MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Rep. Gary Hayzlett at 1:35 p.m. on February 1, 2000 in Room 519-S of the Capitol.

All members were present except:

Representative Phill Kline, excused

Committee staff present:

Bruce Kinzie, Revisor of Statutes Hank Avila, Research Department Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Representative Doug Gatewood

Representative Bob Grant

Marlena Bolt, Weir, Kansas

Larry Deardon, Scott County

Barbara Pringle, Kansas State Pupil Transportation Association

Tom Whitaker, Kansas Motor Carriers Association

Steve Kearney, Petroleum Marketers & Convenience Store Assn. Of Kansas

Ken Gudenkauf, Assistant Bureau Chief, Traffic Engineering Department, Department of Transportation

Others attending:

See attached sheet

Chairman Hayzlett opened the floor for bill introductions. <u>Tom Whitaker, Kansas Motor Carriers Association, requested introduction of a bill concerning wreckers and towing services.</u> Representative Myers made a motion to introduce this bill, seconded by Representative Larkin and the motion carried.

Steve Kearney, Petroleum Marketers and Convenience Store Association of Kansas, requested introduction of a bill concerning gasoline drive offs and the penalty for such. Representative Long made a motion to introduce this bill, seconded by Representative Ballou and the motion carried.

Representative Ballou made a motion to introduce a bill regarding a 1/4 c sales tax to be used for mass transit, seconded by Representative Huff and the motion carried.

HB 2582 - allowing alternately flashing head lamps on school buses

The Chair opened hearings on <u>HB 2582</u> and called on Representative Gatewood. He presented statistics on fatality accidents involving school children in or around the loading or unloading areas of a school bus or transit bus. He stated that 7 of the 18 fatalities that occurred in the 1998-1999 school year would have been affected by this bill. (Attachment 1)

Representative Grant also spoke as a proponent of this bill. He stated a five year old child in his county was one of the fatalities last year. He concluded that having flashing head lamps on school buses would make them more visible.

Marlene Bolt represented testimony in support of **HB 2582.** She told the committee her grandson was killed in March, 1999 while attempting to board the school bus and the driver of the car stated she didn't see the school bus because of the sun. She concluded that allowing school districts to equip their buses with these lights can only increase the safety of our children. (Attachment 2)

Tony Stewart, Highway Patrol, stated he felt personally that equiping the buses with alternately flashing head lamps would add to the safety of the children loading or unloading the buses.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 519-S Statehouse, at 1:35p.m. on February 1, 2000.

Larry Deardon, Scott County, drives a school bus and added he would like to see the lights in back as well as in front.

Written testimony was presented by Barbara Pringle, Executive Secretary, Kansas State Pupil Transportation Association, in opposition to <u>HB 2582</u>. (Attachment 3)

Representative McClure called attention to Section 4 of <u>HB 2582</u> and asked Representative Gatewood if this should be changed to read "upon publication in the Register" rather than the statute book. Representative Gatewood concurred. Following other questions from the committee, Chairman Hayzlett closed hearings on <u>HB 2582.</u>

HB 2643 - concerning width of certain loads on vehicles

The Chair called on Bruce Kinzie to give an overview of this bill.

Ken Gudenkauf, Assistant Bureau Chief of Traffic Engineering, Department of Transportation, stated <u>HB</u> <u>2643</u> corrects an oversight in the 1998 amendment and KDOT supports this bill which clarifies the language and fulfills the intent of the 1998 amendment. (<u>Attachment 4</u>)

Written testimony was presented by Mike Beam, Kansas Livestock Association, and Leslie Kaufman, Kansas Farm Bureau in support of <u>HB 2643.</u> (Attachment 5 and 6)

There being no opponents, Chairman Hayzlett closed hearings on HB 2643.

Minutes of the House Transportation Committee for January 26th and 27th were presented for approval or corrections. Representative Pauls made a motion to accept the minutes as written, seconded by Representative Howell and the motion carried.

