

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 9, 2009, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Jerry Henry- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Hank Avila, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Representative Margaret Long
Chris Maurich, ABATE of Kansas, Inc.
Major Mark Bruce, Kansas Highway Patrol
Pete Bodyk, Manager, KDOT, Traffic Safety Section

Others attending:

See attached list.

The next meeting is scheduled for February 10, 2009.

The meeting was adjourned at 2:30 p.m.

Chairman Hayzlett called the meeting to order. He opened hearings on **HB 2131**.

HB 2131 - Disabled veterans license plates, defining disabled veterans.

Chairman Hayzlett recognized Chris Maurich, lobbyist for ABATE of KS. (Attachment #1) According to Mr. Maurich under current statute, if a disabled veteran is eligible for a Kansas handicapped tag, they may not be eligible for a disabled veteran tag due to the disability rating granted by the Veterans Administration. Mr. Maurich asked the Committee's support to pass **HB 2131** which would allow disabled veterans who otherwise meet the criteria for a Disabled Veteran tag but are rated under 100% and allow the VA rating of 50% or greater to be the percentage required for the issuance of a Disabled Veteran license plate.

There were no other proponents and no opponents. After all questions were answered the Chairman closed the hearing on **HB 2131**.

The Chairman opened the hearings on **HB 2132**.

HB 2132 - Regulating traffic; prohibiting certain texting.

Chairman Hayzlett recognized Major Mark Bruce, Kansas Highway Patrol. (Attachment #2) According to Captain Bruce the ability to safely operate a vehicle diminishes as attention is divided in the performance of multiple tasks such as driving and sending, reading or writing text messages. He said situational awareness decreases, reaction time increases, braking effectiveness is lessened and vehicle speed goes unchecked with the result being an increased likelihood that a driver is unable to avoid an otherwise avoidable accident or that one or a combination of these driving skill impediments causes a collision. He concluded by asking for support of **HB 2132**.

The next proponent was Pete Bodyk, Manager of the Kansas Department of Transportation's Traffic Safety Section. (Attachment #3) According to Mr. Bodyk, a study conducted by Virginia Tech and the National Highway Traffic Safety Administration found that nearly 80 percent of traffic crashes are caused by some form of driver inattention within three seconds before a crash. He said in a recent AAA survey, 46 percent of teens admitted to texting while driving. He concluded by saying KDOT supports **HB 2132** which would inform people of what is an acceptable, safe, legal way to conduct themselves when driving.

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 9, 2009, in Room 783 of the Docking State Office Building.

The Chairman recognized Representative Long. (Attachment #4) According to Representative Long there are seven states who already have bans on text messaging while driving because of the great risk to public safety. She said a recent study found that text messaging while driving causes a 400 percent increase in time spent with eyes off the road. She concluded by asking for support of **HB 2132**.

There were no other proponents and no opponents.

Chairman Hayzlett closed the hearings on **HB 2132**.

Chairman Hayzlett opened the hearings on **HB 2135**.

HB 2135 - Regulating traffic, proceeding on red light.

The Chairman recognized Chris Maurich as the first proponent. (Attachment #5) Mr. Maurich explained that most traffic lights are controlled by a sensor. Traffic signals change when an insulated wire buried in the pavement at an intersection detects a fluctuation in the magnetic field caused by metal in a vehicle. He said a car, which has a lot of steel in it, acts like the core of an inductor triggering the computerized traffic light box at the intersection. According to Mr. Maurich motorcycles, mopeds and bicycles do not contain enough metal to trip the induction loop sensors to activate a change in the signal. He said **HB 2135** will allow for traffic signals not sensing small vehicles. He said the drivers of small vehicles would be able to proceed, after stopping, with caution if the traffic signal malfunctions or does not recognize the presence of a vehicle.

There were no other proponents and no opponents.

Chairman Hayzlett closed the hearings on **HB 2135**.

It was the Chairman's desire to work **HB 2146**. He asked staff to explain this bill to the Committee members.

The Chairman drew the Members attention to written testimony from Leslie Kaufman, Executive Director, Kansas Cooperative Council. (Attachment #6) Ms. Kaufman had wired this testimony in from out of state and it was not received until after the hearing on **HB 2146**.

Chairman Hayzlett opened **HB 2146** to the members for questions, discussion or motions. Representative Menghini made a motion to pass this bill, seconded by Representative Swanson and the motion carried.

Representative Peck asked to be recorded as a No vote as did Representative Wolf.

The Chairman opened **HB 2147** to the Committee for questions, discussion or motions. Representative Menghini made a motion to pass this bill favorably out of committee. A balloon amendment was offered which would add the words "any" on line 18 and "roadway" on line 19 in Section (a). The amendment would add the words "or the transportation of hazardous material" to line 25 in Section (b). A motion was made by Representative Burgess to adopt the balloon amendment. Representative King seconded the motion and the motion carried. Representative Burgess then made a motion to pass **HB 2147**, as amended, seconded by Representative King and the motion carried.

There being no further business before the Committee the meeting was adjourned at 2:30 p.m.