

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on February 16, 1994 in Room 519-S of the Capitol.

All members were present except: Rep. Hendrix, Excused

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

Conferees appearing before the committee: Rep. Ballard
Brent Garner
Joanne Hurst, Secretary of Aging
Rep. Sader
Jim Clark, Silver Haired Legislature
Peggy Neal, Silver Haired Legislature
Craig Cole, Kansas Public Transit Association
Jim Van Sickel, KDOT
Jim Sund, Merriam County
Kathleen Krule, Pres. Transit Authority
Tom Stevens, Johnson County Area on Aging
Mike Swartz
Arris Johnson, Silver Haired Legislature
Mike Todd
Terry Heidner, Chief of Transportation Planning, KDOT
Donna Malone

Others attending: See attached list

Chairman Crowell opened HB 2850 requiring trailers and semitrailers under 80 inches to have side reflectors.

Rep. Ballard was the first conferee and author of the bill recognized by the Chairman to testify. She informed the Committee of the incident that prompted her to have this bill drafted. See Attachment 1.

The Chairman recognized Brent Garner, a proponent of the bill, to testify. He and his family were involved in an accident in which they were severely injured. The accident involved a collision with a flat bed trailer. See Attachment 2.

Chairman Crowell closed the hearing on HB 2850.

The Chairman opened the hearing on HB 2898 regarding transferring increased funding from the State Highway Fund to the Elderly and Handicapped Coordinated Public Transportation Assistance Fund.

Joanne Hurst, Secretary of Aging, was the first proponent the Chairman recognized. She testified to the need of increased transportation services for the elderly. See Attachment 3.

Rep. Sader was the next proponent recognized by Chairman Crowell. She testified of her concern for the safety of elderly drivers. See Attachment 4.

Jim Clark was the next proponent of the bill. He testified that it is imperative that transportation services be expanded in both rural and urban areas for the elderly and handicapped. See Attachment 5.

The Chairman recognized Peggy Neal as the next proponent of the bill. She testified that transportation for the elderly is considered a critical issue by the Silver Haired Legislature. See Attachment 6.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on February 16, 1994.

Craig Cole was recognized by the Chairman as the next proponent of HB 2898. Their organization is in favor of this legislation because it is a start on bringing public transportation for elderly and disabled Kansans up to standard. See Attachment 7.

Chairman Crowell acknowledged Jim Van Sickel, Federal Program Director, KDOT, who responded to questions from the Committee.

Jim Sund was recognized by Chairman Crowell as the next proponent of HB 2898. He testified that the Silver Haired Legislature's bill SHL 1004 was similar to HB 2898 with the exception that SHL 1004 requested \$2,000,000 and HB 2898 requested \$1,000,000. Kathleen Krule, President of the Transit Authority was available to assist Mr. Sund with questions from the Committee. See Attachment 8.

The Chairman recognized Tom Stevens as a proponent of the bill. He testified that his agency provides nutrition, in-home, and community services for over 46,000 adults 60 years of age and older. See Attachment 9.

Mike Swartz was the next proponent of the bill recognized by Chairman Crowell. He testified that the levels of service to the elderly and handicapped are going down while the demand for service is going up. See Attachment 10.

Chairman Crowell recognized Arris Johnson as the next proponent of the bill who testified that there is less public transportation available today than there was fifty years ago since the demise of the train and the lessening of bus service. See Attachment 11.

Mike Todd was recognized by the Chairman as a proponent of the bill. He testified that the word "disabled" should be changed to "handicapped" and explained the differences between the two words. See Attachment 12.

Terry Heidner was recognized by Chairman Crowell to offer comments on behalf of KDOT. He testified about the history of funding for public transportation that began in 1989. See Attachment 13.

The Chairman recognized Donna Malone as the next proponent of the bill. She testified that a report called the Plan for Progress presented to the Johnson County Board of County Commissioners included specific recommendations to improve service availability and delivery to older adults and increase the range of services. See Attachment 14.

Written testimony from Alice M. Amrein, Transportation Director, Johnson County Kansas, was made available to Committee members. See Attachment 15.

Chairman Crowell closed the hearing on HB 2898.

The meeting was adjourned at 3:25 p.m. by the Chairman with the next meeting scheduled for February 17, 1994, at 1:30 p.m. in Room 519-S of the Capitol.

GUEST LIST

HOUSE TRANSPORTATION COMMITTEE

February 16, 1994

Name	Address	Representing
Tom Allen	2840 W. 131st Ave. Lawrence, KS	
Pat Kringard	118 W. 4th Salina, KS	North Central. Whit Kells, Area Agency on Aging
Sonya Godlewski	2622 Diana Terr. Marquette, KS	"
Tom Stevens	301 A. S. Clairborne Olathe, KS	Jo. Co. Area Agency on Aging
Ardis Johnson	2713 Hillcrest Hays, KS	Silver Haired Legis. & AARP
Jim Clark	Rt 1 Box 26A Winchester, KS	Silver Haired Legislator
Mohammed Ahmad	KDOT - TOPEKA	
Ray Olson	6719 SW Cathedral Rd Topeka, KS	
Terry Heidner	KDOT Topeka	KDOT
James Van Sickle	KDOT Topeka	
Brent Garner	104 Glenview, Lawrence	Self
Mary Lou Baird	525 Concord Belton Mo., Jo. Co., KS.	
Paul Sevedge	8500 W 55th Terr. Marion, KS	
Mildred Levery	10407 Westgate Dr Jo Co Area Agency	
STEVE McCUR	5225 PENNARD, ZOLLAND PARK Topeka, KS	
Kevin R Schultz	Haviland	GMD #5
Eugene Stuts	Byers, KS.	GMD #5
Bill Watts	Topeka	KDOT

BARBARA W. BALLARD
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HOUSE OF
REPRESENTATIVES

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AND ELECTIONS
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TESTIMONY

Barbara W. Ballard
Before the House Committee on Transportation
on House Bill 2850
February 16, 1994

Thank you, Mr. Chairman and Members of the Committee.