Chairman Hayzlett adjourned the meeting at 2:10 p.m. The next meeting of the House Transportation Committee will be Wednesday, February 2nd in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-1-00

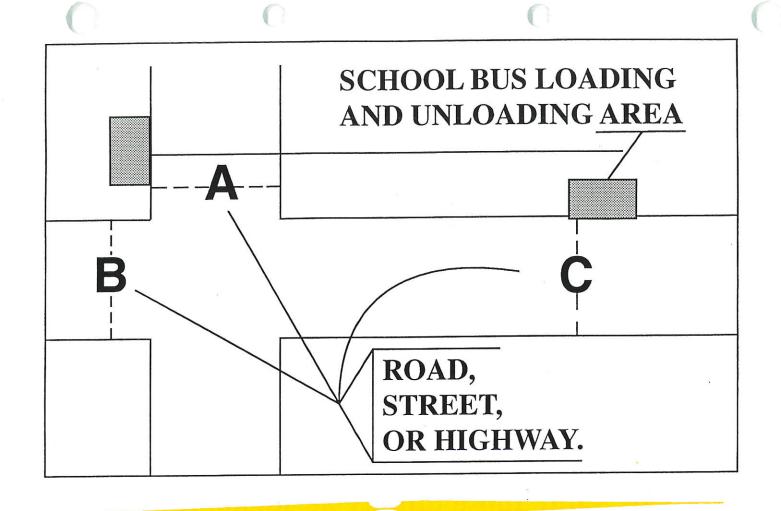
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NAME	REPRESENTING
Bill Watts	KD01
Ken Gudenkauf	KDOT
Dancy Bogina	KDOT
KICK Scheibe	KDOR Vehicles
RON SHAVER	Foton-Rep. Dav. & Hoff
Chaig Johnson	KFB
Madyndam	KAAA
Dicky Bagdiing	
LARRY BLYTHARET	KSBE
Veryl Peter	KSBE
Scott Cossairt	KFB
Warra Scott	KFB.
Tony Stewart	KHP
Scott Brunner	DOB
Warren Schooley	Bourson County Farm Buren
Ken Penner	KFB
Jat Huhlell	Kausos Rachoods
Francis Kelsen	Ko Faim Bureau
Marsha Sur Mith	KMHA
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HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-1-00 Continued

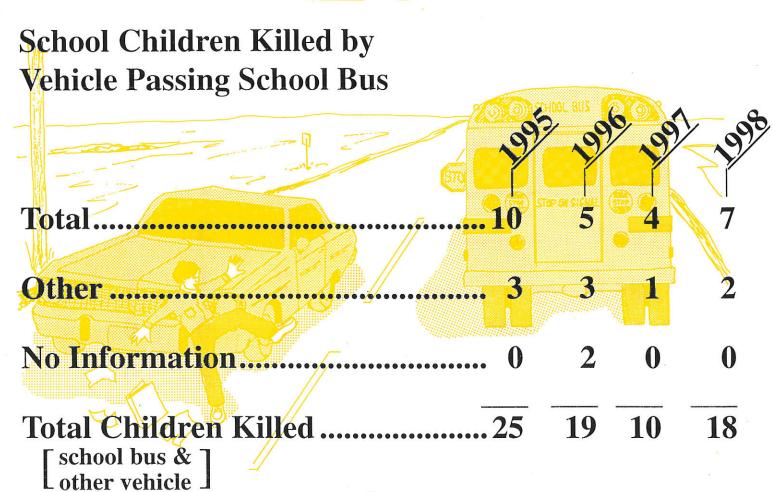
NAME	DEDDECEMEING
	REPRESENTING
Ed Eberth	KfB Leav. Co.
JOHN EICHKORN	KHP
MARK ENGHOLM	KHP
BILL Brady	Ks Gov't Consulting
Stacey Farmer	KASB
STEE KEARNEY	PMA
Dong Delever	HOUSE
Marley Bolt	a f
Jana Gros Que	- 11
Sendra DePal	KFB anderson Co.
Michel Puckett	KFB Kearing Co.
Gary Morgan	KI=B Keneny CO.
Dal + Phyllis Nober	KFB Cheroke Co
Warren & Trene Schooley	KFB Bourbon Co
Larry Dearden	Scott Couty Barm Begana
	<u> </u>

The National School Bus Loading and Unloading Survey is a collection of fatality accident records provided by the state agencies responsible for school transportation safety and/or accident records. Only those fatality accidents involving school children in or around the loading or unloading areas of a school bus or transit bus are included in this survey. On-board fatalities are excluded.



