

Approved: 2/22/95  
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES .

The meeting was called to order by Chairperson Ben Vidricksen at 9:00 a.m. on February 21, 1995 in Room 254-E of the Capitol.

All members were present except:  
Senator Harrington

Committee staff present: Hank Avila, Legislative Research Department  
Ben Barrett, Legislative Research  
Bruce Kinzie, Revisor of Statutes  
Martha Ozias, Committee Secretary

Conferees appearing before the committee:  
Gene Johnson - Kansas Alcoholism and Drug Addiction Counselors Association  
Melissa Stein - SADD, Seaman School, Topeka  
Pam Menagh - Wellness Coordinator, Eisenhower School, Norton, Kansas  
Mark Quigley - Citizen, Hays, Kansas  
Chad Quigley - Student, Hays, Kansas  
Jane Rhys - Kansas Council on Developmental Disabilities  
Bob Burke - Access USA  
Keith Landis - Private Citizen  
Tom Whitaker - Kansas Motor Carriers  
Sergeant Terry Maple - Kansas Highway Patrol

Others attending: See attached list

The Chairman welcomed Senator Barbara Lawrence who is replacing Senator Tim Emert on the Committee.

**SB 259 - DRIVER'S LICENSES; REQUIREMENTS FOR LICENSURE**

Gene Johnson appeared in support of this bill which would educate and inform young drivers, who are applying for first time driving privileges as well as others who are applying for a first time Kansas license, of the effects of alcohol and other drugs on their driving skills. (Attachment 1)

Melissa Stein addressed the Committee on behalf of Students Against Drunk Driving explaining their goals to keep high school students aware of the dangers of drinking and driving and to eliminate the drunk drivers from the highways. She urged support for the bill. (Attachment 2)

Pam Menagh spoke as a drug and alcohol prevention teacher urging the committee to add this 8 hours of required education to educate and reinforce the prevention aspect and hopefully prevent more deaths on the highways.

Also speaking in support of this bill were Mark and Chad Quigley.

A letter was presented from Attorney General Carla Stovall urging support for the passage of this bill which will provide young people with information on the effects of alcohol and drug use and its impact on their ability to operate a vehicle, thereby making the roads safer for all. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES, Room 254E, Statehouse, at 9:00 a.m. on February 21, 1995.

**SB 262 - CONCERNING PERSONS WITH A DISABILITY; ACCESSIBLE PARKING**

Jane Rhys appeared in support of this bill which would strengthen the rights of individuals with disabilities to park at places specifically designated for them. This legislation would increase the fine for those who illegally park in reserved places and add a misdemeanor offense for those who illegally display handicapped parking permits. (Attachment 4)

Bob Burke presented proposed changes for disabled parking and discussed the various problems involved with handicapped parking and permits. (Attachment 5)

Keith Landis expressed his support for this legislation as a private citizen.

A letter from Attorney General Carla Stovall was given to the Committee stating her support of the required heights of signs and designated parking spaces for individuals with disabilities. (Attachment 6)

**SB 272 - REGULATING TRAFFIC; CONCERNING BRAKES**

Tom Whitaker appeared in support of this bill asking for an additional amendment to require "service brakes on any vehicle or combination of vehicles shall be operable and provide effective braking action that engages the brake lining or pad with the braking surface to bring the vehicle to a stop." He explained that this new language would assist the Kansas Highway Patrol with enforcement of braking requirements by creating a clearly understood and enforceable law. (Attachment 7)

Sergeant Terry Maple requested consideration of this bill which would help make enforcement of the brake law simpler for all involved. (Attachment 8)

No action was taken on any of the bills under discussion.

A motion was made by Senator Papay to approve the minutes of the February 15th meeting. Senator Rock seconded this. Motion carried.

The meeting was adjourned by the Chairman at 10:00 a.m.

The next meeting is scheduled for February 22, 1995.

**SENATE TRANSPORTATION AND UTILITIES  
COMMITTEE GUEST LIST**

DATE: February 21, 1995

NAME	REPRESENTING
KEITH R LAWRENCE	CHRISTIAN SCIENCE COMM ON PUBLICATION FOR KS
MARK BULLOCK	CONCERNED PARENT
Chad Quisley	Student TYP-M Hays KS
Fam Menagh	USD 211, Norton KS
Angie Kraker	USD 345 SADD
Melissa Stein	USD. 345 SADD
Susan Sittenauer	Teacher Seaman High
Tommy D. Tomlin	Smoky Hill Foundation
Ken Baker	Raytheon Aircraft Co.
Wendell Roewe	Smoky Hill FOUNDATION
Sgt. Charlie Walker	Topoka Police Dept.
Bob Buck	ACCESS USA
Phyllis fact	A G office
Craig Grant	KNEA
Jane P. G.	KS Council on Del. Dis
Larry L. Ochs	KS HIGHWAY PATROL
TERRY MAPLE	K.H.P.
TOM WHITAKER	KS MOTOR CARRIERS ASSN
MARY E TURKINGTON	KS Motor CARRIERS ASSN



**Testimony  
Senate Bill 259  
Senate Transportation & Utilities Committee  
February 21, 1995**

Good morning Senator Vidricksen and Members of the Committee,

It is a pleasure to appear before you this morning in support of Senate Bill 259. I represent the professional organizations: Kansas Alcoholism and Drug Addiction Counselors Association, Kansas Alliance on Alcohol and Other Drug Services, Inc. and the Kansas Community Alcohol Safety Action Project Coordinators Association. All three of our professional organizations support Senate Bill 259 as an excellent method of providing alcohol and drug information to those individuals who are applying for their first driving privileges in the State of Kansas. The nature of this legislation demonstrates pro-active methods rather than reactive methods. In the past, our drinking and driving laws have been reactive; after the offense occurs, we take action.

This proposed legislation will educate and inform our young drivers who are applying for first time driving privileges in the State of Kansas as well as other applicants who are applying for a Kansas drivers license for the first time, the effects of alcohol and other drugs on their driving skills.

The timing of this school, at the application stage, is at point when an individual will be most receptive to the information offered. The teenage applicant will be rewarded upon successful completion of this information school with driving privileges on the roads and streets in the State of Kansas.

Attached to my testimony is a series of letters from public officials who support this concept, for your review.

Again, let me thank you for the opportunity to appear before you today. I will attempt at this time to answer any questions.

Respectfully submitted,

  
Gene Johnson  
Legislative Liaison

Kansas Alcoholism and Drug Addiction Counselors Association  
Kansas Alliance on Alcohol & Other Drug Services Inc.  
Kansas Community Alcohol Safety Action Project Coordinators Association

SENATE TRANSPORTATION

DATE: 2/21/95

ATTACHMENT: 1

KANSAS SENATE

JERRY MORAN  
SENATOR, 37TH DISTRICT  
EMPRISE BANK BUILDING  
P.O. BOX 128  
HAYS, KANSAS 67601



COMMITTEE ASSIGNMENTS  
CHAIRPERSON: JUDICIARY  
JOINT COMMITTEE ON GAMING COMPACTS  
MEMBER: WAYS AND MEANS  
FINANCIAL INSTITUTIONS AND INSURANCE  
INTERSTATE COOPERATION  
ORGANIZATION, CALENDAR & RULES  
JOINT COMMITTEE ON PENSIONS,  
INVESTMENTS AND BENEFITS

EDWARDS, ELLIS, HODGEMAN, KIOWA, LANE,  
NESS, PAWNEE, ROOKS,  
AND RUSH COUNTIES

OFFICE OF THE VICE-PRESIDENT  
STATE CAPITOL  
TOPEKA, KANSAS 66612

May 27, 1994

Mr. Brent Bengtson  
Governor's Office of Drug Abuse Programs  
Landon State Office Building, Room 112  
900 SW Jackson  
Topeka, KS 66612

Dear Mr. Bengtson:

*Brent*

It is my understanding that Smoky Hill Foundation for Chemical Dependency, Inc. is applying for a grant from the Governor's Discretionary Grant Program to develop curricula and other items for a plan to deliver alcohol and drug education in our state. The plan to be developed would provide for educating individuals seeking a driver's license for the first time in our state in an effort to educate all drivers as to the serious problems of combining alcohol and driving an automobile.

I would appreciate your favorable consideration of this grant application. Smoky Hill Foundation has provided a high quality program in our part of this state for many years and I can assure you that their efforts in regard to additional alcohol and drug education will be done in a professional and meaningful manner. Thank you for your cooperation.