In May of 1993, I received a telephone call and a letter from Brent Garner. He shared with me the details of an automobile accident involving his wife, their baby daughter and himself. This accident occurred on March 21, 1993.

Mr. Garner hit a flatbed, combine trailer on its side. The trailer was sticking out onto the road and had no lights or reflectors. K.S.A. 8-1710 states that trailers, 80 inches or more, are required to have side lights and reflectors.

HB 2850 would amend the statute, beginning at Line 42 on the first page of the bill, to require trailers and semitrailers under 80 inches to have reflectors.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Barbara".

HOUSE TRANSPORTATION
February 16, 1994
Attachment 1

Testimony on HB2850

Transportation Committee
HB 2850
Feb 16, 1994 1:30 P.M.
519 South

Dear Chairman Crowell and members of the Transportation Committee:

First, I would like to thank you, Chairman Crowell, and the members of the Transportation Committee for this opportunity to testify.

I come before you today to present evidence in support of HB 2850. Now, I know that my testimony may effect only a small part of this bill. However, after you have heard my testimony, it is my sincere and honest hope that changes in the interest of public safety will be made.

Before I begin the main part of my testimony, I want to make clear to you, Chairman Crowell, and also the members of your committee, that my testimony is largely drawn from what others have told me. The reason for this will soon be very evident.

On March 21, 1993, my wife, infant daughter, and I were returning from visiting some friends in Iola, KS. At roughly 12:15 A.M. we collided with the back corner of a flat bed trailer--the kind used for transporting combines. Here are the circumstances.

Three trucks owned and operated by Azcot, Inc. of Hobart, OK were traveling from Hobart to Des Moines to pick up some combines. Each truck and trailer combination measured 53 feet in length. As this convoy approached Ottawa, KS they decided to stop for the night. Being unfamiliar with the traffic interchange there, they mistakenly took the first exit which forced them south on Highway 59. This was not the direction they wanted to go, since their intentions were to turn north and stop at a motel in Ottawa. Needless to say, one does not turn around a 53 foot long rig in the middle of the road. Therefore, these three truckers were looking for some place to turn around.

Just south of where I-35 crosses Highway 59 you will find Todd's RV. It has a small parking lot. These three truckers decided to turn around using Todd's RV's parking lot. Trucks 1 and 2 turned into the lot and began the process of back and forward motions in order to turn around their long rigs. Truck 3, meanwhile, is still sitting facing south in the southbound lane of Highway 59. Truck 3's driver estimated that he had enough room to pull in and at least get off the highway. Unfortunately, he was wrong and, unknown to him, the last ten feet of his trailer protruded into the northbound lane of Highway 59. The trailer was painted black and was not equipped with side lights or reflectors.

Meanwhile, we were northbound. According to my wife, this trailer became visible only 8 to 10 feet in front of us. We hit the back corner of that trailer between 45 and 55 mph.

My baby girl suffered injuries as follows: a skull fracture, which caused a week of seizures and a prolonged hospital stay; damage to her spleen resulting in the removal of one-third of her spleen; a collapsed lung; and a broken upper right arm. My wife suffered a broken right hip; a shattered left hip requiring 12 screws and a plate; permanent nerve damage in her left leg; and what has now been diagnosed as post traumatic stress syndrome. My injuries were somewhat less. I broke my heel, my foot forward of the ankle, and required numerous stitches to repair 5 to 6 areas of my head where the scalp was peeled back to the skull; and a very serious concussion which has blotted out my memory of the crash and caused permanent short term memory loss due to injuries to my brain. All of this could have been averted had the trailer been equipped with reflectors, reflective paint, or side lights. Yet, according to the Franklin County District Attorney, the trailer was legal because only trailers over 8 and 1/2 feet in width are required to have sidelights and reflectors. This trailer was only 8 feet wide.

Chairman Crowell and members of this committee, we were lucky! Although injured and impaired for life, we are alive. The next person may not be so fortunate. Requiring all trailers, regardless of size to be equipped with at least reflectors or a reflective paint scheme will not impose any large financial burden on anyone. Yet, this small investment could save lives and prevent injury to many.

This is my testimony. If you have any questions, I would be happy to answer them.

Sincerely,

A handwritten signature in cursive script that reads "Brent Garner". The signature is written in dark ink and is positioned below the word "Sincerely,".

Brent Garner

Testimony on HB 2898
Transportation of the Elderly and Handicapped
before the
House Transportation Committee
by the
Kansas Department on Aging

February 16, 1994

Mr. Chairman and members of the committee, as Secretary of Aging I want to support the increased funding which would be transferred from the State Highway Fund to the Elderly and Handicapped Public Transportation Assistance Fund through the passage of HB 2898. Transportation is a vital link between consumers and providers and without it people are homebound and dependent. By increasing the funding from \$390,000 to the one million dollars which this fund would enable, more people with disabilities will have access to the goods and services.

In my testimony today, I want to address the need for transportation services for the elderly in our state.

Need for Transportation Services

The 1993 Kansas Legislature authorized a study by the Legislative Division of Post Audit on potential duplication and overlap in programs for Kansas' aging population. That report, issued in October, 1993, found that duplication did not appear to be a big problem. The Legislative Division of Post Audit reported, instead, that interviews with area agency staff and senior citizens showed a concern for insufficient services:

In the course of this audit, we surveyed Department of Social and Rehabilitation Services area office staff, and staff from the 11 area agencies on aging. We also interviewed senior citizens. We asked people from each of these groups what long-term-care services they needed in their areas.