School Children Killed by School Bus

Child's position when killed Front of Bus	1995 1996 1997 1998 5
Back of Bus	3 4 Aman 3 Man 4
Total	9 5 9



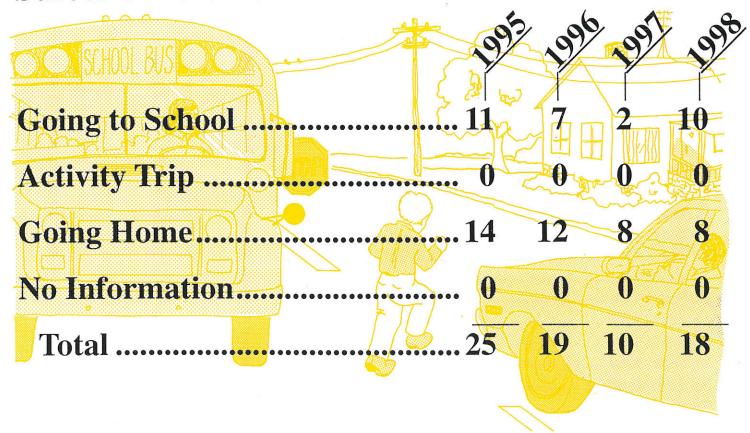
Light Condi	tion		1995	1996	2,997	1998
Dawn			1	2	0	2
Dusk			 0	15	1	0
Daylight	*****	•	23	16	9	15
Dark	000000000000000000000000000000000000000	*****	0	0	0	1
Unknown			0	0	0	0
Total			 25	19	 10	 18

School Bus Size	2995	1996 1991 1998
Type	1	
Type B	0	
Type C	11	7 3 8
Type D	5	2 1 1
Public Transit	0	1 0 0
Other	7	8 - 5 9
Unknown	1	1 0 0
Total	25	19 10 18

DAY OF THE WEEK Fatality OCCURRED (1998 ONLY)

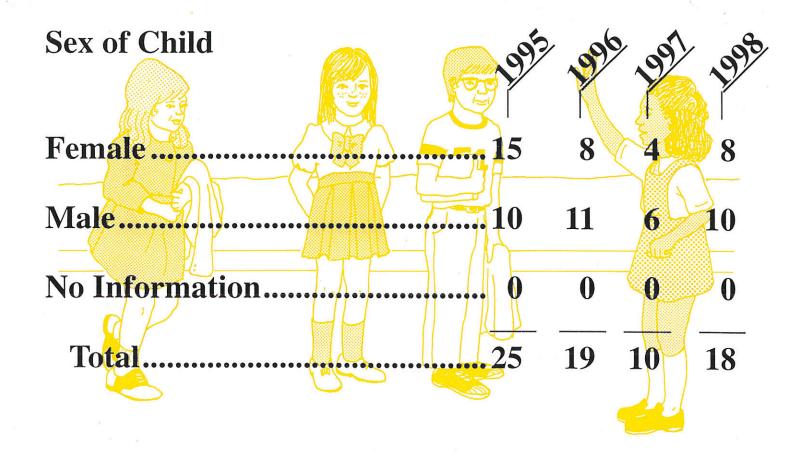
MONDAY	6
TUESDAY	4
WEDNESDAY	2
THURSDAY	4
FRIDAY	2
SATURDAY	0
SUNDAY	0
UNKNOWN	0