Very truly yours,

*Jerry*

Jerry Moran  
State Senator

JM/dk

bcc: Tommy D. Tomlin



JOAN FINNEY, GOVERNOR OF THE STATE OF KANSAS

KANSAS DEPARTMENT OF SOCIAL  
AND REHABILITATION SERVICES

DONNA WHITEMAN, SECRETARY

Alcohol and Drug Abuse Services  
300 SW Oakley, 2nd Floor Biddle Building  
Topeka, Kansas 66606  
(913) 296-3925  
FAX (913) 296-0494

May 24, 1994

Tommy Tomlin, SCADC, NCAC II  
Project Coordinator  
Smoky Hill Foundation for Chemical  
Dependency, Inc.  
2209 Canterbury Road, Ste C  
Hays, KS 67601

Dear Tommy:

Commendations to you on your efforts to launch a Drivers Alcohol and Drug Safety Action Plan for first time applicants for a drivers license.

Through these efforts, I believe many needless deaths and injuries will be avoided on our roads and highways. I support your efforts and Alcohol and Drug Abuse Services in SRS will support your efforts in every way possible. I wish you every success in your application.

Sincerely,

A handwritten signature in cursive script that reads "Andrew O'Donovan".

Andrew O'Donovan  
Commissioner

AOD:jh

# *Kansas State Board of Education*

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

---

TO: <sup>SM</sup> Smoky Hill Foundation  
*Tomlin* Tommy D. Tomlin  
Project Coordinator  
2209 Canterbury Road  
Hays, KS 67601

FROM: *Kristy* Kristy Meeks-Johnson  
Drug-Free Schools & Communities  
Kansas State Board of Education  
120 SE 10th  
Topeka, KS 66612

RE: Drivers Alcohol and Drug Safety Action Plan

DATE: May 6, 1994

It was a pleasure to visit with you the other day. Our conversation reminded me of the need to interconnect and to create a partnership with the treatment professionals. The initiative to intervene and provide education to underage youth who apply for a drivers license could create a significant opportunity to impact all youth in Kansas. I am supportive of the concept and would be very willing to assist with the development of the manual. I have forwarded this information to Gerald Christensen, the statewide drivers education consultant within our agency, who works with all the drivers education instructors in Kansas.

I look forward to hearing more about your efforts. If I can be of assistance, please feel free to contact me at (913) 296-6714.

cc: Gerald Christensen



Northwest Kansas  
Regional Prevention Center

2209 Canterbury Rd  
Hays, Kansas 67601  
913-625-5521

May 27, 1994

Tommy Tomlin, SCADC, NCAC 11  
Smoky Hill Foundation  
Project Coordinator  
2209 Canterbury Road  
Hays, KS 67601

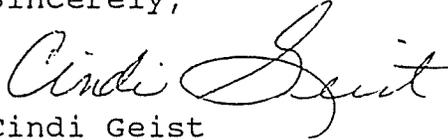
Dear Mr Tomlin:

I am writing to support your efforts to implement a Drivers Alcohol and Drug Safety Plan which would require all persons who apply for their first drivers license to complete eight hours of alcohol and other drug education.

As Prevention Coordinator of Smoky Hill Regional Prevention Center, I believe education to be an important component in reducing the risk that youth will develop problems associated with alcohol and other drug use. Clear and consistent messages, such as those outlined in your plan, are necessary in order for youth to make educated choices about whether to use alcohol or other drugs.

I commend your efforts and pledge my support in your proposal to educate all drivers prior to their application for a Kansas drivers license.

Sincerely,

  
Cindi Geist  
Prevention Coordinator

Serving  
Barton  
Ellis  
Graham  
Norton  
Osborne  
Pawnee  
Phillips  
Rooks  
Rush  
Russell  
Smith  
and  
Trego  
Counties

A Component of  
Smoky Hill Foundation for  
Chemical Dependency, Inc.  
2209 Canterbury Rd.  
Hays, Kansas 67601  
(913) 625-5521



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN  
ATTORNEY GENERAL

May 17, 1994

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
TELECOPIER: 296-6296

Tommy D. Tomlin  
Project Coordinator  
Smoky Hill Foundation  
2209 Canterbury Road, Suite C  
Hays, Kansas 67601

Dear Mr. Tomlin:

I am writing to commend you and the others involved in the proposed legislation requiring individuals who apply for a driver's license for the first time to complete a course in alcohol and drug education. I am firmly convinced that if individuals are aware of the ramifications of alcohol and drug abuse it will serve as a preventative to the terrible consequences that can result.

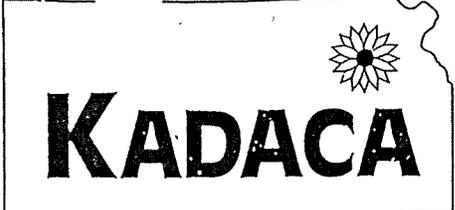
I am supportive of your initiatives and of your grant application to the Governor's Discretionary Grant Program.

Very truly yours,

A handwritten signature in cursive script that reads "Robert T. Stephan".

Robert T. Stephan  
Attorney General

RTS:bls



**KADACA**

Kansas Alcoholism and Drug Addiction Counselors Association

May 16, 1994

Mr. Tommy Tomlin  
Smoky Hill Foundation  
2209 Canterbury Rd.  
Hays, KS 67601

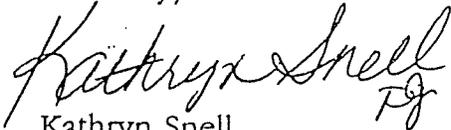
Dear Tommy:

As you know, the Board of Directors voted unanimously in favor of your proposed legislation to mandate a pre-licensing school for youths nearing the age when they can apply for a vehicle operator license. My purpose in writing to you at this time is simply to restate, both on behalf of KADACA and myself, support for the concept. I am sure many others will also lend their support to the plan.

We all know that education is perhaps not the total answer to eliminating the alcohol or drug impaired driver from our roadways and highways. But all of us in the field know that without education the problem remains one solely of enforcement, which, to me, is a negative, reactive approach. I feel it is most appropriate in this day and time to bring youthful drivers in contact with professional A/D counselors BEFORE they are granted the privilege of a vehicle operator's license. I feel your concept addresses this in a most direct manner and, hopefully, it will appear in bill form in the 1995 legislature.

Again, best of success in your efforts in moving the concept ahead.

Sincerely,



Kathryn Snell  
President

KS/dj

cc: Kathryn Snell, file

# Eisenhower Elementary School

Eisenhower Drive, Norton, Kansas 67654-1199

Rosalie Stull

Principal

913-877-5113

902 W. Holme  
Norton, KS 67654  
May 13, 1994

Tommy Tomlin  
Project Coordinator  
2209 Canterbury Road  
Hays, KS 67601

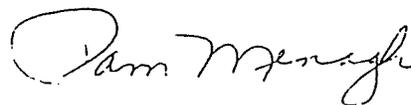
Dear Mr. Tomlin:

I am writing to show support for the Drivers Alcohol and Drug Safety Action Plan which would require all persons who apply for their first drivers license to take eight hours of alcohol and drug education.

As a drug and alcohol prevention teacher, I find that we give many mixed messages in our society. I feel that this Action Plan will help to change that through consistent information and the message that drinking, drugs and driving do not mix. In the past few years we have prosecuted more drunk drivers, schools have provided more education, law enforcement has increased their visibility and through public service announcements have worked to make the public aware of the dangers of drinking and driving. Adding the required 8 hours of education would reinforce the prevention aspect and hopefully prevent deaths on our highways.

I strongly support this proposal to educate all drivers. As a parent of teenagers I feel that any information given to my children that can save their lives is definitely worth it. Any consideration that is given to this proposal is greatly appreciated.

Sincerely,



Pam Menagh  
Wellness Coordinator

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# KANSAS HIGHWAY PATROL

*Service—Courtesy—Protection*

Joan Finney  
Governor



Col. Lonnie R. McCollum  
Superintendent

May 9, 1994

Tommy D. Tomlin SCADC, NCAC 11  
Project Coordinator  
Smoky Hill Foundation  
2209 Canterbury Road  
Hays, KS 67601

Dear Mr. Tomlin:

In reply to your letter requesting support for the Drivers Alcohol and Drug Safety Action Plan (DADSAP), I feel that your proposal is a good concept and the Patrol could support it in the interest of traffic safety.