The most frequently mentioned need was transportation services. Even though many senior centers had a vehicle available for elderly peoples' use, senior citizens we talked with complained about not being able to make doctor appointments with any assurance they would have transportation available on any given future date. This need was particularly critical in rural areas where medical facilities often are located many miles from the senior citizen's home.
(p. 12)

The Post Audit findings are consistent with what we have found to be true for older Kansans. We surveyed people at the 1993 Governor's Conference on Aging. It must be kept in mind that persons with unmet needs for some services (e.g. in-home and transportation) would be less likely to have attended the

Conference and thus the expressed unmet need for these services would be understated. The results, nevertheless, show some similarity to the 1985 Conference results. Both surveys ranked home repair and transportation respectively as having the greatest and next greatest unmet need.

The Post Audit report noted (p. 14) that legislation passed by the 1992 Kansas Legislature created coordinated transit districts, which will better coordinate the transportation services taking place within them. The Kansas Department on Aging supported that legislation and is cooperating with the Kansas Department of Transportation to implement the legislation.

The Kansas Department on Aging supports Sec. 3(b) of the bill which increases the funding for transportation services to \$1 million.

Conclusion

I appreciate the work of the cosponsors in drafting and introducing HB 2898. I urge your favorable consideration. Our state has built roads and bridges (including our superhighways), which can only be used by Kansas citizens who can drive, unless we provide access through public transportation.

Access to goods and services is essential to everyone including people without automobiles. Transportation is health care. Transportation is shopping. Transportation is education. For the elderly of our state, available transportation can mean the difference of whether they can maintain their independence and remain in their own homes or whether they must out of necessity take residence in institutional care.

HOUSE TRANSPORTATION
February 16, 1994
Attachment 3-2

JEH:bms

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JOINT COMMITTEE ON HEALTH CARE
DECISIONS FOR THE 90'S
NATIONAL COUNCIL OF STATE LEGISLATURES—
HEALTH COMMITTEE

HOUSE OF
REPRESENTATIVES

Testimony on HB2898
House Transportation Committee
February 16, 1994

Mr. Chairman and Members of the Committee:

I appear before you today in support of HB2898 which would provide needed increased state funding for public transportation services for the elderly and for persons with disabilities throughout Kansas, from the present \$390,000 to \$1,000,000. The funds could be expended for capital or operating expenditures toward addressing the unmet transportation needs of the elderly and the disabled in Kansas.

This bill is a priority item on the Legislative Agenda of the Silver-Haired Legislature, the Kansas Public Transportation Association, and many older adult groups throughout the state.

Public transportation for this population is more than just a nice community service. It is, in effect, the lifeline of many older and disabled persons for independence and access to essential community-based services. Without adequate transportation services, many poor or isolated older adults and disabled persons face premature institutionalization at an enormous price to the taxpayers for escalating state medicaid costs that are fast becoming unmanageable. With improved public transportation, supportive services within communities can be accessed and costly institutionalization can be prevented or postponed in many cases.

Although, of very doubtful persuasive benefit, I feel compelled to remind you of two related agenda items for which I have been a strong advocate. One is that drivers over the age of 75 are more at risk of having an accident than the average driver and alternatives to the private car, such as expanded, improved and coordinated public transportation

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Attachment 4-1

services, are the key to keeping the high-risk elderly drivers off the road.

The second is a suggestion for how to fund the needed and cost-effective improvements in transportation services for the elderly and the disabled at no cost to the state and, in fact, while increasing monies for highway construction. By passing a motorcycle helmet law this year, we will prevent \$3.1 million from being transferred from highway construction to highway safety programs next year and another \$3.1 million for the year after that. The Safety programs are already receiving almost \$2 million of highway construction money for this year.

I ask you to please give serious attention to HB2898 in recognition of the critical role that transportation and mobility play in the daily lives of older and disabled Kansans. Along with our consideration of old dogs that won't hunt no more, I ask you please to consider old people in all of our communities who won't get out to do anything no more unless the message of HB2898 is heard by enough of us to make a difference.

Thank you.

Carol Sader

Date: 2/16/94

To: The Honorable Chairman, Rep. Rex Crowell and members of this House of Representatives committee working on House Bill 2898, concerning Transportation and concentrating on the elderly and handicapped. I am Jim Clark, Silver Haired Legislator from Jefferson County and speaking on their behalf.

I speak from experience as a former director of a large urban nutrition program and also as an individual helping establish a seven county transportation system.

It is imperative that transportation services be expanded both in the rural and urban areas for the elderly and handicapped individuals. Providing services can and does allow the elderly, the frail elderly and handicapped individuals to remain in their own homes, thus enhancing a better quality of life and it is less expensive than providing needed services in a nursing home.

In many cases there are no family members close enough to provide the services needed.

The present transportation program does reach a limited number of people. If the following services were expanded many more could be reached. The program provides:

1. Transportation to medical facilities.
2. Opportunity for shopping which includes groceries, medications clothing, cleaning supplies and personal item, etc.
3. Trips to activities which enhances social needs. This may include museums, plays, theaters, restaurants, shopping centers and holiday celebrations.
4. Provides personal visits to city government offices, to county court house for legal and tax needs etc.
5. Transportation for clients to meal sites and return.
6. Transportation of meals to homebound frail elderly, handicapped, and those who are returning home after hospital or nursing home stay.

All clients are given opportunity to contribute toward the expence of this program according to their ability to pay.

Your favorable action will have a very positive effect on all who may need and use this program.