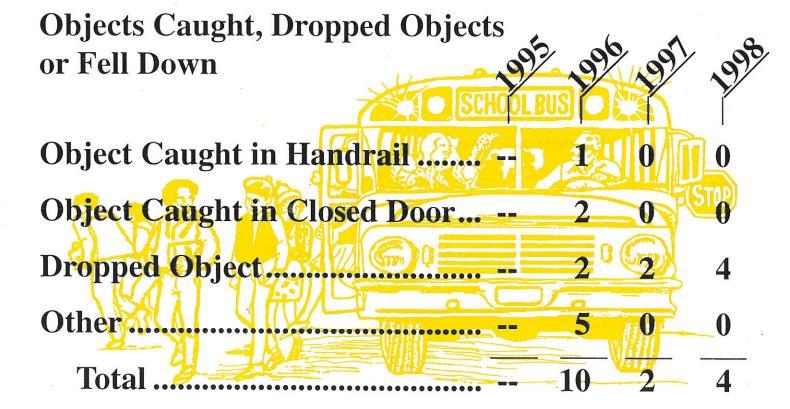
School Children Killed



Place Pupil Was Killed	1995	1996	1997	1998
Loading & Unloading Area	10	0	0	0
Unloading on School Ground A.M.	DOT BUS COR	1	0	0
Loading on School Ground P.M.		0	0	0
School Ground	0	0	1	0
Waiting at Bus Stop A.M.	May 11	3	1	7
Getting off of Bus P.M.		9	<u>_7</u>	8
Walking to Bus Stop A.M.	763-	3	1	3
Walking from Bus Stop P.M	/L	13	0	0
Road, Street or Highway	15	0	0	0
Other	0	0	,\ 0	0
No Information	(0	0	0	0
TOTAL	25	19	10	18
Signer and Specifics.				

Age of Pupil Killed 2 Years Old 3 Years Old 4 Years Old 5 Years Old	0 0 0 4	996 0 0 0 3		0 0 0 2
6 Years Old	3 3 3 1 0 1 2 3 2 0	3 2 1 3 1 3 0 0 2 0	4 1 0 1 0 0 0 0	7 4 0 0 2 0 0 1 1 1 1 0 0
No Information	$\frac{0}{25}$	19	10	$\frac{0}{18}$



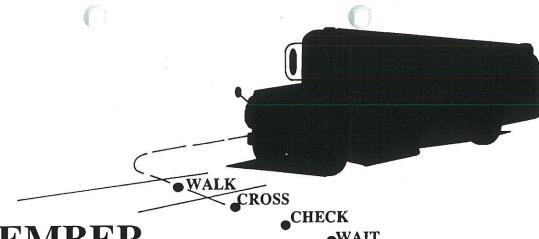


Area Accident Occ	curred	6	A C
- Mary Co 2 may		1993 1998	1997 1998
Son 12 months Showing	Market of the state of the stat		
Urban	•••••••	8 9	4 8
Rural	••••••	17 10	6 10
No Information	The state of the s	0 0	0 0
	RANTHAX	25/19	10 18
Total		25	
	The Manual Manua	THE THE PROPERTY OF THE PROPER	HANDAN/M 11

Road Conditions	<u>6</u>	(MAKA	• - G
	1997	199	199	1990
Dry) }	12	9	15
Wet		6	1	2
Snow/Slush		0-	-0-	1
Ice/Snow Packed		1	0	0
Mud/Dirt/Sand		0	0	0
Total		19	10	18

Weather Conditions	1995	1996	1997	1998
Clear	21	10	9	16
Cloudy	.7(1)	4	0	1
Cloudy/Raining	0	2	0	0
Rain	0	3	1	1
Snow/Sleet/Ice	2	0	05	0
Fog	0	-0	0	0
Unknown	1			
Total	25	19	10	18

Type of Road	1995	1996	1997	1998
Gravel		0	2	0
City Street		7	4	8
State Highway		4	3	9
Federal Highway	ma ma	1	0	0
Interstate		0	0	0
County Road		5	0	1
Other		2	1	0
Total		19	10	18



REMEMBER

WAIT

STAY

- STAY ON YOUR SIDE OF THE ROAD UNTIL YOUR DRIVER SIGNALS YOU TO CROSS
- CHECK AND RECHECK FOR TRAFFIC
- FOLLOW THE 10-FOOT RULE
- **BOARD BUS QUICKLY-**GO DIRECTLY TO YOUR SEAT

DRIVERS SHOULD STOP - BUT THEY MAY NOT!