I do request that any support by the Patrol be limited to supporting the proposed concept of educating a high risk group likely to be involved in serious traffic crashes.

I would be very interested in learning more about the other agencies and associations involved and how the program would be implemented.

I look forward to hearing from you soon. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Lonnie R. McCollum".

LONNIE R. MCCOLLUM  
Superintendent

LRM:pc

cc: Lt. Colonel Scott  
Captain Fox  
Captain Giffin  
Sergeant Maple

122 SW SEVENTH STREET  
TOPEKA, KANSAS 66603-3847  
(913) 296-6800 FAX (913) 296-5956

HONORABLE WILDA JUNE BROWN  
DISTRICT MAGISTRATE JUDGE  
NORTON COUNTY COURTHOUSE  
P.O. BOX 70  
NORTON, KANSAS 67654-0070

May 3, 1994

Smoky Hill Foundation  
Tommy Tomlin, Project Director  
209 Canterbury Road  
Hays, Kansas 67601

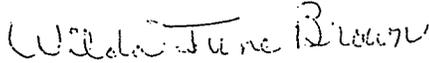
Dear Mr. Tomlin:

I wish to commend you and Smoky Hill Foundation for initiating and organizing the Drivers Alcohol and Drug Safety Action Plan proposal to submit to the legislature.

I definitely feel requiring all persons who initially apply for a driver's license to take a drug and education program would be tremendously beneficial in reducing injuries and deaths due to drinking and driving.

Therefore, I completely support the Drivers Alcohol and Drug Safety Action Plan proposal.

Sincerely,

  
Wilda June Brown  
District Magistrate Judge

District Court of Kansas  
Seventeenth Judicial District

Decatur, Graham, Norton, Osborne, Phillips, Smith

Chambers of:

CHARLES E. WORDEN, JUDGE

P.O. Box 70

Norton, Kansas 67654

913-877-5770

(FAX) 913-877-5722

SUE WORCESTER, C.S.R.

Official Reporter

803 Ash St.

Hill City, Kansas 67642

913-674-2865

Governor's Discretionary Grant Program

RE: Drivers Alcohol and Drug Safety Action Plan (DADSAP)

To Whom It May Concern:

Please accept this letter of support on behalf of the DADSAP program.

As District Judge for six counties, I am frequently presiding over cases that involve drugs and alcohol. Frequently, the use of alcohol and drugs begins in the teen years and usually involves the use of an automobile.

Therefore, I support this program in hopes that it will raise the level of awareness of the dangers of alcohol and drugs in this group of individuals. In turn, I may not have to meet them on a professional basis.

Your monetary support of this program is very much appreciated.

Sincerely,



Charles E. Worden  
District Judge

CEW/jkm



May 3, 1994

Tommy D. Tomlin SCADC  
Project Coordinator  
2209 Canterbury Road  
Hays, Ks. 67601

Dear Tommy,

Please accept this letter as our wholehearted support of your efforts to secure funding for the development of a curriculum for the youth classes that you have described.

I think that this is an excellent idea which should have been implemented years ago. I agree that we need to be prepared with a curriculum that should in part be included in the legislation. We don't want the same problems that we have with AIS. I think that this would be a wise use of the Governor's Discretionary Grant Fund and I fully support your application on behalf of DCCCA and Kansas Alcohol Safety Action Project.

Good luck.

Sincerely,

Bruce Beale  
Director



## Sunflower Alcohol Safety Action Project, Inc.

Suite F, 112 S.E. 7th / Topeka, Kansas 66603 / Phone (913) 232-1415

May 3, 1994

Tommy D. Tomlin, Project Coordinator  
Smoky Hill Foundation for Chemical Dependency  
2209 Canterbury Road  
Suite C  
Hays, Kansas 67601

Reference: Drivers Alcohol and Drug Safety Action Plan

Dear Mr. Tomlin:

Sunflower Alcohol Safety Action Project, Inc. of the Third Judicial District of the State of Kansas, fully supports the concept of developing an educational process in which all individuals who are applying for a Kansas drivers license must complete an alcohol and drug education course prior to being issued a license.

We support your application for a grant from the Governor's Discretionary Grant Program to develop the curriculum, a study manual, a mechanism to deliver the plan, a pre-test and post test procedure, an alcohol and drug history, and a plan that will monitor and evaluate the program, throughout the State of Kansas.

We would support such action in the Legislature in the 1995 Session if such a plan could be developed.

Respectfully,

Gene Johnson  
Project Coordinator  
Sunflower Alcohol Safety Action Project, Inc.

GJ/nm

*N. Jeanne Becker*

*Magistrate Judge of the District Court*

*Russell County Courthouse, Russell, Kansas 67665*

*(913) 483-5641*

May 2, 1994

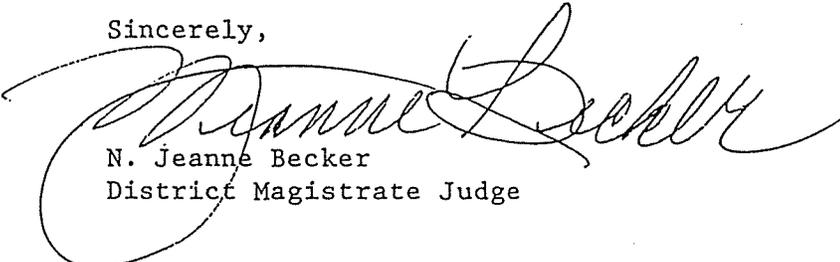
Tommy D. Tomlin, SCADC, NCAC 11  
Project Coordinator  
Smoky Hill Foundation  
2209 Canterbury Road - Suite C  
Hays, Kansas 67601

RE: DADSAP

To Whom It May Concern:

I heartily support the Drivers Alcohol and Drug Safety Action Plan to be proposed to the 1995-1996 State Legislature. Said plan would require all persons who apply for a drivers license for the first time to successfully complete eight hours of alcohol and drug education.

Sincerely,

  
N. Jeanne Becker  
District Magistrate Judge

**GRAHAM COUNTY**

HILL CITY, KANSAS 67642

May 3, 1994

**COMMISSIONERS**

1st DISTRICT - ROBERT "BOB" PAXSON  
2nd DISTRICT - ALVIN F. DENK  
3rd DISTRICT - DARRYL IRBY

**COUNTY CLERK**

DARLENE RIGGS  
TELEPHONE NUMBER  
913-674-3453

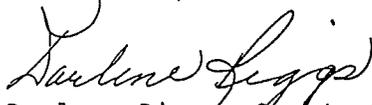
TO WHOM IT MAY CONCERN:

The Board of County Commissioners of Graham County hereby extends its support in favor of a program to develop curriculum, a study manual, and all other necessary assistance to the Smoky Hill Foundation for drivers alcohol and drug safety action plan.

Sincerely yours,

THE BOARD OF COUNTY COMMISSIONERS  
GRAHAM COUNTY, KANSAS

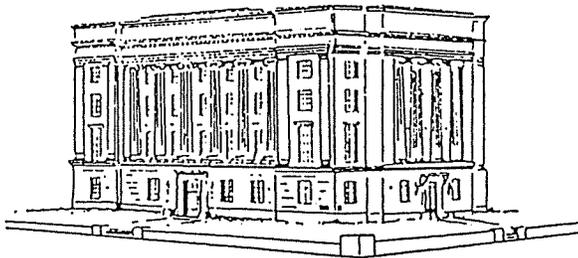
BY:

  
Darlene Riggs, County Clerk

dr/

NORMAND HRABE, Stockton — 425-6660  
COMMISSIONER 1ST DISTRICT  
GARY L. LeROCK, Plainville — 434-2133  
COMMISSIONER 2ND DISTRICT  
JACK I. TURNBULL, Plainville — 434-2894  
COMMISSIONER 3RD DISTRICT  
COMMISSIONER OFFICE — 425-6391  
TUESDAY

# COUNTY OF ROOKS



STOCKTON, KANSAS  
67669

CLARA STRUTT — 425-6391  
CLERK  
ELEANOR BUSS — 425-6161  
TREASURER  
ROSALEE SPRICK — 425-6291  
REGISTER OF DEEDS

TOM SCOTT, Hays — 628-9415  
ADM. DIST. JUDGE  
EDWARD E. BOUKER — 628-9415  
DIST. JUDGE  
NANCY M. CONYAC, Stockton — 425-7021  
MAGISTRATE JUDGE  
23RD JUDICIAL DIST.

