

Approved: January 28, 1993
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Rex Crowell at 1:35 p.m. on January 14, 1993, Room 519-S of the Capitol.

All members were present except: Rep. Dillon, Excused
 Rep. Lloyd, Excused

Committee staff present: Hank Avila, Legislative Research Department
 Tom Severn, Legislative Research Department
 Bruce Kinzie, Revisor of Statutes
 Donna Lutjohann, Committee Secretary

Conferees appearing before the committee:

Senator Mark Parkinson
Ed Klumpp, Kansans for Highway Safety
Dr. Noel O. Mintz, KDSEA
Bill Musick, Department of Education
Gerald Henderson, Executive Director, United School Administrators

Senator Parkinson was the first proponent to testify on the issue of raising the driving age in Kansas. He answered questions of the committee. See Attachment 1 for his written testimony.

Kansans for Highway Safety was represented by Ed Klumpp, a proponent of raising the driving age in Kansas. See Attachment 2.

Dr. Noel Mintz testified on behalf of KDSEA as a proponent of raising the driving age. See Attachment 3.

Bill Musick, Department of Education, proponent of legislation to raise the driving age, testified before the committee and responded to questions by the committee. See Attachment 4.

Gerald Henderson, United School Administrators, briefly testified. He mentioned the fact that school activities were still a problem and that students drove to school when night activities took place. He felt the United School Administrators did not have a position, however, he thought they would approve raising the driving age.

Chairman Crowell adjourned the meeting at 2:47 p.m. with the next meeting scheduled for January 20, 1993 in Room 519-S of the Capitol.

MARK PARKINSON
SENATOR, 23RD DISTRICT
REPRESENTING GARDNER, OLATHE,
OVERLAND PARK, SPRING HILL
16000 W. 136TH TERRACE
OLATHE, KANSAS 66062
913-829-5044



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIRMAN: LOCAL GOVERNMENT
MEMBER: JUDICIARY
FEDERAL AND STATE AFFAIRS
ELECTIONS

TESTIMONY TO THE HONORABLE REX CROWELL , CHAIRMAN,
AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

BY: SENATOR MARK PARKINSON

DATE: JANUARY 14, 1993

At the outset, I would like to thank Representative Crowell and the Ranking Minority member, Representative Dillon, for the opportunity to address this committee to discuss the issue of the driving age in Kansas. I had the pleasure of serving on this committee for the last two years, and it is nice to be back so early in this legislative session.

For many of you, the issue of the driver's age is not new. There has been extensive debate on this in the legislature for the last three years, and it seems to be one of those issues that simply will not go away.

There are several new members of this committee that may not be familiar with the issue. As a result, I would like to start out my remarks with some background discussion of the current law in Kansas. Then I will talk about the reasons that I have advocated raising the driver's age.

Finally, I will talk about possible legislative solutions to this problem.

HOUSE TRANSPORTATION
Attachment 1-1
1-14-93

BACKGROUND ON KANSAS LAW

Kansas is one of a small number of states that allows fourteen year olds to drive. There are two types of licenses available to fourteen year olds. The first is a learner's permit. The learner's permit simply allows a fourteen year old to drive with a licensed adult for purposes of training the fourteen or fifteen year old in how to drive a vehicle. I do not have a major objection to learner's permits, and that has not been the focus of the debate over the last three years.

Most of the debate has focused on the second license available to fourteen and fifteen year olds which is a restricted license. It allows a fourteen or fifteen year old who has passed a driver's test to obtain a license and drive in limited circumstances. Those circumstances are to and from school, and to and from and during work. In these circumstances, the fourteen and fifteen year old does not need an adult in the car and, in fact, can transport other children.

The majority rule in most states appears to be that persons must be sixteen years of age to drive. There are a few other states that allow fourteen and fifteen year olds to drive, usually those that are involved in

agricultural pursuits, but there is no state that allows fourteen and fifteen year old driving as openly as we do in the State of Kansas.