WHEN BOARDING YOUR BUS...

HERE'S HOW TO

CROSS THE ROAD SAFELY

FOLLOW THE 10-FOOT RULE

- **STAY** ON YOUR SIDE OF THE ROAD-FAR AWAY FROM TRAFFIC
- WAIT FOR THE BUS TO STOP AND FOR YOUR DRIVER'S SIGNAL TO CROSS
- CHECK— TRAFFIC BOTH WAYS-THEN CHECK AGAIN
- **CROSS** WALK DIRECTLY ACROSS CHECKING TRAFFIC BOTH WAYS
- WALK 10 FEET AHEAD OF THE BUMPER AND BOARD BUS QUICKLY

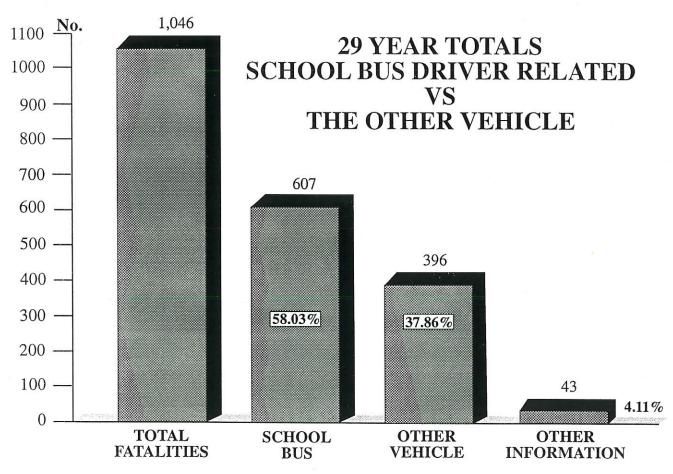
MONTH FATAL ACCIDENT	1995	1996	1997	1998
OCCURRED				ĺ
JANUARY	5	3	0	4
FEBRUARY	1	3	1	1
MARCH	4	4	0	2
APRIL	1	2	3	0
MAY	1	.0	2	2
JUNE	2	0	1	2
JULY	0	0	0	0
AUGUST	0	0	0	1
SEPTEMBER	3	1	0	2
OCTOBER	1	2	3	2
NOVEMBER	6	1	0	0
DECEMBER	1	3	0	2
NO INFORMATION	0	0	0_	0
TOTAL	25	19	10	18