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February 16, 1994

To Chairman Crowell and members of the House Committee on Transportation

My name is Peggy Neal. I live in Leawood, Kansas, and am an aging advocate for the elderly. I am here today as the delegated spokesperson for the Kansas Silver Haired Legislature. I thank you for this opportunity to speak to you today on behalf of House Bill 2898.

The Silver Haired Legislature is a means of tapping the life experience and wisdom that should come with having survived past age 60. In light of that, Transportation has been deemed such a critical issue that nine of the eleven sessions of the Silver Haired Legislature have produced a bill or resolution on the most important issue of adequate transportation in Kansas.

In preparing for this testimony, I called across the State with the question, "What would increased transportation service do to the elderly and handicapped of your area?" Always, in one form or another, the answer came back, "It would keep them out of nursing homes." There are places in Kansas, especially in the western part of the state, where 95% of the people are over 75 years old--and they are 50 miles from the grocery store, the pharmacy, doctors, nutrition sites or other opportunities for socialization. It is an accepted and quantifiable fact that persons denied opportunities to socialize deteriorate much more rapidly--and thus need nursing home help sooner--than do those who have regular opportunities for social exchange. To say nothing of access to groceries, or doctors or health care facilities.

In my information gathering, I learned of an elderly gentleman in --northeast Kansas--who needs dialysis three times a week. The closest dialysis unit is in Topeka--an hour and a half away. There is no public transportation available and he can't afford the \$100 a week for private transportation. He has decided he'll forego dialysis. Suicide is the only alternative he sees!

In southeast Kansas in Chanute with a population of 9400, there is one van to serve the needs of the senior population of 2700. Medical runs to doctors and clinics take all the van-and-driver time. What about the runs that need to be made to specialists in Kansas City and elsewhere? RSVP can't begin to meet the needs. Recreational or "fun trips" with the senior van are simply out of the question.

I learned about one elderly couple--well-respected in their south Kansas community--who would love to do some traveling to see their children in California while they are still able to do so. However, they are of the age where they still drive locally but no longer feel confident on the highways--their only means of getting to the airport. They are about to join the over-168,000 other Kansans who no longer drive and are thus totally dependent on public or private transportation. If there's no available transportation, these people become prisoners in their own homes.

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People want to "age in place." They want to stay in their own homes as long as possible--and it has been demonstrated to be economically feasible to do so; in fact, the State Legislature recognizes this and has made a commitment to promoting community based services through the Senior Care Act, Case Management funding, etc. But services have left the many Kansas communities of 750-1000 people. Now the service areas are in population centers of 10,000-17,000. ONLY adequate public transportation for the service-needing elderly and handicapped will solve this problem.

It's not always a matter of affordability. For many elderly and handicapped--and everybody else in public transportation-deprived areas--there ARE no taxis, no busses, no trains--simply NO public means of transportation.

In the light of the critical transportation situation in Kansas, asking funding for the elderly and handicapped in the amount of one million dollars is minimal indeed!

Thank you!

HOUSE TRANSPORTATION
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Attachment 6-2



KANSAS PUBLIC TRANSIT ASSOCIATION
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MEMBER AMERICAN PUBLIC TRANSIT ASSOCIATION
MEMBER COMMUNITY TRANSPORTATION ASSOCIATION OF AMERICA
MEMBER SOUTHWEST TRANSIT ASSOCIATION

STATEMENT BY THE KANSAS PUBLIC TRANSIT ASSOCIATION
ON HOUSE BILL 2898

Wednesday February 16, 1994
1:30 PM
Kansas State Capitol, Room 519-S

Mr. Chairman and Members of the Committee:

I am Craig Cole, President of the Kansas Public Transit Association (KPTA). KPTA is a non-partisan non-profit association that presently represents 130 members, urban and rural, in all sectors of Kansas.

Thank you for this opportunity to testify before the committee on a matter of great importance to all Kansans, the transportation needs of the elderly and disabled. Kansas has nearly 200 operators of public transportation services for the elderly, disabled, and general public. These services are funded by the federal Section 9 (urban), Section 18 (rural), and Section 16 (private non-profit equipment only) programs. Federal funding provides less than 50% of the total cost of operation. The remainder of funding comes from the present state fund (\$390,000), local sources, and passenger revenue.

KPTA wholeheartedly supports House Bill 2898 and lauds it as a good start to bring public transportation for elderly and disabled Kansans up to par with other transportation modes in the State.

In the last several years assistance to public transportation providers has come under assault. The promise of additional federal aid from the Intermodal Surface Transportation Efficiency Act (ISTEA) has faded as ISTEA has never been fully funded since its first year. Operational spending freezes imposed by the last three Administrations coupled with inflation has caused public transportation to lose ground. Rural public transportation also has suffered the loss of 15% of incoming dollars due to federally mandated intercity bus service set asides. The American Public Transit Association estimates that in real dollars, federal assistance purchases only 43% of what it did in 1981. And in President Clinton's budget proposal of last February 7 the Administration called for a reduction of operating assistance in FY 95 and elimination of assistance within three years. None of this bodes well for

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public transportation and its major client groups: elderly, disabled, and general public.

In addition to the loss of federal assistance purchasing power and the potential loss of all operating assistance, unfunded federal mandates such as the Americans with Disabilities Act, drug/alcohol testing, and compliance with the Clean Air Act has eroded the ability for local operators to provide much needed services.

The present state funding of \$390,000 for elderly and disabled transportation was a good start to addressing the public transportation needs of Kansas. The \$390,000 is divided: \$10,000 for KDOT discretionary projects, \$35,000 for urban systems, \$150,000 for replacement vehicles, and \$195,000 for operating assistance. Operating assistance is channeled through the Section 18 rural public transportation program and provides 5% of the required local match. As you can see from the numbers, \$390,000 across the state does not stretch very far.