NEED FOR A CHANGE

Unfortunately, we have learned over time that fourteen and fifteen year old drivers are at great risk. Although the accident data is sketchy, there is no doubt that accident rates for fourteen and fifteen year old drivers are much higher than for those who are sixteen or older. The Kansans for Highway Safety has accumulated data, and Ed Klump from that organization will be testifying later today. In summary, the study that organization has done has shown that fourteen year olds are two and a half times more likely to be involved in a fatal or incapacitating accident than sixteen year olds. Fifteen year olds are one and a half times more likely.

The statistical evidence certainly corroborates the anecdotal evidence that I have received since getting involved in this issue. I have been contacted by driver's education teachers from across the state and law enforcement officers, and all have told me that fourteen year olds are simply too young to drive. The consensus feeling is that the physical ability is there, but the judgement ability is lacking.

Unfortunately and predictably, we have had further fatality accidents this year. There have been two separate accidents in Sedgwick County resulting in the deaths of underage drivers. In late December, yet another fourteen year old driver was killed in Miami County. Each of you may be aware of similar tragedies, and they will continue unless we change this law.

SOLUTIONS

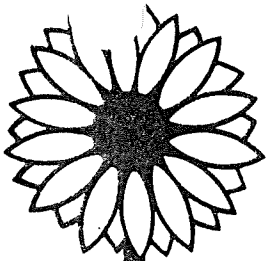
The legislature has come quite close in the past to raising the driver's age. The stumbling block has been finding a solution that can accommodate the needs of rural areas, who feel a need for fourteen and fifteen year old drivers, with urban areas who, by and large, support raising of the age. We have come close to an accommodation, but as of yet have not succeeded.

Two years ago we attempted to raise the age and included an exemption for agriculture. The exemption provided that fourteen and fifteen year olds who live or work on a farm can obtain a special license for farm purposes. Last year, that bill passed the House by approximately ten votes and then lost in the Senate. The initial vote count in the Senate was 20 to 20.

An alternative approach is a county option. That would allow each county to decide the issue. We attempted it in the Senate and were

unsuccessful last year. The county option succeeded in gaining only twelve votes. Last year, the organizational committee of Farm Bureau endorsed this county option approach.

I am continuing my commitment to do everything I can to raise the age. At the same time, I recognize and appreciate the differences that exist in communities across this great state. As a result, I want to do what I can to accommodate the rural areas and hope that we can all work together to find a solution to this problem. I will introduce legislation next week in the Senate and am willing to work with this committee and any of you individually to address this issue.



Kansans for Highway Safety

January 14, 1993

Kansans for Highway Safety supports raising the minimum driving age. Current Kansas law is the most permissive of any of the 50 states. This change in the driving law will result in reducing the loss of life and loss of the future productivity of our states most vital resource, its youth. The 14 year old driver is more than two and a half times as likely to be involved in a fatal or incapacitating injury accident as a 17 year old driver. And a 15 year old driver is more than one and a half times as likely to be involved in a fatal or incapacitating injury accident as a 17 year old driver. The statistics are very clear that the accident rate for Kansas 14 and 15 year old drivers are disproportionately high when viewed on a per mile driven basis. Since our 14 and 15 year old drivers currently are not driving many miles as compared to older drivers, this per mile driven method of looking at the teen driving accident statistics is the only realistic way to view that data on a comparative basis. As you can see on the attached charts our accident rate for Kansas 14 and 15 year old drivers are already high.

One argument we will undoubtedly hear is how important it is to allow 14 and 15 year olds to drive to school in the rural areas and how the farms can't survive without the 14 and 15 year old drivers. However, other farm states seem to survive quite well without endangering their children in the process. Some of those comparisons are made in the attached charts. If you look at the chart which shows the accident rate by hour of the day you see that the accident problem experienced by the 14 and 15 year olds is when they are going to and from school.