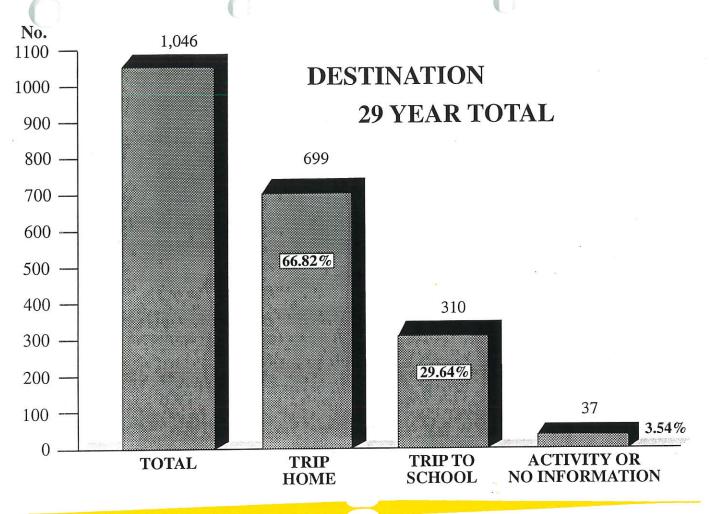


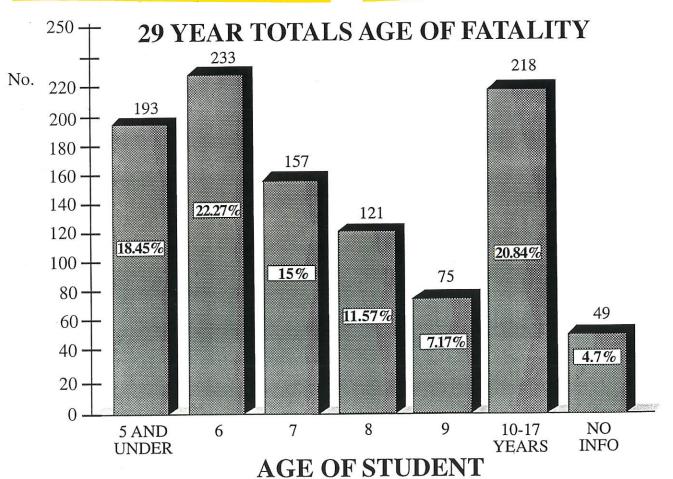
1998-99 FATALITY ACCIDENT SUMMARY REPORT

- 1. A 5-year-old girl exited the school bus. She slipped on the snow and fell underneath the school bus. The driver slowed down but drove on.
- 2. A 5-year-old boy was running to catch the bus. He ran in front of the bus and was struck and killed.
- 3. A 6-year-old girl thought her bus was coming and was trying to cross the street. She walked in front of the bus and was struck and killed by the bus. The driver thought she ran over a chunk of snow and ice.
- 4. A 6-year-old girl exited the school bus and was struck and killed by the front of the bus.
- 5. A 6-year-old boy was struck and killed by a passing motorist while attempting to cross the roadway to catch his bus. The driver of the approaching vehicle was apparently blinded by the sun and failed to stop for the flashing lights and stop arm of the bus.
- 6. A 6-year-old girl exited the school bus and was struck and killed by a passing motorist. The motorist was blinded by the sun.
- 7. A 6-year-old boy exited the bus and crossed the street. When he came back across to pick up some papers that were dropped, he was struck and killed by his bus.
- 8. A 6-year-old girl exited the bus and crossed the street. When she came back across to pick up some papers that were dropped, she was struck and killed by her bus.
- 9. A 6-year-old boy was struck and killed by an oncoming car when he went out into the street. The boy was waiting at the bus stop.
- 10. A 7-year-old boy was struck and killed by a passing motorist while attempting to cross the roadway to catch his bus. The driver of the car which was approaching the school bus from the rear failed to stop for the flashing lights and stop arm.
- 11. A 7-year-old boy exited the school bus and was struck and killed by the rear dual wheels of his school bus.
- 12. A 7-year-old boy exited the bus and was observed to be safely across the street. For an unknown reason, the boy ran back across the street into the path of the bus as it pulled away.
- 13. A 7-year-old boy was trying to cross the street to catch his bus when he was struck and killed by a passing motorist.
- 14. A 10-year-old girl crawled underneath her bus to retrieve some papers when she was run over by the front wheels of the bus.
- 15. A 10-year-old girl exited the bus, crossed in front of the bus, and was struck and killed by a vehicle that came around the bus from the rear. The driver of the approaching vehicle failed to stop for the stop arm of the bus.
- 16. A 13-year-old girl was struck and killed by a passing motorist while attempting to cross the roadway to catch her bus. The driver of the approaching vehicle failed to stop for the stop arm of the bus.
- 17. A 14-year-old boy was struck and killed by a pickup while attempting to cross the highway to catch his bus.
- 18. A 15-year-old boy was struck and killed by an oncoming car when he went out into the street. The boy was waiting at the bus stop.

