

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on March 11, 1993 in Room 519-S of the Capitol.

All members were present except: All Present

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

Conferees appearing before the committee: Betty McBride, Department of Revenue  
Col. Marshall Kaplan, Sr. Legal Officer, Ft. Riley  
Sen. Lana Oleen  
Charles Yunken, American Legion

Others attending: See attached list

Chairman Crowell opened the hearing on SB 161 concerning the authorizing of certain students to obtain drivers' licenses without taking written examination. The Chairman recognized Hank Avila who summarized the bill for the committee.

Betty McBride was recognized by the Chairman as a proponent of the bill. See Attachment 1.

The Chairman closed the hearing on SB 161.

The hearing on SB 163, providing an exemption for certain military personnel from the Kansas Drivers' License Act was opened by Chairman Crowell.

Chairman Crowell recognized Col. Marshall Kaplan of Ft. Riley as a proponent of the bill. See Attachment 2 for his written testimony.

Sen. Oleen, primary author of the bill, was recognized for testimony by the Chairman. See Attachment 3.

The Chairman recognized Charles Yunker of the American Legion as a proponent of the bill. See Attachment 4.

Chairman Crowell closed the hearing on SB 163.

After Chairman Crowell brought the committee's attention to SB 163 for possible action, Rep. Smith made a motion to pass the bill favorably out of committee. It was seconded by Rep. Lloyd. The motion carried.

The Chairman brought the committee's attention to SB 159 regarding the increase in drivers' license photo fees. Rep. Correll made a motion to pass the bill favorably out of committee. It was seconded by Rep. King. The motion carried.

Chairman Crowell brought the committee's attention to SB 160 concerning changing the effective date on the Motor Voter Law implementation date. Rep. Pauls made the motion to pass the bill out favorably and because it was noncontroversial in nature, it be placed on the Consent Calendar. Rep. Dillon seconded the motion. The motion carried.

The minutes from February 11 and February 15, 1993, were brought to the committee's attention. There were no corrections, deletions or changes and the minutes stand approved.

The meeting was adjourned by Chairman Crowell at 2:19 p.m. with the next meeting scheduled for February 15, 1993, at 1:30 p.m. in Room 519-S of the Capitol.

## GUEST LIST

HOUSE TRANSPORTATION COMMITTEE

March 11, 1993

Name	Address	Representing
COL MARSHALL KAPLAN	FT RILEY	U.S. ARMY
CPT Victor M. Hansen	ft Riley	U.S. Army
Charles M. Yunker	1314 SW Topeka Blvd Topeka	American Legion
Betty McBride	Topeka	KDOR
John W Smith	Topeka	KDOR

STATEMENT OF

COLONEL MARSHALL M. KAPLAN

STAFF JUDGE ADVOCATE, FORT RILEY

CHAIRMAN CROWELL AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE: I am Colonel Marshall M. Kaplan, the senior legal officer at Fort Riley. I welcome this opportunity to testify in support of Senate Bill 163. Currently, Kansas law requires active duty military personnel who register a vehicle in the state to surrender the driver's license from their home state and obtain a Kansas driver's license. This bill will have only limited impact, but the change it will make will be of major benefit to military personnel serving in the State of Kansas. The purpose of this bill is to allow active duty non-resident military personnel and their dependents to maintain their valid home state driver's license when they register a vehicle in Kansas. The bill will not allow military personnel to possess more than one valid license. There are two good reasons why this bill should be passed. First, under The Soldiers' and Sailors' Civil Relief Act, a federal law, military income is only taxable by the service member's state of domicile. A driver's license is an important piece of evidence of domicile. In addition, many states base veterans benefits on proof of domicile. Second, the decision of where to register a vehicle is no longer a simple one to make. Under stricter emissions laws, many states do not allow re-registration of a vehicle by mail. Also, with the Army's mission, many soldiers simply are not able to keep their vehicles registered in their home state. Senate Bill 163 will alleviate this difficulty. Soldiers will not have to return home and register their vehicles in order to keep their home state driver's license. This change will also encourage soldiers to purchase vehicles in Kansas, since they will be able to do so without having to surrender their driver's license from their home state. Thank you for allowing us to testify in support of this important bill.