Another argument will be that the high accident rate is the result of inexperience not due to the immaturity of 14 and 15 year old drivers. It is not our belief that this increase is due to inexperience since two thirds of the 15 year old drivers are new drivers and one third of the 16 year old drivers are new drivers. Iowa statistics would indicate that is not the case. The attached charts show that in Iowa where the driving age is 16 years old the accident rate is far below our first and second year drivers and that increased experience at the higher ages does not account for the rapid fall in accidents per mile seen in young Kansas drivers.

The current law for the age restriction is a problem for enforcement due to the problems with detecting and prosecuting the rules of "To and from school by the most direct route" and "To, from and during work." We have found that many people do not understand the true limits of the current restrictions and this belief is supported by the numerous Attorney General opinions that have dealt with this issue as attempts are made to assist law enforcement, prosecutors and the courts in clearing these misunderstandings.

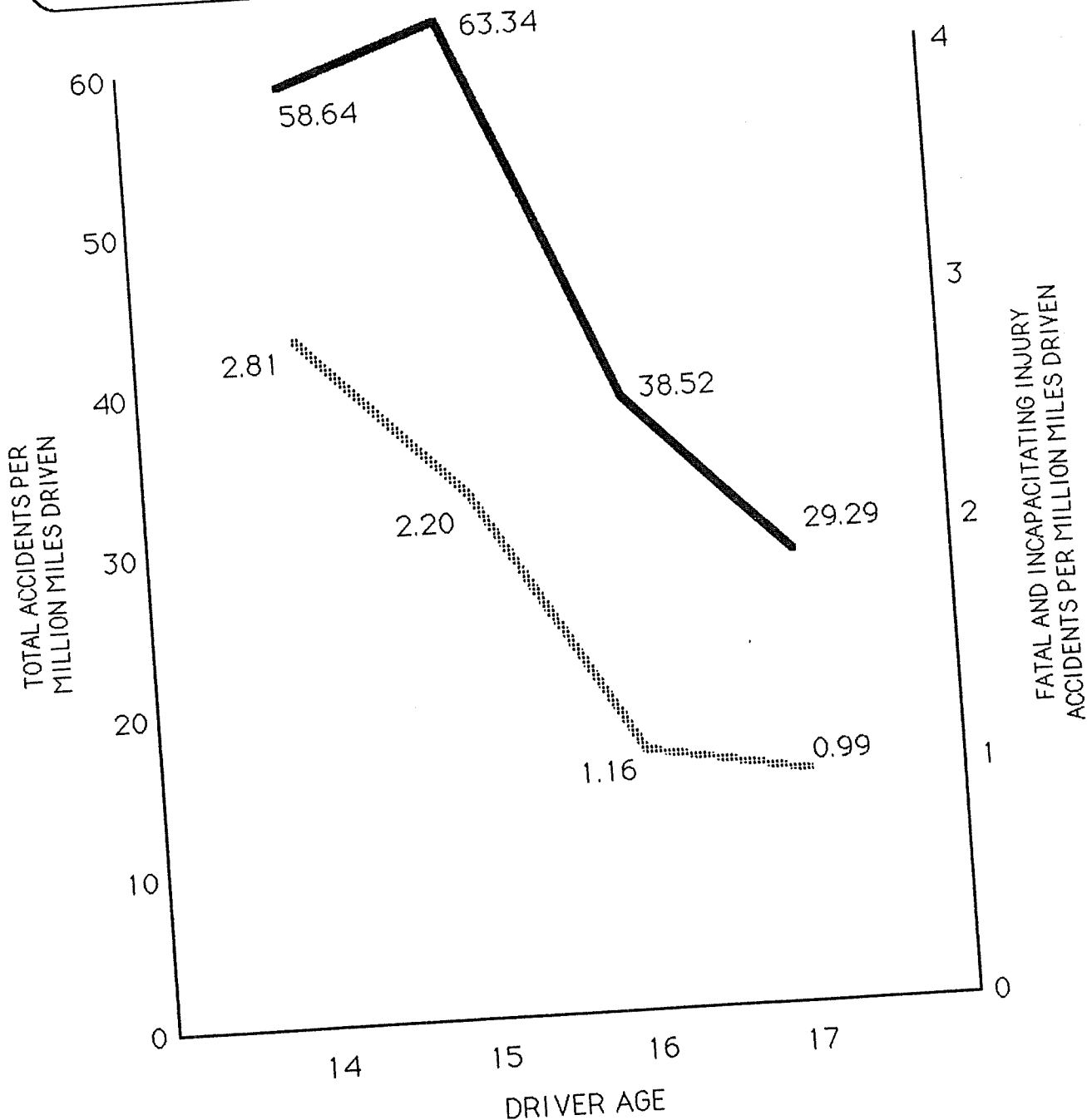
We recommend that legislation be adopted that will raise the driving age to 16 years of age without exceptions. This is the stand that has been taken in nearly every state and it is the only way to lower the accident rate for this age group. Time style restrictions will not help since the majority of the accidents are occurring during the day time hours going to and from school.