STATES	NUMBER OF FATALITIES REPORTED		UMBER OF ATALITIES EPORTED
Alabama Alaska Arizonia Arkansas California Colorado Connecticut Delaware Florida Georgia Hawaii		Montana	0 0 0 0 0 1 2 0 1 0
Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Maryland Massachusetts Michigan Minnesota Mississippi Missouri		Pennsylvania Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia Washington Washington DC West Virginia Wisconsin Wyoming TOTAL FATALITIES	0 0 3 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0







14

SUMMARY

- 704 fatalities occurred to students 2, 3, 4, 5, 6, 7, & 8 yrs. of age, or 67% of total.
- Students departing bus or on their way home from the bus involved 69% of all fatalities in the study.
- Fatalities attributed to the school bus were 50%, those involving "the other vehicle" were 50% for 1998-99.
- 11% fell in the "other" category.

This survey is provided annually to the school transportation industry in an effort to alert individuals and organizations of the dangers involved in loading and unloading school children. Fatalities continue to occur at the bus stop, caused by a variety of circumstances and errors on the part of the school bus driver or passing motorist. It points out the continuing need for forceful, advanced instruction to school bus drivers and the need to increase our efforts to thoroughly inform the driving public about the requirements of the school bus stop law.

House Transportation Committee Testimony by Marlena Bolt

Good afternoon Mr. Chairman of the Committee and committee members. I am Marlena Bolt from Weir, Kansas in Cherokee County and I am a proponent of HB 2582.

On March 17, 1999, my five-year old grandson C.J. Reece was struck by a car and killed while attempting to board the school bus. In the statement given to the law enforcement officials by the driver of that car, she stated she didn't see the school bus, didn't see the lights flashing or the stop sign extended. Other drivers that were witnesses to the accident that day saw the school bus and signals and stopped. That driver's inattentiveness killed my grandson. Perhaps emergency tricolor flashing lights may have gotten her attention and prevented the accident.

The school bus driver, of over 20 years experience, told me she saw that the accident was going to happen and tried to avert the accident by flashing her headlights on and off and honking. She has told me more than once she wished she had some other way to get the drivers attention. Again, perhaps the tricolor emergency flashing lights could have helped the bus driver to avoid the accident.

I believe allowing school districts to equip their buses with these lights can only increases the safety of our children. I urge you to vote in favor of HB 2582 for our children's sake.

Thank You.

Kansas House Transportation Committee

Chairman

Representative Gary Hayzlett

Room 115 S

House Bill # 2582

February 1, 2000

Barbara Pringle
Executive Secretary
Kansas State Pupil
Transportation Association
P. O. Box 1504
Emporia Kansas 66801
Wk 316-341-2218
Hm 316-342-4009

House Transportation Committee February 1, 2000 Attachment 3

On behalf of the Kansas State Pupil Transportation Association I would like to thank you and express our appreciation for your concern and support of school bus safety in the state of Kansas.

The safety of our children is the highest priority for our organization. House Bill # 2582 addresses an area of concern we have been seeking assistance with for several years, the dangers involved when students are loading and unloading from the bus. This is the most dangerous part of their trip when they ride the school bus. Motorist are required to stop for the school bus stop sign but the number of stop sign runners is a continuing problem.

However we do have some concerns about House Bill # 2582. The proposed change in use of alternately flashing head lamps on the school bus. We are concerned that the use of high beam headlights flashing on and off could result in the approaching motorist being temporally blinded. This could result in the motorist not seeing the red flashing lights or the students loading on or off the school bus.

Bright head lamps flashed on and off can cause temporary vision problems for approximately 7 seconds to motorist approaching. This is why defensive driving courses tell us not to use bright lights as a warning device for oncoming vehicles.

The bill also states use of alternating head lamps or alternating red lights flashing. It is important that buses be uniform in warning devices so the public will recognize it as a school bus immediately.