VIRGINIA DOUGHTY — 425-6718  
CLERK OF THE COURT  
LEONARD J. DIX — 425-6371  
ATTORNEY  
DAVID S. DENTON — 425-6312  
SHERIFF

May 3, 1994

Re: Letter of support for Drivers Alcohol and Drug Safety  
Action Plan (DADSAP)

Tommy D. Tomlin SCADC, NCAC 11  
Project Coordinator  
2209 Canterbury Road  
Hays, Kansas 67601

Dear Tommy:

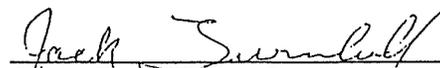
We, as the Rooks County Commissioners, are in support of legislation which would require anyone applying for a drivers license for the first time to complete the eight hours of drug and alcohol education.

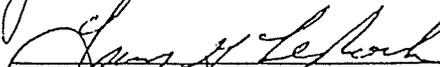
This plan into action may make an impression on this high risk group, thereby reducing the incidence of so many highway accidents, injuries, and fatalities for the high risk group as well as all other people. Action must begin somewhere, so what better way to start than to educate on the hazards of alcohol and drugs as they begin to drive. We feel this is a step in the right direction for a vital problem.

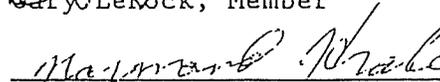
Our full support goes out to you as you submit your application for this much needed project.

Sincerely,

ROOKS COUNTY BOARD OF COMMISSIONERS

  
Jack Turnbull, Chairman

  
Gary LeRock, Member

  
Normand Hrabec, Member

CLARK, SHELTON & PRATT, P.A.  
ATTORNEYS AT LAW

KENNETH CLARK

ALLEN SHELTON

HARRY JOE PRATT

Hill City Office:  
323 N. Pomeroy  
P.O. BOX 278  
Hill City, KS 67642  
(913) 674-2129  
FAX (913) 674-3603

Oberlin Office:  
112 W. Hall  
Oberlin, KS 67749  
(913) 475-2293  
FAX (913) 475-2294

Reply to:  
Hill City

May 3, 1994

Mr. Tommy D. Tomlin  
Smoky Hill Foundation  
2209 Canterbury Road  
Hays, KS 67601

Re: Drivers Alcohol and Drug Safety Action Plan  
(DADSAP)

Dear Tommy:

I received your April 29 letter concerning your Foundation's plan to develop an educational plan for adolescents prior to their applying for their first Kansas drivers license. Normally, you and I are involved in trying to help someone after a problem has developed, and therefore, it was somewhat refreshing to see that consideration is being given to educating individuals prior to their having problems with alcohol or drugs.

Frankly, I believe that such an education program might be of benefit to the youth and would hopefully make them think prior to putting their driving privileges and their lives in jeopardy by drinking and driving.

I thoroughly support your idea to develop an eight-hour education program for the young drivers to be completed prior to their making an application for a Kansas drivers license.

Tommy Tomlin  
May 3, 1994  
Page -2-

If I can be of further service in this regard, please feel free to contact me.

Yours truly,

A handwritten signature in cursive script, appearing to read "H. J. Pratt".

Harry Joe Pratt

HJP/mjs

District Court  
Rooks County Courthouse

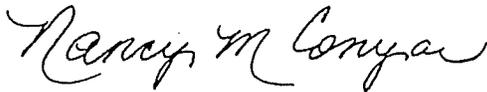
P.O. Box 531  
Stockton, Kansas 67669  
913-425-6718

MAY 3, 1994

TO WHOM IT MAY CONCERN:

I AM SUPPORTIVE OF THE PROJECT FOR DRIVERS ALCOHOL AND  
DRUG SAFETY ACTION PLAN. I BELIEVE THERE IS A DEFINITE NEED  
FOR THIS PROGRAM.

SINCERELY,



NANCY M. CONYAC  
JUDGE OF THE DISTRICT COURT

OFFICE OF THE  
**RUSSELL COUNTY ATTORNEY**

---

County Attorney  
Peter R. Williams

RUSSELL COUNTY COURTHOUSE  
RUSSELL, KANSAS 67665

Phone : Area Code (913)  
483-3119  
FAX: (913) 483-5376

May 3, 1994

Tommy D. Tomlin  
2209 Canterbury road  
Suite C  
Hays, KS 67601

Dear Mr. Tomlin:

I am excited to hear about Smoky Hill Foundation application for Drivers Alcohol and Drug Safety Action Plan.

The Foundation has also provided excellent programs in the area of drug and alcohol safety for the people of northwest Kansas and I am certain that this program will hit similar high standards for quality.

As one who prosecutes young new drivers in this area for alcohol problems, its good to see that we are trying to take some preventative action to make sure that their problems do not exist to begun with.

Sincerely,



Peter R. Williams

PRW/jp



P O Box 282  
Hays, Kansas 67601  
(913) 628-6655

May 10, 1994

Tommy D. Tomlin  
Project Coordinator  
Smoky Hill Foundation  
2209 Canterbury Road  
Hays, KS 67601

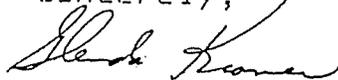
Dear Mr. Tomlin:

As a Children's Intervention Center, DREAM, Inc. supports all efforts toward the reduction of alcohol and other drug use by young people.

An education program such as you suggest through the Drivers Alcohol and Drug Safety Action Plan, a project supported and directed by the Alcohol & Drug Safety Action Program, would insure that all youth receiving a drivers license would at least have acquired the knowledge concerning the dangers of alcohol and other drug use and abuse by youth. We also feel this project would increase awareness and send a more clear "no use by youth" message to the youth people of our communities.

Please consider this a letter of support for the Drivers Alcohol and Drug Safety Action Plan.

Sincerely,

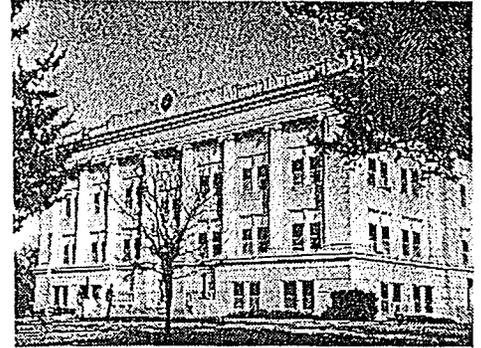
  
Glenda Kramer

  
Sheryl Butler



# Smith County District Court

Smith County Courthouse P.O. Box 273  
Smith Center, Kansas 66967  
913 - 282 - 5140



CHARLES E. WORDEN  
District Judge

KAREN BLANK  
Clerk of the District Court

WALTER KEEVER  
District Magistrate Judge

CATHI HOLT  
Deputy Clerk

May 10, 1994

Tommy D. Tomlin  
Project Coordinator  
2209 Canterbury Road  
Hays, Kansas 67601

Dear Tommy

I like the idea of your proposal for a program that will educate persons before they have problems. This could come under the heading " a preventative is better than a cure".

I realize that there are many hurdles to clear and hoops to go through before a project such as this can be successful. Therefore I am willing to support and help any way that I can.

Education is without a doubt the best tool for prevention of auto crashes or other misconducts.

Very truly yours,

*Walter Keever*  
Walter Keever



# Osborne County

Jacqueline E. Thornton

Magistrate Judge

May 16, 1994

Mr. Tommy D. Tomlin  
Project Coordinator  
2209 Canterbury Road  
Hays, Kansas 67601

RE: Drivers Alcohol and Drug Safety Action Plan

Dear Mr. Tomlin:

During 1993 and 1994, 59% of the Juvenile Offender cases filed in our court involved the use of alcohol or drugs and motor vehicles. In each case the youth involved was ordered to complete an alcohol/drug educational program after the fact. Even in our small rural communities, alcohol and drug use and abuse remain our most pervasive youth problems. To date, our efforts to counter these problems have only reached youth who have already come to the attention of the law enforcement and court systems. Even those existing programs have limited enrollments and are not readily accessible to the small rural communities.