As good a job as Kansas public transportation operators do, they are not meeting the demand for service. Many elderly and disabled Kansans are isolated due to lack of transportation. Over 168,000 Kansans over 65 do not have a driver's license and are dependent upon public transportation or some other source for transportation.

What has Kansas public transportation done in order to maximize available funds and avoid duplication of services? They, under the auspices of 1992 Senate Bill 505, have come together to form Coordinated Transit Districts. This effort has been unfunded, but undertaken by operators anyway because they see a benefit in getting together, sharing information, avoiding duplication of efforts, and coordinating activities. Kansas public transportation, by engaging in the CTD process, has committed itself to spending its public dollars wisely. I can assure you and the rest of the legislature that dollars for public transportation are efficiently spent and that the CTD process will continue in order to maintain this assurance.

The question is, will \$1,000,000 meet the needs for public transportation in Kansas? The answer is most likely no, but \$1,000,000 certainly will enable us to address more unmet needs than we can at present. How much will it take to meet all public transit needs; elderly, disabled, and general public? That exact number is unknown at this time without further study. While

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addressing our short-term requirements, we should also be evaluating our long-term strategies in this area.

With respect to 2898 I would like to offer the following additional comments:

1. The state public transportation funding should continue to be tied to qualified recipients of federal Sections 9, 18, and 16. If not, we risk a "feeding frenzy" for funds by qualified and non-qualified transportation providers. Those providing service at specified degrees of quality are screened via the Section 9, 16, and 18 process.
2. We would recommend that a coordinated implementation plan, similar to 1989 House Bill 2099 be adopted. This will allow KDOT to conduct public hearings on the expenditures and develop a plan to divide the funds among urban and rural and to develop a breakdown on capital versus operating expenditures.
3. Funding should also be tied to operators in Coordinated Transit Districts in accordance with 1992 Senate Bill 505.

One other item must be stated at this time. House Bill 2898 is tied to our state highway funding. KPTA and its members do not feel that we compete with highways. Rather we are highway users ourselves and, as such, public transportation is a complimentary service to highways. We all benefit by a good highway system. What we are asking for is a start of a fair share so that all Kansans may have access to our roads and highways.

Thank you for this opportunity to speak with you today. I, our KPTA Executive Director, and members would be happy to answer any questions and work with you in any way in order to achieve our mutual goals.

2/16/94
House Transportation Committee

I am Jim Sund from Merriam, Kansas. I am an advocate in the aging network.

Mr. Chairman and members of the committee, thank you for letting me talk to you in support of HB 2898. This bill is similar to SHL Bill 1004 except that the SHL Bill requested \$2,000,000 rather than the \$1,000,000 in this bill. This bill simply amends the existing statute to increase the amount from \$390,000 to \$1,000,000 to be expended annually for the purpose of elderly and handicapped transportation programs. This bill also makes it clear that the funds may be used for either capital or operating expenditures.

I want to talk to you for a few minutes about the need for elderly and handicapped transportation. When I retired 15 years ago, I became interested in needs for the aging population. Since then I have worked in many organizations in my county, in the state and in the twenty-one central states region. In that work, and in my 6 years in the Kansas Silver Haired Legislature, I found that the problems that concern these folks, urban or rural, tend to concentrate in about five areas, and the most constant problems are those concerning alternate housing choices and transportation. In some cases, the choice of housing is driven by transportation problems. As you can well imagine, when we can no longer drive safely and must rely upon public transportation our choices become limited.

In these times of increasingly painful budget cuts for services, the communities have not been simply wringing their hands but have attacked the problem themselves by using volunteers. One of the largest demands upon the RSVP programs across the state is for drivers. We use volunteers, using their own vehicles, for delivery of meals to the home, to pick up and deliver customers at congregate meal sites, and to take people to doctors appointments and for therapy treatments. In most cases we can not reimburse these volunteers for their mileage. The only support we offer is for liability insurance while performing volunteer services. But with the increasing demands, we have about exhausted the people available who can donate both their time and their vehicle. And with their personal vehicle, they can not handle wheel chairs or 3 wheel vehicles. Communities have also resorted, when funds are available, to contract services for taxis and commercial special vehicle operators. Most of the Area Agencies operate a central kitchen to prepare meals for all the congregate meal sites in their area and for required home delivered meals. The meals are transported in bulk to the congregate site where the required meals for home delivery are packaged and dispatched.

The communities need both capital equipment in the form of special vehicles for handicapped customers and operating funds for operators for them.

I work with both the Johnson County Aging Commission in supplying services under the Older American Act, and with the Johnson County Volunteer Center in operation of the RSVP program here. I assure you that the funds are greatly needed and will be carefully used in the areas of most need. The eleven Area Agencies for Aging and the 15 RSVP centers in the state face the same problems of fund shortage and increasingly scarce new volunteers. While Johnson County is mostly urban, we still have a large rural area and service 3 nutrition sites in small rural communities. While the needs in rural communities may seem greater, they are simply different. Both rural and urban areas have similar needs.

I'm sure you are concerned about how we could administer and account for additional funding. I have not served on any of the transportation committees but I can explain our Johnson County organization.

In 1987, the Johnson County Commission on Aging created an Eldernet committee composed of over 100 prominent business leaders, service providers, and elected officials to prepare a Plan for Progress that would accommodate, through the year 2000, the increasingly large population of elders in the county. The object was to provide a continuum of care. The Plan was issued in December 1988 along with a recommendation that a study committee be formed to address the transportation problems. A para-transit council was established and a 501C3 status granted. Just in 1994, after reviewing the effects of HB 2981 from the 1992 legislative session, they broadened their interests to include Wyandotte and Leavenworth Counties, and renamed themselves the Tri-County Para-transit Council. Staff personnel from the Area Agency on Aging who have served on the Council are here and can answer any questions you may have about their plans.