We are not in favor of the addition of the use of alternating head lamps on school buses as we believe it may have a negative effect on safety. We must work on continuing to educate the public on the importance of stopping for school buses when they are loading or unloading children and for new ways to protect our children.

We are very concerned about the loading and unloading issue and hope we can work together to find a solution to this problem.

Please feel free to contact me about school bus safety issues.

Thank you for your support of school bus safety,

Barbara Pringle February 1, 2000

STATE OF KANSAS



KANSAS DEPARTMENT OF TRANSPORTATION OFFICE OF THE SECRETARY OF TRANSPORTATION

E. Dean Carlson Secretary of Transportation Docking State Office Building 915 SW Harrison Street, Rm.730 Topeka, Kansas 66612-1568 Ph. (785) 296-3461 FAX (785) 296-1095 TTY (785) 296-3585

Bill Graves Governor

TESTIMONY BEFORE HOUSE TRANSPORTATION COMMITTEE

REGARDING HOUSE BILL 2643 VEHICLE LOAD WIDTHS

February 1, 2000

Mr. Chairman and Members of the Committee:

I am Ken Gudenkauf, Assistant Bureau Chief of Traffic Engineering. On behalf of the Department of Transportation, I am here to provide testimony to the committee regarding House Bill 2643.

The 1998 Legislature's intent, in conforming to federal regulations through House Bill 2782, was to allow farm trucks to acquire permits to travel on the Interstate highways. According to K.S.A. 8-1902 (d) (1), any vehicle loaded with bales of hay with the stated height and width limitations can acquire a permit to travel any highway in Kansas. The authority to grant permits to farm vehicles for Interstate travel by this legislation now appears to be in question.

The proposed legislation corrects the oversight in the 1998 amendment to K.S.A. 8-1902. KDOT supports House Bill 2643 which clarifies the language and fulfills the intent of the 1998 amendment.



Since 1894

To:

House Transportation Committee

Representative Gary Hayzlett, Chairman

From:

Mike Beam, Executive Secretary, Cow-Calf/Stocker Division

Subj:

Statement in Support of **HB 2643** – Transporting Large Round Hay Bales

Date:

February 1, 2000

The Kansas Livestock Association (KLA) supports the passage of House Bill 2643. Our organization was involved in negotiations during the 1998 Kansas Legislative Session on a bill authorizing producers to transport wide hay loads on interstate highways with a permit and on other highways without permitting requirements. From our perspective this agreement has worked well and the Kansas Department of Transportation (KDOT) has been very cooperative in managing the permitting process.

To date, processing hay with the large round hay bales is the most economical method of harvesting and transporting hay. We continue to support efforts that allow our producers to transport these goods on highways with reasonable safety requirements.

It is our understanding the existing statute is technically different than the agreement reached two years ago by KLA, Kansas Farm Bureau, Kansas Motor Carriers Association, KDOT, and the House/Senate Transportation Conference Committee. This legislation, HB 2643, is intended to clarify this agreement and sanction what is happening in the field since 1998.

Again, we fully support this legislation and respectfully ask this committee and the 2000 Legislature to approve the measure early in the session.

Thank you!

House Transportation Committee February 1, 2000 Attachment 5



2627 KFB Plaza, P.O. Box 3500, Manhattan, Kansas 66505-8508 / (913) 587-6000

February 2, 2000

Rep. Gary Hayzlett, Chair House Transportation Committee Statehouse, Rm. 115-S Topeka, Kansas 66612

Dear Chairman Hayzlett,

Kansas Farm Bureau would like to express to you, and your committee, our support for the technical clean-up bill, HB 2643. HB 2643 would clarify the intent of the original legislation, passed in 1998, to ensure farm-tagged vehicles can purchase permits to haul wide loads of hay on interstate roadways.

We appreciate the efforts of your committee and the Revisor's Office to see that the wording of the statute clearly reflects the original intent of the legislation. If we can answer any questions regarding our position on this bill or be of further assistance, please contact us.

Sincerely,

Leslie J. Kaufman, Assistant Director

Public Policy Division

234-4535