The desire to obtain a driver's license is virtually universal among our youth. Requiring completion of an alcohol and drug safety course prior to issuance of a license is both a logical and efficient means for early education and intervention. Nevertheless, such an ambitious effort will require careful development of both course content and a system of delivery for all areas of our state. I strongly support both the concept of a Drivers Alcohol and Drug Safety Action Plan and the importance of obtaining a grant to further develop the proposed program.

Sincerely,



CITY OF PHILLIPSBURG

945 SECOND STREET

KANSAS

67661

May 12, 1994

Smoky Hill Foundation  
2209 Canterbury Road  
Hays, KS 67601

Dear Mr. Tomlin:

The proposal by the Smoky Hill Foundation for the completion of eight hours of alcohol and drug education before a person could apply for a drivers license is at least hitting the area where we have the biggest problem--ages from 18 to 25.

The desire of all of us to get our first drivers license is so very exciting that there should be no trouble in implementing such a program.

As long as alcohol is a part of our mores, then the problem of drinking and driving must also be ours to solve. At least, this is a positive approach at looking at and suggesting help on the problem before it begins rather than trying to correct an entrenched problem.

I would hope such a plan could be absorbed by an existing agency rather than developing a new one.

Sincerely,

Naida C. Smith  
Municipal Judge

dvk



**KADACA**

Kansas Alcoholism and Drug Addiction Counselors Association

May 9, 1994

Mr. Tommy Tomlin  
Smoky Hill Foundation  
2209 Canterbury Road Ste C  
Hays, KS 67601

Dear Mr. Tomlin:

I am writing in most ardent support of your concept of Drivers Alcohol and Drug Safety Action Plan involving the pre-education of young applicants for motor vehicle operators licenses.

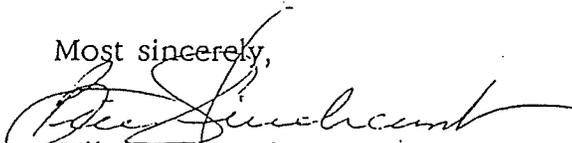
I am totally in favor of putting before aspirant licensed vehicle drivers the potential dangers of using alcohol and/or drugs in conjunction with the operation of any motorized land or water vehicle, and providing this education in advance of their receiving licenses to operate such vehicles on the streets, roads, highways and lakes of our state.

Requiring aspirant motor vehicle license holders to earn a certificate attesting to their successful completion of a specially-structured course dealing with alcohol and drugs, and the potential restriction or loss of vehicle operating privileges through the abusive use of these substances, certainly should have a positive impact on highway and waterway safety in our state. This is a proactive concept as opposed to the current retroactive approach now in use.

As a parent who has had a child tragically caught up in situations precisely appropriate to what your concept addresses, I can only say I wish it had surfaced many years ago. Perhaps my child would have avoided the loss of time, money and self-esteem he has thus far experienced had such a program been in place prior to his reaching driving age.

Again, I most whole heartedly support your endeavor and will do everything I can to help you bring it to reality.

Most sincerely,



Bill Stinchcomb  
Executive Director

## STUDENTS AGAINST DRUNK DRIVING

Good morning and thank you for allowing me to come and speak with you today on behalf of the Students Against Drunk Driving organization. My name is Melissa Stein. I am a Senior at Seaman High School and secretary of SHS S.A.D.D. Let me share with you two of the main goals our program believes in. First of all we are striving to keep high school students and the community aware of the dangers of drinking and driving. Most importantly though we want to eliminate the drunk drivers and save lives.

In Kansas alone, a person is involved in an alcohol - related accident every three hours. That means two out of every five Kansans will be in an alcohol - related crash sometime during their lives. The worst part is that 50% of the people killed in alcohol - related accidents are not the drunk drivers. Something has to be done and Senate Bill Number 259 has a solution. Marcus Cicero once said, " What greater or better gift can we offer the republic than to teach and instruct our youth. " Teens have to get the message that driving drunk is not a possibility and will not be tolerated. Alcohol is still the number one drug choice among America's youth and continues to be the number one killer between the ages of 16 and 24.

In a dream world we could believe that when teens drink they won't drive. We could hope that they'll call their parents to come get them. The fact is they don't! Most teens would rather take their chances on the road than face getting in trouble at home. At age 15 the average student is not mature enough to think about the consequences of drinking and driving on their own. And allowing them to drive without an education about the dangers is like handing them a loaded weapon. Often cocky and self - confident, they believe that a couple of beers is, " No big deal. " In actuality, after two beers the average teen is driving impaired and legally drunk after three.

Because parents are failing and schools are failing, government needs to get involved. I urge you to fully consider Senate Bill Number 259 and put it into action. Please remember, when you are eating lunch in a couple of hours, someone else will be dying because of a drunk driver. Thank you.

SENATE TRANSPORTATION

— DATE: 2/21/95 —

ATTACHMENT: 2



State of Kansas

Office of the Attorney General

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

CARLA J. STOVALL  
ATTORNEY GENERAL

February 21, 1995

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
FAX: 296-6296

Senator Ben Vidricksen, Chairperson  
Senate Transportation and Utility Committee  
State Capitol  
Topeka, Kansas 66612

RE: Senate Bill 259

Dear Chairperson Vidricksen and Members of the Committee:

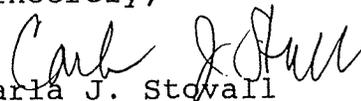
I urge you to support the passage of Senate Bill 259. This bill would require any person who is applying for a Kansas drivers license to successfully complete a drivers alcohol and drug information school.

Younger drivers place a high value on receiving their driver's licenses. But before they are issued a license, they must know the dangers of drinking and driving. According to the National Highway Traffic Safety Administration, it is a fact that more than 43% of all deaths of 15 to 20 year olds result from motor vehicle crashes. An estimated 47% of these fatalities were in alcohol-related crashes in 1991. Estimates are that 3,105 persons in this age group died in alcohol-related crashes in 1991.

Attached to my letter you will find information provided to me by Kansas MADD which provides you more recent statistics and relates the problem to Kansas youth. I hope you will take the opportunity to see what alcohol and drugs mixed with driving can cause.

I urge the committee to support this bill which will provide young people the information on the effects of alcohol and drug use and its impact on their ability to operate a vehicle. The roads will be safer for all of us. Thank you for your consideration.

Sincerely,

  
Carla J. Stovall  
Attorney General

SENATE TRANSPORTATION  
DATE: 2/21/95  
ATTACHMENT: 3

KANSAS  
 SUMMARY - AGE, ALCOHOL AND TRAFFIC CRASHES 1981 - 1991  
 DRIVER AND PASSENGER INVOLVEMENT AGE 15 - 17 AND AGE 18 - 20

<u>DRIVER INVOLVEMENT</u>	<u>AGE 15 - 17</u>	<u>AGE 18 - 20</u>
Number of Drivers Involved In Fatal Traffic Crashes 1981-1991	408	795
Number of Drivers Involved In Alcohol-Related fatal Traffic Crashes 1981-1991	106 (25.98%)	366 (46.04%)
Number of Drivers Involved In Alcohol-Related Fatality Crashes That Were Drinking Drivers 1981-1991	80 (75.47%)	312 (85.25%)
<u>DRIVER FATALITY</u>		
Drivers Killed In Fatal Traffic Crashes 1981-1991	193	409
Drivers Killed In Alcohol-Related Fatal Traffic Crashes 1981-1991	53 (27.46%)	182 (44.49%)
Drinking Drivers Killed In Alcohol-Related Fatal Traffic Crashes 1981-1991	46 (86.79%)	169 (92.85%)
<u>DRIVER INJURY</u>		
Drivers Involved In Injury Traffic Crashes 1981-1991	36,281	50,112
Drivers Involved In Alcohol-Related Injury Traffic Crashes 1981-1991	2,203 ( 6.07%)	5,948 (11.87%)
Drinking Drivers Involved In Alcohol-Related Injury Traffic Crashes 1981-1991	1,496 (67.90%)	4,567 (76.78%)
Drinking Drivers Injured In Alcohol-Related Injury Traffic Crashes 1981-1991	1,195 (79.87%)	3,698 (80.97%)
<u>PASSENGER FATALITY AND INJURY</u>		
Passengers In Alcohol-Related Fatal Traffic Crashes 1981-1991	130	393
Passengers Killed In Alcohol-Related Fatal Traffic Crashes 1981-1991	34 (26.15%)	139 (35.37%)
Passengers Killed In Drinking Drivers' Vehicle 1981-1991	28 (82.35%)	130 (93.53%)
Passengers Injured In Alcohol-Related Traffic Crashes 1981-1991	1,363	3,183
Passengers Injured In Drinking Drivers' Vehicle 1981-1991	1,022 (74.98%)	2,557 (80.33%)