Ed Klumpp
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Home: 913-235-5619
Work: 913-354-9450

HOUSE TRANSPORTATION
Attachment 2-1
1-14-93

KANSAS MOTOR VEHICLE ACCIDENTS

PER MILLION MILES DRIVEN
1986 THROUGH 1989

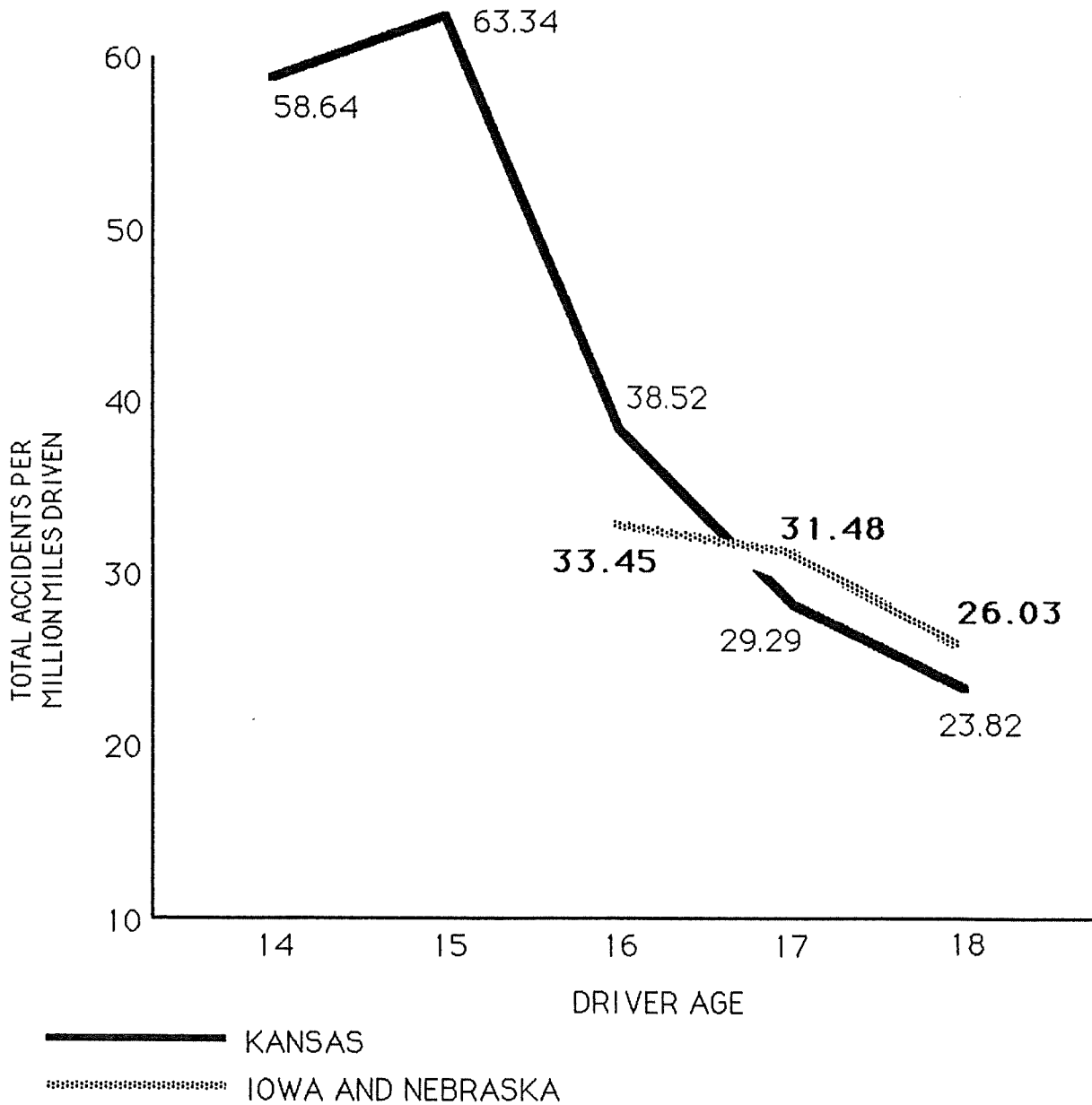


— ALL ACCIDENTS
..... FATAL AND INCAPACITATING INJURY ACCIDENTS

PREPARED BY KANSANS FOR HIGHWAY SAFETY
REVISED 2/9/93

HOUSE TRANSPORTATION
Attachment 2-2
1-14-93

MOTOR VEHICLE ACCIDENTS KANSAS COMPARED TO IOWA & NEBRASKA PER MILLION MILES DRIVEN