Mr. Chairman and committee members, I appreciate your attention and the opportunity to talk with you. If your committee has questions for me, I will be happy to answer them.

Thank you

I'm Tom Stevens with the Johnson County Area Agency on Aging. Our agency provides nutrition, in-home, and community services for over 46,000 adults 60 years of age and older.

I'm here to testify in support of House Bill 2898 to provide needed funding for transportation of the elderly and handicapped.

Johnson County, Kansas needs coordinated and affordable transportation to meet the social/medical needs of the isolated, low-income, and frail elderly population.

Although the low-income elderly may not be visible to the person driving down the interstate and main thoroughfares of Johnson County, our nutrition center managers, case managers, home-delivered meal volunteers, and other staff who visit the homes of the elderly are aware of these pockets of need which exist throughout the county.

Although there are 46,000 adults over the age of 60 in Johnson County, it is the almost 13,000 over the age of 75 who are most likely to begin needing some assistance with transportation. 4,500 of them live alone. Over 2,000 have a mobility or self-care limitation. And over 1,000 live on an income of less than \$500 per month. In the coming years these numbers will only increase.

These people continue to need transportation for the same reasons you and I need transportation. They need transportation to remain independent in their communities, to visit friends and family, to socialize, to get out, to stay active and involved, to make regular trips for medical check-ups, and to shop for food and other essentials.

They need transportation which is available to the area in which they live and which will go to the destination which they choose. They need transportation which is suitable to their mobility limitations. And they need transportation which is affordable for their already strained budgets.

Although many agencies and businesses exist to provide transportation, they do not always offer the right conditions to serve some persons. Providers have limited service areas, eligibility requirements that may not apply, limited handicapped accessibility, and often fares that are too expensive.

The Area Agency on Aging provides transportation on a donation basis to several nutrition centers where older adults meet to socialize and support each other in the challenges of aging. But we do not satisfy all important transportation needs through this program. We do not provide transportation for medical and shopping purposes. We do not serve every area of Johnson County. We can only afford a limited number of trips for a limited number of people. And, because we use Older Americans Act funds, we only

serve persons over the age of 60.

These are some of the common transportation problems older adults face where conditions and criteria for service differ with every provider. Yet older persons suffering from financial, physical, and mental losses do not have to feel depressed or hopeless when facing difficulties in arranging and coordinating transportation.

This task can be assumed by transportation coordinating councils who can bring communities, businesses, social service agencies, and providers together to discuss and fill gaps and to offer services which meet diverse needs. The Area Agency adds its wholehearted support to funding for such coordination to meet the needs of the low-income and frail-disabled elderly, and to meet the needs of all citizens of Kansas who would find transportation more accessible through the enactment of this legislation.

February 16, 1994

Statement by SEK-CAP, Inc.

Southeast Kansas Community Action Program Inc.

Southeast Kansas Area Transit District

Mr. Chairman and Members of the Committee:

I am Mike Swartz, Transportation Director of SEK-CAP, Inc., and President of the Southeast Kansas Coordinated Transit District which represents the nineteen (19), Section 18 and 16, Transit Providers of the ten county area.

As a provider of Public Transportation for the people of Kansas, we support H.B. 2898. It is imperative that this piece of legislation take place so that operations will not continue to deteriorate at the present rate.

As citizens of Kansas, I know you already recognize how crucial it is to at least maintain transportation for elderly and handicapped Kansans. Others have already told how they are locked in their homes with no way to get around. We simply can't let them down!

If America were criss-crossed with public transportation, as most of Europe is, the problem wouldn't be so great; but America and Kansas isn't and the problem is real!

The Washington political Arena has decided, in the last couple of years, especially, now that the Clinton Administration has decided, new buses are the answer to America's Rural Transportation Problems. However, little, if any, thought has gone into a collaborative effort to design latitudes of operational responsibility for the almost forgotten rural areas of this Great Country.

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Money for operations is depleting rapidly as you have heard from previous testimony. Even in the State of Kansas, the Department of Transportation has had to change the funding of the operations formula in order to fund operators of Public Transit at a level that is causing extreme hardships. Levels of service are actually going down while the demand for service has continued to rise. A study of the needs of the people of Kansas and the Transit Operators will surely help to answer some of the questions that are among the #1 issues of the Elderly, Handicapped, and General Public Community.

Funding should continue only for qualified recipients of Federal funds for Section 9, 18, and 16 properties. The dollars must be screened by the State so that the quality of Service will remain at the same high standard already in place.

Because of all the demands placed on public transit in the past, with unfunded national legislative issues, House Bill 2898 must be tied to the public transportation needs of all Kansans who are tied to our highway usage. It must benefit all the people of Kansas to be a success.

Thank you for this opportunity to speak. At this time, I will be happy to answer any questions I may have presented to you today.

I am Arris Johnson of Hays and I thank you for the opportunity to speak in favor of increased funding for transportation for the elderly and the handicapped. A highly-respected friend of mine, a 92-year-old retired university professor, has made the statement that there is less public transportation available today than there was fifty years ago since the demise of the train and the lessening of bus service. If one does not drive his/her own car, there is little or no transportation in some of our rural areas. Trips for groceries, medicine, doctor and dental appointments, church, or any other necessary or desired destination, must be either eliminated or provided by friends. And there are many who live in small communities or in rural areas where services are not available and so requiring transportation to where they are. These are not overstatements of the problem. From a very recent visit with a case worker, I learned of some elderly folks who literally do not have enough to eat at times because they do not have transportation. In a recent meeting at Quinter where the topic was long term care, the issue of transportation was addressed several times. Care providers such as nursing home directors, case workers, and others all said that basic to providing care was more transportation. Transportation problems escalate as we shift from urban to rural areas of western Kansas.