HOUSE TRANSPORTATION  
Attachment 2  
3/11/93

STATE OF KANSAS

LANA OLEEN  
SENATOR, 22ND DISTRICT  
RILEY AND GEARY COUNTIES



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRMAN: GOVERNMENTAL ORGANIZATION  
LEGISLATIVE EDUCATIONAL PLANNING  
VICE-CHAIRMAN: CONFIRMATIONS  
LABOR, INDUSTRY, SMALL BUS.  
MEMBER: ASSESSMENT AND TAXATION  
ECONOMIC DEVELOPMENT  
JUDICIARY  
ARTS/CULTURAL RESOURCES  
COMMISSIONS: KANSAS SENTENCING  
WASTE REDUCTION AND RECYCLING  
DACOWITS—U.S. DEPT. OF DEFENSE

LEGISLATIVE HOTLINE  
1-800-432-3924

March 11, 1993

TESTIMONY - SENATE BILL 163

Chairman Crowell and Members of the Committee:

Prior to the 1993 session, area legislators were asked by Ft. Riley officials to introduce three bills for consideration by the Kansas Legislature. I am pleased to offer testimony today in support of SB 163.

Passage of this bill will be mutually beneficial for military personnel and the state of Kansas. As this bill will not require military personnel to maintain an active Kansas driver's license, it will alleviate the hardship faced by these people who want to remain licensed in their home states. This bill will also stimulate the Kansas economy as the military will be able to use a valid driver's license from their home state when they register their vehicles in Kansas. As these people will not have to return to their home states to register their vehicles, they will be more likely to purchase their vehicles while serving in Kansas.

I have worked with the Division of Motor Vehicles to prepare the language you have in the bill before you, and they have testified in support of the bill in the Senate.

The bill passed the Senate on a vote of 38-0 on February 17, and I urge your favorable consideration in the House of Representatives. Thank you.

HOUSE TRANSPORTATION  
Attachment<sup>3</sup>  
3/11/93

HOME  
1631 FAIRCHILD AVE.  
MANHATTAN, KANSAS 66502  
(913) 537-7718

Senator Lana oleen

STATE OFFICE  
KANSAS CAPITOL, ROOM 143N  
TOPEKA, KANSAS 66612  
(913) 296-7360 [JAN.-APRIL]

SENATE BILL 163  
TESTIMONY BY CHARLES M. YUNKER, DEPARTMENT ADJUTANT  
THE AMERICAN LEGION, DEPARTMENT OF KANSAS  
March 11, 1993

On behalf of the more than 61,000 members of The Kansas American Legion thank you for providing me the opportunity to address you today in support of Senate Bill 163.

SB163 will amend K.S.A. 8-234 in such a manner to eliminate hardships and unnecessary expenses imposed on military personal and their dependents who prior to their assignment to duty in Kansas, were for the most part, able to retain a motor vehicle operator's license in their home state of record.

As a veteran I can recall the frustration of having to apply for a driver's license in every state in which I was stationed. During four and one half years on active military duty I had driver licenses in California, Rhode Island, Massachusetts, Pennsylvania, California (again), and Hawaii. In addition to those state licenses I was required to apply for a military license at each duty station.

Although my military licenses were at no cost, each state required a fee which came out of my pocket. Additionally, several hours were required to be taken away from my military duties each time a new license was required. After I obtained higher rank in the military taking such time away from military duties was not too much of a problem, but on other occasions I had to take a day's leave which is the equivalent to a day's vacation.

My point is; requiring military personnel stationed in Kansas (for what could be a relatively short period of time), to make application for a Kansas driver's license creates unnecessary hardships on those serving in the Armed Forces. Also, requiring a service person to forfeit any license he/she may hold in their home state of record strips those service persons of a tangible link to their home state.

Again, thank you for allowing me to testify before you.

HOUSE TRANSPORTATION  
Attachment 4  
3/11/93

STATE OF KANSAS

Betty McBride, Director  
Robert B. Docking State Office Building  
915 S.W. Harrison St.  
Topeka, Kansas 66626-0001



(913) 296-3601  
FAX (913) 296-3852

Department of Revenue  
*Division of Vehicles*

To: Honorable Rex Crowell, Chairman  
Members of the House Committee on Transportation

From: Betty McBride, Director, Division of Vehicles  
Kansas Department of Revenue

Date: March 11, 1993

Mr. Chairman, Members of the Committee,

My name is Betty McBride. I am the Director of the Division of Vehicles and I appear before you on behalf of the Kansas Department of Revenue concerning Senate Bill 161.

This bill amends K.S.A. 8-235(c) and related statutes, which will reduce the time to six months for an applicant who has completed a driver training course to be issued a license without taking an examination. Currently, the law allows an applicant to wait as long as two years to obtain a license without a test. Our concern is that in two years the applicant may forget the skills learned in driver training or they may develop a medical condition, such as seizures, which could interfere with their ability to drive safely.

I urge the committee to give this bill favorable consideration. I stand for your questions.

HOUSE TRANSPORTATION  
Attachment /  
3/11/93