Source: Age, Alcohol and Traffic Accidents 1981-1991, Kanas Dept. of Transportation 1993  
 Kansas MADD 7/7/94

KANSAS

ALL ALCOHOL-RELATED MOTOR VEHICLE CRASHES INVOLVING AT LEAST ONE DRIVER  
AGE 14 - 19

<u>MONTH</u>	<u>1990</u>		<u>1991</u>		<u>1992</u>		<u>1993</u>		<u>Total</u>	
January	40	7%	21	4%	37	9%	20	6%	118	6.5%
February	43	8%	46	10%	35	8%	18	5%	142	7.9%
March	41	7%	48	10%	32	7%	30	9%	151	8.4%
April	36	7%	42	9%	29	7%	25	7%	132	7.3%
May	62	11%	45	9%	52	12%	47	14%	206	11.4%
June	40	7%	39	8%	32	7%	34	10%	145	8.0%
July	59	11%	44	9%	39	9%	30	9%	172	9.5%
August	41	7%	50	10%	37	9%	33	10%	161	8.9%
September	61	11%	37	8%	35	8%	24	7%	157	8.7%
October	50	9%	39	8%	43	10%	33	10%	165	9.1%
November	35	6%	31	6%	29	7%	27	8%	122	6.7%
December	41	7%	38	8%	35	8%	24	7%	138	7.6%
Total	549	100%	480	100%	435	100%	345	100%	1,809	100%

ALL ALCOHOL-RELATED FATALITY CRASHES\*  
AGE 14 - 19

	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>Total</u>
All Alcohol-Related Fatality Crashes	16	15	9	9	49
May Alcohol-Related Fatality Crashes	4	2	1	1	8
% Alcohol-Related Fatality Crashes	25%	13%	11%	11%	16.33%

ALL ALCOHOL-RELATED INJURY CRASHES\*  
AGE 14 - 19

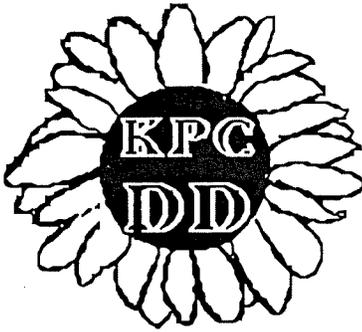
	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>Total</u>
All Alcohol-Related Injury Crashes	335	260	239	345	1,179
May Alcohol-Related Injury Crashes	33	24	28	31	116
% Alcohol-Related Injury Crashes	9.9%	9.2%	11.7%	9.0%	9.8%

\*Data represents motor vehicle crashes. A crash is one occurrence and may represent more than one vehicle.

ALL ALCOHOL-RELATED CRASH INVOLVEMENT  
AGE 14 - 19

	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>Total</u>
# of Crashes	549	480	435	345	1,809
# of Vehicles Involved	722	606	567	446	2,341
# Drivers Involved	722	606	567	446	2,341
# Passengers Involved	635	549	578	401	2,163

Source: Kansas Department of Transportation-Office of Traffic Safety  
Kansas MADD 6/23/94



## ***Kansas Council on Developmental Disabilities***

BILL GRAVES, Governor  
WENDELL LEWIS, Chairperson  
JANE RHYS, Executive Director

Docking State Off. Bldg., Room 141, 915 Harrison  
Topeka, KS 66612-1570  
Phone (913) 296-2608, FAX (913) 296-2861

*"To ensure the opportunity to make choices regarding participation in society and quality of life for individuals with developmental disabilities"*

### **SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES FEBRUARY 21, 1995**

Testimony in Regard to S.B. 43, AN ACT CONCERNING CHILDREN, ADOLESCENTS, AND FAMILIES; RELATING TO COMMUNITY TEAMS.

*To ensure the opportunity to make choices regarding participation in society and quality of life for individuals with developmental disabilities.*

Mr. Chairman, Members of the Committee, I am appearing today on behalf of the Kansas Council on Developmental Disabilities regarding S.B. 262.

The Kansas Council is a federally mandated, federally funded council composed of individuals who are appointed by the Governor. At least half of the membership is composed of individuals who are persons with developmental disabilities or their immediate relatives. We also have representatives of the major agencies who provide services for individuals with developmental disabilities. Our mission is to advocate for individuals with developmental disabilities, to see that they have choices in life.

This bill strengthens the rights of individuals with disabilities to park at places specifically designated for them. The increase in the fine from under \$100 to not more than \$300 and the addition of misdemeanor for those who illegally display handicapped parking items will help to ensure that these designated places are reserved for those who truly need them.

We applaud the attempt to strengthen this law and I appreciate the opportunity of testifying. I would be happy to answer any questions you may have.

Jane Rhys  
Kansas Council on Developmental Disabilities  
Docking State Office Building, Room 141  
915 SW Harrison  
Topeka, KS 66612-1570  
913 296-2608

SENATE TRANSPORTATION

DATE: 2/21/95

ATTACHMENT: 4

# Access



# USA INC.

REG.

**BOB BURKE**  
FOUNDER

4220 S.E. MINNESOTA  
TOPEKA, KANSAS 66609-1706

913-266-8649  
Voice Pager 913-354-0042

FEBRUARY 3, 1995

## PROPOSED CHANGES FOR DISABLED PARKING

These changes are to help law enforcement agencies make their job a little easier and increase the fine amount for the more serious violators.

K.S.A. 8-1,128. ACCESSIBLE PARKING SPACES; MARKING-(a) amend the circled word "ALL" to "EACH". The reason is most parking places already have "each" stall marked. Last year this was inadvertently changed to "ALL". The problem has been in new construction of a shopping center, here in Topeka, where handicapped parking was installed by the placement of signs, with arrows on the signs, and having several parking places between the signs. Since there are required access aisles by the parking places, to get wheelchairs, crutches, etc. out of vehicles, this aisle is really needed. What happens is stores don't keep this clear of dirt, snow and ice, and repainted stalls when needed. Able bodied customers and disabled customers, don't know where to park, because the lines are covered or wornout. A person with a side lift van, that has a car parked beside the van because of the spaces are not "clearly marked", may not be unable to enter their van. Plus regular drivers, not seeing the disabled parking sign, that used to be in front of their car, think it is okay to park. Then, when they receive a ticket, they become quite upset. The "Americans with Disabilities Act", ADAAG 4.6.4 Signage, also requires that the signs are not obscured by a vehicle parked in the space. Each space must be clearly marked. See Federal Register insert. Four words past "ALL" is the word "SPACES", the "S" needs to be dropped.

After the last sentence in part (a) add this new sentence, "Each sign installed on/or after July 1, 1995 shall be displayed with the bottom of each sign between 60 and 72 inches above the surface of each parking space,"

K.S.A. 8-1,129. UNLAWFUL PARKING IN ACCESSIBLE PARKING; BLOCKING ACCESS RAMP; PENALTIES-(a) Part (1) amend by placing a coma after the word "VEHICLE", and add "AS DEFINED IN K.S.A. 8-126 AND AMENDMENTS THERETO," amend part (2) by placing a period after the word "entrance", and delete "ADJACENT TO A DESIGNATED ACCESSIBLE PARKING SPACE". The reason is drivers

SENATE TRANSPORTATION

DATE: 2/21/95

ATTACHMENT: 5

will block the curb cut leading from the handicapped parking, along the accessible route to the accessible entrance. The disabled person is then unable to "jump" the curb, and may have to return home. Part (3) (b) amend the "minimum \$25 to \$50". Drivers know in takes law enforcement a while to respond to complaints, and they are gone most of the time when the police arrive. However, a higher fine, which is what Topeka did, makes violators think about it more seriously.

K.S.A. 8-1,130a. UNLAWFULLY UTILIZING ACCESSIBLE PARKING IDENTIFICATION DEVICE; PENALTIES.-part (a) and (b) amend the fine to "MINIMUM \$100 to MAXIMUM \$300. This is a serious offense, with no minimum fine.