There is no point in belaboring the issue. The need for more transportation is with us for both the elderly and for the handicapped. We feel that the designation of monies to help with this problem is a step we need to take today.

Thank you for your favorable consideration of this problem.

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HOUSE TRANSPORTATION COMMITTEE

HB 2898

FEBRUARY 16, 1994

Testimony by: Michael R. Todd
Chair, Transportation Committee
Independence, Incorporated
1910 Haskell
Lawrence, KS 66046
913-841-0333

Thank you, Chairman Crowell and members of the House Transportation Committee, for allowing me to testify about HB 2898. I am a member of the Board of Directors and chair of the Transportation Committee of Independence, Inc. We are an independent living center for people with disabilities located in Lawrence, KS. We provide the only transportation service available to ANY person with a disability in a three county area. This service is vital to people with disabilities who cannot, physically or financially, drive an automobile. We have received 16(b)(3) funds for 70% of the purchase price of two of our four buses.

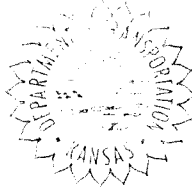
Our agency supports HB 2898, and I would like to specifically address three areas of it. We believe that it is essential that any funds under this bill go to the general public elderly and handicapped. At Independence, Inc. we allow anyone with a disability to ride our buses, even if they do not utilize any of our other services. We feel that if the words "general public" are deleted, it will allow an organization to apply for funds that places some type of membership requirement on service. We feel this goes against the meaning of the bill.

We support the effort to increase the annual funding for elderly and handicapped transportation from \$390,000 to \$1 million. We realize that this provision will require a separate appropriation bill and ask that, if the full \$1 million cannot be allocated, that the level not fall below the current funding level. Transportation for these groups allow them to live independently in communities that have no other means of transportation available to them. It allows them to travel to doctor's offices, shopping, and other types of daily living.

Finally, we would ask for a wording change in HB 2898. We would ask that you substitute the word "disabled" for the word "handicapped" in this bill. A handicap is a physical barrier, such as a curb, steps, or an inaccessible door that prevents a person from utilizing a service. We feel that the term "handicapped" has a negative connotation, and that the word "disabled" is much more appropriate.

We do support HB 2898 as long as funding goes to agencies that are open to the general public elderly and disabled. Thank you again for allowing me to address the committee about this bill.

STATE OF KANSAS



Michael L. Johnston
Secretary of Transportation

KANSAS DEPARTMENT OF TRANSPORTATION
Docking State Office Building
Topeka 66612-1568
(913) 296-3566
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Joan Finney
Governor of Kansas

February 16, 1994

Testimony

House Transportation Committee
on House Bill 2898

Mr. Chairman and members of the committee, I am here today to testify on behalf of Secretary Michael Johnston and the Kansas Department of Transportation (KDOT). My name is Terry Heidner and I am the Chief of Transportation Planning for KDOT. The Office of Public Transportation, which administers the federal and state public transportation programs, is under my direction. I am here to testify on House Bill 2898.

The 1989 Kansas Legislature provided state funding for public transportation for the first time in Kansas. 1989 H. B. 2014 provided \$390,000 per year from the state highway fund for public transportation. At that time, we were one of the few, if not the only state, that did not provide any state funding for public transportation. We are still very near the bottom of the list in terms of state funding support for public transportation. There is no provision in the current statute for increasing the \$390,000 to keep pace with inflation. Consequently, we believe that the \$390,000 figure is certainly too small and do not oppose the \$1

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million figure as proposed in H. B. 2898, should that be the decision of this committee. By the same token, we cannot currently quantify the public transit needs in the state. We should pursue answers to that question in the future.

We would offer the following additional comments on H. B. 2898:

1. We believe that state funds for public transportation should still be tied to qualified recipients of Federal Section 9, 16 and 18 funds and to membership in Coordinated Transit Districts. Otherwise, there could be a proliferation of very small, one vehicle, operators seeking state funding. This would be in direct conflict with the intent of 1992 Senate Bill 505, which requires the formation of Coordinated Transit Districts with the intent of improving the efficiency and effectiveness of transit service by increasing coordination and consolidating services when possible.
2. We are not clear as to the intent of the language in Section 4(c) concerning the use of funds for capital or operating expenditures. We do not believe this is a workable approach and recommend that the language be changed to allow development of a coordinated statewide implementation plan based on public hearings similar to what was done in 1989 H. B. 2099.

Thank you for the opportunity to speak with you today. I would be happy to answer questions if there are any.

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Good afternoon. I am Donna Malone, Chairperson of the Johnson County Commission on Aging, an advisory board to the Johnson County Commissioners. I am here today to speak in support of House Bill 2898. The Commission on Aging is making a proactive effort to identify trends and target areas where need is growing. For many years, older adults have needed more affordable, accessible transportation.

Transportation is the lifeline to community-based services in any long-term care continuum. For many older adults, transportation and mobility go hand in hand. They live in fear of losing their ability to drive because there are few realistic transportation alternatives available to them.

The COA began to examine the transportation needs of older adults and people with disabilities in 1987 when a 150 member volunteer coalition called Eldernet was appointed. The Eldernet Coalition was directed to look at the services needed through the year 2000 to enable older adults to live independent, productive lives in Johnson County. A report called the **Plan for Progress** was presented to the Board of County Commissioners in December 1988. This report included specific recommendations to improve service availability and delivery to older adults and to increase the range of services. This effort received national recognition in the form of an award from the National Association of Counties in 1989.

