

MINUTES OF THE SENATE TRANSPORTATION & TOURISM COMMITTEE.

The meeting was called to order by Chairperson Senator Ben Vidricksen at 9:10 a.m. on March 2, 2000 in Room 245-N of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
 Bruce Kinzie, Revisor of Statutes
 Marian F. Holeman, Committee Secretary

Conferees appearing before the committee: Lt. Col. Terry Maple, Highway Patrol
 Ron Kurtz, VP KS State Troopers Assn.
 Alex Petigna, KS State Trooper
 Tom Whitaker, KS Motor Carriers Assn.

Others attending: See attached list

HB 2641: Re passing stopped authorized emergency vehicles

Lt. Col. Terry, Maple, Assistant Superintendent, Kansas Highway Patrol explained he was appearing on behalf of Patrol Superintendent, Colonel Don Brownlee in support of this bill in lieu of Captain Mark Goodloe. Capt. Goodloe was involved in the ongoing investigation of the Brown County incident which occurred last night in which an assistant deputy sheriff had been killed. Since passage of this bill in the House, the Patrol, based on suggestions of field operations, presented an amendment which they believe will further enhance the bill's safety provisions ([Attachment 1](#)).

Ron Kurtz, Vice President, Kansas State Troopers Association talked about the officer safety issue and the buffer zone created by this bill to enable officers and public to work together to ensure the safety of everyone ([Attachment 2](#)).

Trooper Alex Petigna, Kansas City, Kansas, described his near fatal experiences with drivers passing his stopped authorized emergency vehicle ([Attachment 3](#)). His video presentation vividly illustrated the testimony.

Tom Whitaker, Director, Governmental Relations and Membership Services for Kansas Motor Carriers Association appeared in support of **HB 2641** on behalf of his Association and specifically the Towing and Recovery Division members. He reminded members that a tow truck with proper lighting is considered an emergency vehicle and that they have experience similar fatal accidents as members of law enforcement ([Attachment 4](#)).

Representative Douglas Johnston provided written testimony in support of **HB 2641** reporting that a \$60 fine could be applied to drivers who fail to move to the opposite lane and the allowance for situations when it is not possible nor safe to do so ([Attachment 5](#))

There were no opponents and fiscal impact is unknown, because there is no basis for determining the number of stops or fines which would be imposed.

Following questions and discussion Senator Goodwin moved to adopt the amendment proposed by the Patrol. Senator Stephens seconded the motion. Motion carried. Senator Goodwin moved to recommend the bill as amended favorable for passage. Senator Harrington seconded the motion. Motion carried. Senator Stephens will carry **HB 2641**.

The meeting adjourned at 10:10 a.m.

The next meeting is scheduled for March 7, 2000.