K.S.A. 8-142 UNLAWFUL ACTS.-Second: amend after last word altered, ", MINIMUM \$100 FINE, MANDATORY COURT APPEARANCE, AND SEIZURE OF ITEM". This is a VERY serious act, persons doing this are not only depriving disabled persons a place to park, but in some cases are saving hundreds of dollars a year in private parking fees. There has been previous testimony of private downtown parking costing \$50 to \$75 a month in Kansas City and Wichita, while the altered handicapped placard user is parking at parking meters or timed spaces for no charge.

Thank you for your help in this matter. Please call if you have any questions.

Sincerely,



Bob Burke  
Phone 913-231-9965  
4220 SE Minnesota  
Topeka, Kansas  
66609-1706

for the transportation of a person with a disability, except that the secretary of revenue shall make a determination of continued eligibility for a special license plate or placard at least every three years from the original date of issuance of such license plate and placard. The secretary of revenue may adopt rules and regulations prescribing a fee for placards and individual identification cards issued pursuant to this section, however, such fee shall not exceed the actual cost of issuance thereof.

(d) On and after July 1, 1992, the color of the permanent placard shall be white on a blue background and the temporary placard shall be white on a red background.

(e) Permanent placards and individual identification cards shall be returned to the department of revenue upon the death of the person with a disability. Temporary placards shall be returned to the department of revenue upon the expiration of the placard or upon the death of the person with a disability. Special license plates shall be returned to the county treasurer to be exchanged for another license plate upon the death of the person with a disability. The individual identification cards issued with the special license plates shall be returned to the department of revenue upon the death of the person with a disability.

(f) Violation of subsection (e) is an unclassified misdemeanor punishable by a fine of not more than \$50. (effective 7-1-92)

8-1,126. PARKING PRIVILEGES FOR PERSONS WITH DISABILITY. When a motor vehicle which bears a special license plate or placard issued pursuant to K.S.A. 1990 Supp. 8-1,125, and amendments thereto, is being operated by or used for the transportation of a person with a disability, such motor vehicle:

(a) May be parked in any parking space, whether on public or private property, which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;

(b) may be parked for an unlimited period in any parking zone which is restricted as to the length of parking time permitted, except where stopping, standing or parking is prohibited to all vehicles, where parking is reserved for special types of vehicles or where parking would clearly present a traffic hazard; and

(c) shall be exempt from any parking meter fees of the state or any city, county or other political subdivision. (effective 7-1-91)

8-1,127. ACCEPTABLE IDENTIFICATION FROM OTHER JURISDICTIONS FOR PERSONS WITH A DISABILITY. Official identification devices issued to persons with a disability by any other state, district, or territory subject to the laws of the United States, or any foreign jurisdiction, shall be recognized as acceptable identification in the state of Kansas. Motor vehicles bearing a valid device from such a jurisdiction shall be accorded the parking privileges contained in K.S.A. 8-1,126, and amendments thereto, except that if such person becomes a resident of the state of Kansas, such identification devices shall not be recognized as acceptable identification 60 days after such person becomes a resident of this state. (effective 7-1-92)

8-1,128. ACCESSIBLE PARKING SPACES; MARKING. (a) Notwithstanding the provisions of K.S.A. 8-2003, and amendments

thereto, <sup>CHANGE TO "EA"</sup> ~~all~~ designated accessible parking spaces <sup>REMOVE 'S</sup> shall be clearly marked by vertically mounted signs bearing the international symbol of access. Such signs shall be displayed with the bottom of the sign between 36 and 60 inches above the surface of the parking space. \* SEE FRONT PAGE

(b) All parking shall conform to Title II or Title III, as required by the Americans with disabilities act of 1990, 42 USCA 12101 et seq. and 28 CFR Parts 35 and 36. (effective 7-1-94)

8-1,129. UNLAWFUL PARKING IN ACCESSIBLE PARKING; BLOCKING ACCESS RAMP; PENALTIES. (a) Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a law enforcement officer or official traffic-control device, no person shall: <sup>AS DEFINED IN K.S.A. 8-126 AND AMENDMENTS THERE TO</sup>

(1) Stop, stand or park a vehicle <sup>AS DEFINED IN K.S.A. 8-126 AND AMENDMENTS THERE TO</sup> in any parking space designated as accessible parking without having a special license plate, permanent placard or disabled veteran license plate and an individual identification card, or a valid temporary placard;

(2) stop, stand or park a vehicle so that it blocks an access entrance, ~~adjacent to a designated accessible parking space.~~

(3) stop, stand or park a vehicle in an access aisle between or beside a designated accessible parking space.

(b) Violation of subsection (a) is an unclassified misdemeanor punishable by a fine of not less than ~~\$25~~ nor more than \$100.

(c) The provisions of subsection (a) shall be enforced by law enforcement officers on public and private property. (effective 7-1-92) <sup>INCREASE TO \$50</sup>

8-1,130. FALSELY OBTAINING ACCESSIBLE PARKING IDENTIFICATION; PENALTIES. (a) Any person who willfully and falsely represents that such person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard pursuant to this act shall be guilty of a class C misdemeanor.

(b) Any licensee of the healing arts or Christian Science practitioner who willfully and falsely certifies that a person has the qualifications to obtain a special license plate, a permanent placard and an individual identification card or temporary placard pursuant to this act shall be guilty of a class C misdemeanor. (effective 7-1-91)

8-1,130a. UNLAWFULLY UTILIZING ACCESSIBLE PARKING IDENTIFICATION DEVICE; PENALTIES. (a) Any person who utilizes any accessible parking identification device which has expired or has been revoked or suspended by the secretary of revenue pursuant to subsection (c) of K.S.A. 1990 Supp. 8-1,125, and amendments thereto, or K.S.A. 1990 Supp. 8-1,130b, and amendments thereto, shall be guilty of an unclassified misdemeanor punishable by a fine <sup>MAXIMUM</sup> not to exceed \$100, MAX \$300

(b) Any person who utilizes any accessible parking identification device issued to another person, an agency or a business, to park in any parking space specified in K.S.A. 8-1,126, and amendments thereto, which could be utilized by a person with a disability, except when transporting or arriving to transport a person with a disability to whom or for whom the identification device was issued shall be guilty of an unclassified misdemeanor punishable by a fine <sup>MINIMUM \$100, MAXIMUM \$300</sup> not to exceed \$100. (effective 7-1-92)

8-1,130b. REISSUANCE, SUSPENSION OR REVOCATION OF ACCESSIBLE PARKING PRIVILEGES; RULES AND REGULATIONS. (a) The secretary of

8-140. DIVISION TO SUSPEND REGISTRATION UPON NOTICE OF THEFT OR EMBEZZLEMENT. Whenever the owner of any motor vehicle, trailer or semitrailer which is stolen or embezzled files an affidavit alleging either said fact with the division, it shall immediately suspend the registration of such vehicle, and shall not transfer the registration of or reregister such vehicle until such time as it shall be notified that the owner has recovered such vehicle, but notices given as heretofore provided shall be effective only during the current registration year in which given, but if during such year such vehicle is not recovered a new affidavit may be filed with like effect during the ensuing year. Every owner who has filed an affidavit of theft or embezzlement must immediately notify the division of the recovery of such vehicle. (effective 12-1-29)

8-141. WHEN REGISTRATION SHALL BE REFUSED; SUSPENSION OF REGISTRATION FOR FAILURE TO PAY FEES. (a) The division shall not grant an application for the registration of a vehicle when: (1) The applicant therefor is not entitled thereto under the provisions of this act; (2) the applicant has neglected or refused to furnish the division with the information required in the appropriate official form or reasonable additional information required by the division; or (3) the fees required therefor by law have not been paid.