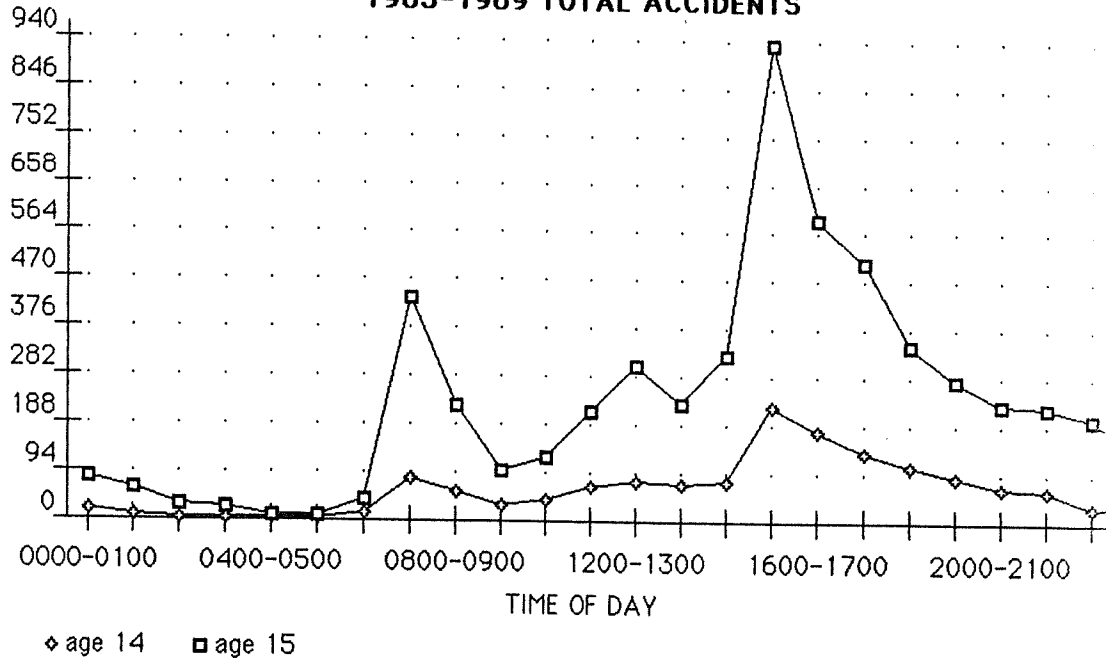
KANSAS MOTOR VEHICLE ACCIDENTS BY TIME OF DAY 14 AND 15 YEAR OLD DRIVE

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1985-1989 TOTAL ACCIDENTS

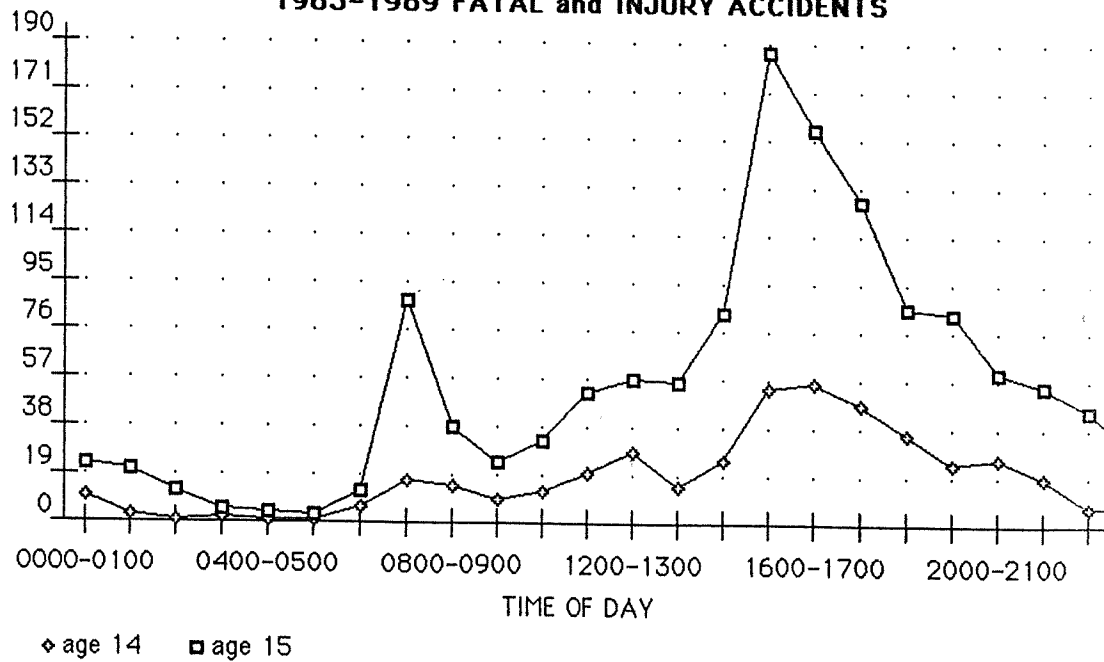


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1985-1989 FATAL and INJURY ACCIDENTS



PREPARED BY KANSANS FOR HIGHWAY SAFE

HOUSE TRANSPORTATION
Attachment 2-4
1-14-93

KANSAS TEENAGE DRIVING

ACCIDENTS PER MILLION MILES DRIVEN 1986-1989

AGE	AVG. MILES PER YR PER DRIVER	AVE. NO. OF LICENSED DRIVERS	MILLION MILES DRIVEN/YEAR	AVE. ACCIDENTS PER YEAR	ACCIDENTS PER MILLION MILES	AVE. FATAL AND INCAPACITATING INJURY ACCIDENTS PER YEAR	FATAL AND INCAPACITATING ACCIDENTS PER MILLION MILES
14	1133	5692					
15	1373	16309	6.45	378.00	58.64	18.13	2.81
			22.40	1418.50	63.34	49.25	2.20
14 & 15		22001	28.84	1796.50	62.29	67.38	2.34
16	4572	24314	111.16	4282.00	38.52	128.88	1.16
17	5548	28287	156.93	4598.00	29.29	154.88	0.99

Drivers license statistics from Kansas Department of Revenue.

