

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on February 24, 1994 in Room 519-S of the Capitol.

All members were present except: Rep. Correll, Excused
Rep. King, Excused

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

Conferees appearing before the committee: Rep. Crowell
Capt. Bob Giffin, KHP

Others attending: See attached list

Chairman Crowell opened the hearing on HB 2922 concerning the duty to provide an accident report. Rep. Dillon took over the duties of chairing the Committee.

Rep. Crowell was recognized by Rep. Dillon as the author of the bill. He testified that the bill was in response to a situation where a woman being followed by people in another vehicle for a long distance was eventually run off the road causing damage to her vehicle. The woman did not report the accident until she got home because she feared for her safety. She was ticketed for failure to report an accident in a timely manner. This bill would allow a person to report an accident when they feel secure in their safety.

Chairman Crowell returned to Chair the meeting. He recognized Capt. Bob Giffin as a conferee of the bill. He testified there were concerns regarding the open-ended language in the bill. See Attachment 1.

Chairman Crowell closed the hearing on HB 2922.

The Committee's attention was called to HB 2922 to be considered for action. Rep. Dillon made a motion to amend the bill by changing "when such driver feels secure in such person's safety" in line 29 to "as soon as the imminent danger has passed". It was seconded by Rep. Smith. The motion carried.

Rep. Dillon made a motion to favorably pass HB 2922 as amended. It was seconded by Rep. Shore. The motion carried.

Chairman Crowell called the Committee's attention to HB 2648 regarding license plates for amateur radio operators. Rep. Dawson made a motion to report the bill adversely. It was seconded by Rep. Dillon. The motion carried.

The Chairman then called the Committee's attention to HB 2814 concerning the allocation of special city and county highway funds in Shawnee County. Rep. Smith made a motion to amend the bill which would set the percentage for townships at 12.5% and the percentage for the county road and bridge fund at 37.5%. It was seconded by Rep. Shallenburger. The motion carried.

Rep. Smith made a motion to recommend HB 2814 favorably for passage as amended. It was seconded by Rep. McKinney. The motion carried.

Chairman Crowell called the Committee's attention to HB 2664 which would provide for educational institution license plates. Rep. Rezac made a motion to amend the bill so that each educational institution would authorize its officially recognized alumni association or foundation to manage the program. Cost of the emblem will be not less than \$25 nor more than \$100 annually. It was seconded by Rep. Crabb. The motion carried.

Rep. Dillon made a motion to amend HB 2664 so that the fee for the tag would be increased to the same as that for a personalized tag. It was seconded by Rep. McKinney. The motion carried.

Rep. Rezac made a motion to recommend favorable passage of HB 2664 as amended. It was seconded by Rep. Hendrix. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on February 24, 1994.

The Chairman called the Committee's attention to HB 2974 which amends the Vehicle Dealers and Manufacturers Licensing Act. Rep. Shore made a motion to recommend the bill favorably for passage. It was seconded by Rep. Webb. The motion carried.

Chairman Crowell called the Committee's attention to HB 2838 designating a part of U.S. Highway 75 as the Danny J. Petersen Memorial Highway. Rep. Dillon made a motion to recommend the bill favorably for passage. It was seconded by Rep. Haulmark. The motion carried.

The Chairman called the Committee's attention to HB 3046 concerning the definition of implement of husbandry. Rep. Shore made a motion to amend the bill to include a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung in the definition of implement of husbandry. Rep. Smith seconded the motion.

Rep. Webb made a substitute motion to report HB 3046 adversely. It was seconded by Rep. Dillon. Division was called and on a hand count, there were 6 for and 10 against. The substitute motion failed. Rep. Shore's original motion to amend carried on a voice vote. Rep. Shore made a motion to recommend HB 3046 favorably for passage as amended. It was seconded by Rep. Lloyd. The motion carried.

The Committee's attention was brought to HCR 5028 opposing the federal mandate for a helmet law. Rep. Shallenburger made a motion to adopt the resolution. It was seconded by Rep. Dillon. The motion carried.

The meeting was adjourned at 2:47 p.m. by Chairman Crowell with the next meeting scheduled for March 7, 1994, at 1:30 p.m. in Room 519-S of the Capitol

GUEST LIST
HOUSE TRANSPORTATION COMMITTEE

February 24, 1994

Name	Address	Representing
BUB GIFFIN	TOPEKA	RHP
TOM WHITAKER	TOPEKA	Ks MOTOR CARRIERS ASSN
RICH MCKE	TOPEKA	Ks LIVESTOCK ASSN
Pam Somerville	TOPEKA	Ks Auto Dr's ASSN
Bill Watts	TOPEKA	KDOT
Rosalie Thoruburg	TOPEKA	KDOT
Bill Anderson	Mission	Water Dist #1 of Jo. Co.

SUMMARY OF TESTIMONY

Kansas Highway Patrol
Before the
House Transportation Committee
Regarding

HOUSE BILL # 2922

Presented by
Captain Bob Giffin

February 24, 1994

House Bill 2922 would amend K.S.A. 8-1606 regarding the duty to report certain property damage accidents (involving an apparent damage of \$500 or more).

Currently, the law requires these accidents to be "immediately" reported, "by the quickest means of communication", to the nearest authorized police authority.

This bill, in new subsection (c), establishes an exception to the immediate reporting requirement. If reporting the accident would place the driver in "imminent danger of bodily injury" by other individuals causing or involved in the accident, such driver could delay reporting until they felt it was personally safe to do so.

The Patrol sympathizes with drivers who are placed in the kind of compromising positions that this bill is trying to alleviate. However, the term "when" on line 29 is open-ended to the point that the potential for abuse exists, i.e. an intoxicated driver using this exception to avoid reporting involvement in an accident until he/she has sobered up.

To address the concern of "when", alternative language, beginning on line 29, could consist of:

to provide the notice required by subsection (a), as soon as the imminent danger has passed.

In conclusion, the Patrol supports the concept of this bill and is willing to work with the Committee in any way possible to address the issue.

HOUSE TRANSPORTATION
February 24, 1994
Attachment 1