In early 1989, the COA appointed a standing committee called Eldernet II to implement the recommendations contained in the **Plan for Progress**. Seven subcommittees were formed: Care Coordination, Service Network, Geriatric Training Center, Housing, Education, the Foundation on Aging and Transportation.

The transportation subcommittee, chaired by Carol Sader, worked to organize a paratransit council in Johnson County. A priority of the paratransit council is to encourage coordination among vendors and agencies providing transportation services to older adults and people with disabilities in Johnson County.

The Eldernet transportation subcommittee held an informational meeting in August, 1990 to determine the viability of a paratransit council in Johnson County. Over 60 people attended, representatives from city, county and state governments, social service agencies serving the targeted populations, private providers and current transportation system users. The group reacted very positively to the concept of a paratransit council. They identified the largest obstacle to increasing transportation services to older adults and people with disabilities as lack of funding.

The transportation subcommittee then began work on the organizational structure of a paratransit council, using councils in Sedgwick and Shawnee counties as models.

The Johnson County Para-Transit Council, Inc. was established as a private, nonprofit organization in early 1991. Since then the council has worked to identify gaps in transportation services for older adults and people with disabilities in Johnson County. In 1994, the council expanded its focus to include Wyandotte and Leavenworth counties and changed its name to the Tri-County Paratransit Council, Inc.

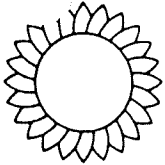
Older adults and people with disabilities have the same transportation needs as the rest of the community. They need to get to work, the grocery store, the doctor, the pharmacy and to places for social or recreational purposes. Unlike most of us though, many of them can't or shouldn't just hop in the car to drive themselves wherever they need to go. They must depend on public and private transportation services. Publicly funded services often are not available on evenings and weekends. Private services are available 24 hours per day, seven days per week, but are very expensive, not an option for someone living on a low, fixed income.

In Johnson County, the demand for special transportation services for older adults and people with disabilities is growing. The County's Special Services program must often turn away requests. The program currently provides about 300 rides per day, the maximum that the largely County-funded program can support.

Transportation serves both human and economic needs of older adults and people with disabilities. It enriches their lives by expanding opportunities for social interaction and community involvement while enhancing the individual's ability to live independently, reducing or eliminating the need for institutional care.

House Bill 2898 would make additional funds available for public transportation services. Expanded services mean more independence for older adults and people with disabilities. It means that an eighteen year-old with a developmental disability can participate in practice sessions for the Special Olympics, that an 86 year-old woman who lives alone can have lunch with her contemporaries at a nutrition site, it means that a woman with a physical disability can go to work or to school to learn a skill which will help her get a higher paying job. It mean that these people can carry on with their lives and be happier, more productive citizens.

Transportation can no longer be viewed as a capital equipment and highway issue alone. Committing resources to facilitate total mobility for all community life is essential if we are to contain long-term care costs now and in the future. I urge you to pass House Bill 2898 to increase funding for transportation services to older adults and people with disabilities.



Johnson County
Kansas

MEMORANDUM

TO: The Honorable Rex Crowell,
House Transportation Committee Chairman

FROM: Alice M. Amrein, Transportation Director
Chuck Ferguson, Assistant Transportation Director
Johnson County Transportation Department

SUBJECT: House Bill 2898

DATE: February 16, 1994

The Johnson County Transportation Department administers both *Johnson County Transit*, which provides fixed-route public transportation, and *Johnson County Special Services*, the demand-response, door-to-door transportation service for elderly and disabled residents of Johnson County, Kansas.

As transportation system administrators, we have the opportunity to see first-hand the needs of transportation dependent residents as well as the needs of the systems attempting to serve those residents. In Johnson County, there is approximately 75,000 residents who are senior citizens, disabled or both. If just one-half of one percent of that population (375 people) were to attempt to reserve transportation on any given day - our Special Services system would be overburdened. Currently, Johnson County Special Services can comfortably handle about 300 trips per day, or about 150 residents going to and from their requested destination. Special Services provides service to Area Agency on Aging clients, Nutrition clients, Johnson County Mental Health clients, Johnson County Mental Retardation clients as well as eligible county residents needing transportation to and from work, medical appointments or other necessary trips. The state's contribution to this needed service is \$35,000 in Section 9 *every fourth year*. The 1994 budget for Johnson County Special Services (contract, administration, maintenance and capital expenditures) approaches \$1,000,000.

All across Kansas, the demand for quality and efficient transportation often outstrips the ability to deliver that service. Whether the setting is urban, suburban or rural, many elderly and/or disabled residents are frequently denied access to life's necessities for lack of proper transportation. Adding to this complex problem is the additional burden brought about by the American's With Disabilities Act which declares equal public transportation access is a right, yet offers no federal funding to enact its mandates. It is obvious that the present level of state funding, \$390,000 for capital and operating, cannot begin to meet the growing needs of public transportation for elderly and disabled Kansans.

As a member and supporter of the Kansas Public Transit Association (KPTA), the

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Johnson County Transportation Department endorses House Bill 2898 with the following additional comments:

1. State funding should continue to be tied to qualified recipients of federal Sections 9, 18 and 16. Recipients of Sections 9, 18 and 16 are basically screened providers who maintain particular levels of service quality.
2. A coordinated implementation plan should be adopted, allowing KDOT to conduct public hearings on the expenditures and develop a plan to divide the funds among urban and rural providers.
3. Funding should also be tied to operators within the Coordinated Transit Districts system in accordance with Senate Bill 505 (1992).
4. \$1,000,000 is an excellent beginning towards meeting the public transportation needs in Kansas. But how much will it take address the unmet needs? Only a state-wide accessibility study can inform us of that. Hopefully, we can keep an eye towards the future in evaluating the state's long-term strategies for transportation.

Thank you for your time and consideration.