(b) The division may suspend a registration when the fees required therefor by law have not been fully paid. (effective 7-1-85)

8-141a. CLASSIFICATION CHANGE WITHIN REGISTRATION YEAR; LIMITATIONS; MINIMUM FEES. The owner of any truck or truck tractor with local, farm or 6,000-mile class of registration, who desires to transfer or change the classification of registration at any time during the calendar year in which the registration is issued may transfer the registration only to the type of registration provided for in the first paragraph of subsection (2) of K.S.A. 8-143. Such transfer of class of registration shall be for no less gross weight than the gross weight for which the vehicle was originally registered. The owner of a truck or truck tractor registered as provided for in the first paragraph of subsection (2) of K.S.A. 8-143, may not transfer or change such registration to a farm, local or 6,000-mile class of registration during the calendar year in which the original registration is issued. (effective 7-1-82)

8-142. UNLAWFUL ACTS. It shall be unlawful for any person to commit any of the following acts and except as otherwise provided, violation is subject to penalties provided in K.S.A. 8-149 and amendments thereto:

First: To operate, or for the owner thereof knowingly to permit the operation, upon a highway of any vehicle, as defined in K.S.A. 8-126 and amendments thereto, which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the license plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such license plate pursuant to K.S.A. 8-134 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-135, 8-198 and 8-1751a and amendments thereto.

Second: To display or cause or permit to be displayed, or to have in possession, any registration receipt, certificate of title, registration license plate, registration decal, accessible parking placard or accessible parking identification card knowing the same to be fictitious or to have been canceled, revoked, suspended or altered, *minimum \$100 FINE AND MANUATION COURT APPEAL AND SEIZURE OF ITEM.*

Third: To lend to or knowingly permit the use by one not entitled thereto any registration receipt, certificate of title, registration license plate or registration decal issued to the person so lending or permitting the use thereof.

**4.6 Parking and Passenger Loading Zones**

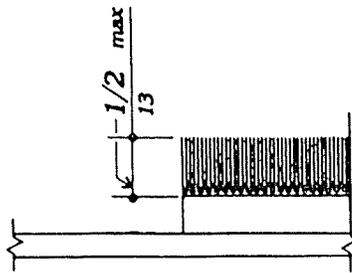


Fig. 8 (f)  
Carpet Pile Thickness

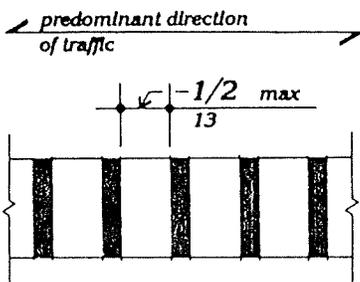


Fig. 8 (g)  
Gratings

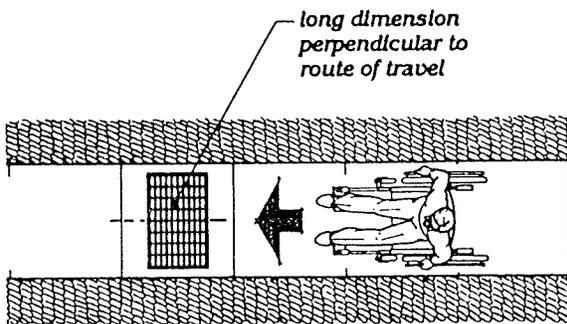


Fig. 8 (h)  
Grating Orientation

**4.6.2 Location.** Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

**4.6.3\* Parking Spaces.** Accessible parking spaces shall be at least 96 in (2440 mm) wide. Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with 4.3. Two accessible parking spaces may share a common access aisle (see Fig. 9) (Parked vehicle overhangs shall not reduce the clear width of an accessible route.) Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.

**4.6.4\* Signage.** Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility (see 4.30.7). Spaces complying with 4.1.2(5)(b) shall have an additional sign Van Accessible mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.

**4.6.5\* Vertical Clearance.** Provide minimum vertical clearance of 114 in (2895 mm) at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s). At parking spaces complying with 4.1.2(5)(b), provide minimum vertical clearance of 98 in (2490 mm) at the parking space and along at least one vehicle access route to such spaces from site entrance(s) and exit(s).

**4.6.6 Passenger Loading Zones.** Passenger loading zones shall provide an access aisle at least 60 in (1525 mm) wide and 20 ft (240 in) (6100 mm) long adjacent and parallel to the vehicle pull-up space (see Fig. 10). If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with 4.7 shall be provided. Vehicle standing spaces and access aisles shall be level with

AISLES  
 1:50 MA



State of Kansas

## Office of the Attorney General

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Senator Ben Vidricksen, Chairperson  
Senate Transportation and Utilities Committee  
State Capitol, Room 143N  
Topeka, Kansas 66612

RE: Senate Bill 262

Dear Senator Vidricksen and Members of the Committee:

I am writing to express my support of Senate Bill 262. This bill is designed to strengthen the enforcement of an act concerning parking for individuals with disabilities.

Pursuant to K.S.A. 58-1304(b) my office has been given responsibility for enforcement of the Kansas Architectural Accessibility Act (K.S.A. 58-1301 et seq.), which is patterned after Titles II and III of the ADA. As you may know, my office has the use of a full-time architect and part-time attorney to help with enforcement of this act.

SB 262 requests that the required height of signs designating parking spaces for individuals with disabilities be set between 60"-72". This helps clarify one of the requirements stated in the guidelines of the ADA and KAAA which requires "such signs . . . be located so they cannot be obscured by a vehicle parked in the space".

Elements associated with accessible parking such as loading zones, curb ramps, access aisles and parking spaces constructed properly and identified clearly enhances stronger enforcement for individuals with disabilities.

I urge the committee to pass SB 262. The availability of accessible parking accommodations is the first step toward making goods and services available to individuals with disabilities.

Very truly yours,

CARLA J. STOVALL  
ATTORNEY

SENATE TRANSPORTATION  
DATE: 2/21/95  
ATTACHMENT: 6

CJS:PF:bas

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

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Supporting Senate Bill No. 272  
which strengthens the statute  
governing operable brakes.

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Presented to the Senate Transportation  
and Utilities Committee, Senator Ben  
Vidricksen, Chairman; Statehouse, Topeka,  
Tuesday, February 21, 1995.

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MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Tom Whitaker, Governmental Relations Director of the Kansas Motor Carriers Association with offices in Topeka. I am here today along with Mary Turkington, the Association's Executive Director, representing our member-firms and the highway transportation industry.

We are here to support Senate Bill No. 272. Current law governing braking systems on motor vehicles or combinations of vehicles only requires that a vehicle be able to stop in 40 feet from an initial speed of 20 miles per hour on a level, dry, smooth, hard surface. In addition to current language, we are asking that K.S.A 8-1734 be amended to require, "service brakes on any vehicle or combination of vehicles shall be operable and provide effective braking action that engages the brake lining or pad with the braking surface to bring the vehicle to a stop."

We have worked closely with the Kansas Highway Patrol to develop the new language that appears in SB 272 to assist with enforcement of braking requirements.

SENATE TRANSPORTATION

DATE: 2/21/95

ATTACHMENT: 7

We believe that adoption of SB 272 will create a clearly understood and enforceable law governing effective braking systems on vehicles.

We respectfully ask you to recommend SB 272 favorably for passage. We would be pleased to respond to any questions.

# # # # #

**KANSAS HIGHWAY PATROL  
Summary of Testimony  
In support of  
1995 Senate Bill 272  
before the  
Senate Transportation & Utilities Committee  
February 21, 1995  
presented by  
Sergeant Terry L. Maple**

Good morning Mr. Chairman and members of the committee. My name is Terry Maple and I appear before you on behalf of Superintendent Lonnie McCollum in support of Senate Bill 272.

Senate Bill 272 adds language to K.S.A. 8-1734 to require that service brakes on any axle of a vehicle or combination of vehicles be operable and when applied, provide effective braking action that engages the brake lining or pad with the braking surface to bring the vehicle or combination of vehicles to a stop. Current law requires that every vehicle or combination of vehicles be equipped with a service braking system which will stop such vehicle or combination of vehicles within 40 feet from an initial speed of 20 miles per hour on a level, dry surface.

During routine safety inspections, it is common place for enforcement personnel to discover vehicles or combinations of vehicles that have the service braking systems disabled or adjusted so that the pad or lining does not contact the braking surface when applied. Even though these vehicle are designed and equipped with brakes by manufacturers, the owners and/or operators choose to override the safety benefits of the braking systems designed into their vehicles. This creates a dangerous situation for all highway users.

Additionally, enforcement officers are faced with a situation where they must inconvenience the vehicle operator and find a dry level surface to test braking performance. The amendments in Senate Bill 272 would help make enforcement of brake law simpler for all involved.

It is with these considerations in mind that the Patrol respectfully requests that Senate Bill 272 be favorably considered.

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SENATE TRANSPORTATION  
DATE: 2/21/95  
ATTACHMENT: 8