Accident statistics from Kansas Department of Transportation.

Average miles driven from student survey conducted by Kansans for Highway Safety during the fall of 1990.

HOUSE TRANSPORTATION
Attachment 2-5
1/14/93

Prepared 2/9/91 by Kansans for Highway Safety, Rt. 4 Box 241A, Leavenworth, Kansas 66048

January 14, 1993

TO: Kansas House Transportation Committee

FROM: Dr. Noel O. Mintz, representing KDSEA

RE: Driver License Age Requirements

I am Dr. Noel O. Mintz, Director of Admissions to Teacher Education at Emporia State University representing the Kansas Driver and Safety Education Association, which is the professional organization of the driver educators in the State of Kansas. I am the teacher educator for Driver Education in the State of Kansas.

I believe that the minimum age for receiving a driver license in Kansas should be 15 years of age. Over the years of observing and teaching driver education, I have found few 14 year old students who are able to comprehend the tremendous responsibility that accompanies driving an automobile. There is no problem in assisting most 14 year old students to develop the necessary physical skills and the required knowledge to drive in a safe manner. However, they generally are immature to the extent that they don't develop the attitude that is essential to safe driving.

Postponing the minimum to a greater age than 15 years is going to encourage many of the youngsters to drive illegally, prior to taking driver education, thereby developing bad habits and poor attitudes to driving in a safe manner. I would favor allowing the 15 year old students to have a license after completing an approved driver education course and otherwise disallow licensing anyone under 16 years of age.

Kansas State Board of Education

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

January 14, 1993

TO: House Transportation Committee

FROM: State Board of Education

SUBJECT: Driver Education--Age Restrictions and Driver Licensing

My name is Bill Musick, Assistant Legislative Coordinator of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

The State of Kansas has had approved driver education programs since 1963 and currently ranks in the top two percent of states completing students in elective courses in driver education. I point this out to demonstrate that Kansas parents and educators still believe in the value of the program. The requirements for enrollment in a driver education program is attendance at an accredited school and not less than 14 years of age. We are one of only four states that allow 14 year olds to drive and the only state allowing 14 years olds to drive by themselves. Nebraska, South Dakota, and Arkansas allow 14 year old licenses, although Iowa has an exception law for agricultural use for 14 year olds. However, they issued less than 200 licenses last year in that category in 1991.

Kansas schools had over 20,000 14-year old students in eighth and ninth grades in 1991. However, according to records in the Division of Motor Vehicles, there were only 5,000 licenses issued to those 14 year olds. The trend is clearly away from the 14 year license. The age of students enrolled in driver education courses in 1991 and 1992 moved toward 15 years of age with many schools requiring the enrollment age to be 15 years old. The need for 14 year olds to drive has been reduced with the limited employment potential available and with school transportation programs accessible.

Driver educators agree that most 14 year olds are both physically, psychologically, and emotionally unprepared for the complexity of the driving task.

As changes are anticipated and legislation developed, efforts to provide a six months cushion from the time of passage to implementation will allow schools to plan both curriculum changes and contract awards to teachers.

If you have any questions, Mr. Gerald Christensen, Program Specialist in Traffic Safety and Driver Education, will be glad to answer questions from the Committee.

Dale M. Dennis
Deputy/Assistant Commissioner
Division of Fiscal Services and Quality Control
(913) 296-3871

HOUSE TRANSPORTATION
Attachment 4
1-14-93