Kansas Tourism Region and Kansas Sampler Foundation ([Attachment 7](#))
Emma Crites, Fredonia Tourism Committee ([Attachment 8](#))

Scott Shields, State Scenic Byway Coordinator for the Kansas Department of Transportation (KDOT), presented neutral testimony. According to Mr. Shields, KDOT currently administers a Backroads Program. The proposed legislation would make the following changes to the existing program (1) it requires all designated backroads routes to be identified on the state highway map and (2) it allows all public county roads to be eligible not just maintained county roads. KDOT has safety concerns with the state encouraging drivers to travel on unmaintained roads. Adding routes to the state highway map must meet font size requirements to be compliant with the Americans with Disabilities Act. It is KDOT's recommendation that **SB 274** be amended to allow some discretion in these areas ([Attachment 9](#)). After his testimony, Mr. Shields provided

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the committee with a copy of the evaluation criteria and application requirements for the Kansas Backroads Program (Attachment 10).

Following questions and discussion, the committee requested that KDOT, Senator Lee, and Osborne County Tourism representatives meet to figure out the details that concern KDOT. Senator Schmidt suggested an agreement may be reached with changes through Rules and Regulations instead of changing Kansas Statute.

There being no further conferees, the hearing on **SB 274** was closed.

The Chairman opened the hearing on **HB 2023 - Motor carriers, enforcement of state corporation commission orders.**

Deann Williams, Chief of Motor Carrier Services Bureau, Division of Vehicles for the Kansas Department of Revenue (KDOR), appeared in support of **HB 2023**. She indicated that legislation passed in 2006 implementing PRISM (Performance Registration Information Systems Management), a federally funded program that requires states to tie registration and safety together. PRISM allows KDOR to revoke tags from the vehicles of unsafe motor carriers. This bill closes a loophole that allows those carriers to seek registration with their local county treasurer. The loss of the registration plate will contribute to voluntary carrier compliance (Attachment 11).

Kevin Gregg, Director of Industry Relations, for the Kansas Motor Carriers Association testified as a proponent. He stated that **HB 2023**, will help keep unsafe vehicles off our roadways by facilitating communication between the Federal, State, and county regulatory authorities (Attachment 12).

There being no further conferees, the hearing on **HB 2023** was closed.

Following Mr. Gregg's testimony, the Chairman recommended working the bill immediately.

Senator Donovan moved, Senator Kultala seconded, to recommend **HB 2023** favorably for passage. Motion carried.

The meeting was adjourned at 9:25 a.m. The next meeting is scheduled for March 5, 2009.