

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Rep. Gary Hayzlett at 1:40 p.m. on March 8, 2000 in Room 519-S of the Capitol.

All members were present except:

Representative Andrew Howell, excused
Representative Dennis McKinney, excused
Representative Don Myers, excused

Committee Staff present:

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

Conferees appearing before the committee:

Senator Nancey Harrington
Leslie Kaufman, Assistant Director, Public Policy, Kansas Farm Bureau
Sgt. Rusty James, Lenexa Police Department
Charles Tippie, Overland Park Police Department

Others attending:

See attached list

SB 369 - restricted drivers licenses - school sponsored activities

Chairman Hayzlett opened hearings on **SB 369** and called on Senator Harrington as the first proponent. She said the bill allows for restricted drivers to drive to school sponsored activities outside the normal school class hours. An amendment was added in the Senate which states participation does not include being merely a spectator at such school activities, but actually participating, and with this amendment passed the Senate 40-0. She asked support of **SB 369**. (Attachment 1)

Leslie Kaufman, Kansas Farm Bureau, spoke in support of **SB 369**. She said the change to current statute which is requested in **SB 369** is a logical attempt to clarify a sometimes confusing area of law - whether or not teens on a farm permit, or restricted license, can drive to school activities. She stated clarification of the wording "participation" to make it clear the driving allowance goes only to those that are actually active in the school sponsored event, and not merely a spectator or audience member, as they had requested, made **SB 369** acceptable to them. (Attachment 2)

There were no other proponents to testify so Chairman Hayzlett called on Sgt. Rusty James of the Lenexa Police Department who testified in opposition to **SB 369**. He told the committee he was representing other law enforcement agencies in the Kansas City Metro area as well as the Lenexa Police Department, and they had serious concerns in that they are opposed to the relaxation of the current law that governs restricted driver licenses for young drivers. He said the current law and versions of the law that preceded it, which allows young drivers to drive to and from school, on days that school is in session, for the purposes of school attendance, was born out of necessity. **SB 369** was born out of convenience. In summary, he said, they feel the current laws adequately address the need for young drivers to be issued restricted driver licenses and when it is necessary for a young person to have a restricted driver license, the current laws have the necessary restrictions to make it as safe as possible for them to drive to school and work. (Attachment 3)

Representative Johnston asked if there were any statistics available as to how many 15 year olds were involved in accidents versus 16-17 year olds last year. Hank Avila, Research, said he would furnish this information to the committee.

Charles Tippie, Overland Park Police Department, spoke also in opposition to **SB 369**. He stated there had been 100 accidents involving drivers 16 and under so far this year in the Overland Park area. He told the committee it was his feeling that drivers education was a necessity and that inexperience, not alcohol, was the main cause of these accidents. Upon request by the committee he said he would provide information showing the break down of the cause of these accidents and the age of the drivers involved.

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 519-S Statehouse, at 1:40 p.m. on March 8, 2000.

There being no other opponents Chairman Hayzlett closed hearings on **SB 369**.

A letter from the Kansas Contractors Association, Inc. was distributed to the committee outlining the details of the joint House and Senate Transportation trip to the East Topeka Interchange project and the NASCAR racetrack construction site in Kansas City on Monday, March 13th. . (Attachment 4)

Chairman Hayzlett adjourned the meeting at 2:25 p.m.

The next meeting of the House Transportation Committee is scheduled for Tuesday, March 14th, 2000 in Room 519-S.

NANCEY HARRINGTON

SENATOR TWENTY-SIXTH DISTRICT
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GODDARD, KANSAS 67052
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ROOM 128-S
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TOPEKA

SENATE CHAMBER
February 2, 2000

**Testimony before the
Senate Transportation Committee
on SB 369**

COMMITTEE ASSIGNMENTS
VICE CHAIR: FEDERAL AND STATE AFFAIRS
MEMBER: JUDICIARY
TRANSPORTATION AND TOURISM

Mr. Chairman and members of the Committee. Thank you for hearing SB 369 a bill allowing for restricted drivers to drive to school sponsored activities outside the normal school class hours.

The bill would amend K.S.A. 8-237 and 8-296 and repeal existing sections. The current law school attendance means students with restricted drivers licenses are only able to drive for school class time only.

If local law enforcement strictly enforces the current law students with restricted licenses (in some cases have been) could be ticketed for returning after school hours to band or play practice, concerts, sport practices and activities, or games.

I would ask the Committees support in passing SB 369.

Thank you, I'll stand for any questions.

Senator Nancey Harrington

House Transportation Committee
March 8, 2000
Attachment 1

A handwritten signature in cursive script that reads "Nancey Harrington". The signature is written in dark ink and is positioned below the printed name.



PUBLIC POLICY STATEMENT

HOUSE TRANSPORTATION COMMITTEE

RE: SB 369 - allowing restricted drivers to drive to and from school-sponsored activities.

**March 8, 2000
Topeka, Kansas**

**Prepared by:
Leslie J. Kaufman, Assistant Director
Public Policy Division
Kansas Farm Bureau**

Chairman Hayzlett and members of the House Transportation Committee, thank you for the opportunity to appear today and comment on SB 369 on behalf of Kansas Farm Bureau members. I am Leslie Kaufman. I serve as the Assistant Director of Public Policy for the farm association.

Teen driving issues are extremely important to our members. They have been items of intense study and discussion for the past three years. As you all are aware, we have appeared before this committee several times during the past two sessions to share our views and concerns with various teen driving proposals. To be quite honest, we did not expect to see a teen driving issue so soon after last session's changes.

Our voting delegates reaffirmed our commitment to preserving the current age structure Kansas now has for teen drivers when they met at the 81st Annual Meeting of

Kansas Farm Bureau this past November. We believe the change to current statute which is requested in SB 369 is a logical attempt to clarify a sometimes confusing area of law – whether or not teens on a farm permit, or restricted license, can drive to school activities. As such, we lend our support to the concept of clarifying the statute.

In testimony before the Senate Transportation & Tourism Committee earlier this session, we suggested that the wording “participation in school-sponsored activities” should be qualified. We encouraged the committee to define “participation” to make it clear this driving allowance goes only to those that are actually active in the school-sponsored event, not merely a spectator or audience member.

We are pleased the committee saw fit to include such a statement in their amendments to SB 369 and thank them for doing so.

We see this bill as a valid attempt to clarify our current statute, and recognize that this language change would legitimize what is, most likely, a commonly occurring driving practice of teens. We encourage this committee to act favorably on SB 369 as amended by the Senate Committee. Thank you.



Sgt. Rusty James
Lenexa Police Department
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TESTIMONY IN OPPOSITION TO SENATE BILL No. 369

I supervise the Traffic Safety Unit at the Lenexa Police Department. I am here today to represent the Lenexa Police Department, the Overland Park Police Department, the Kansas City Kansas Police Department, and other law enforcement agencies in the Kansas City Metro area. I also represent Operation Impact, which is a multi-jurisdictional law enforcement cooperative representing Kansas and Missouri law enforcement agencies in the Metro area.

As law enforcement agencies, we have serious concerns about Senate Bill No. 369. We are opposed to the relaxation of the current law that governs restricted driver licenses for young drivers.

Section 8-237 of the Kansas Statutes currently allows a driver who is at least 15 years old to obtain a restricted driver license. Section 8-296 of the Kansas Statutes currently allows a driver who is at least 14 years old who lives or works on a farm to obtain a restricted driver license. We believe that the current statutes allow young drivers to drive when it is absolutely necessary.

Previous versions of these laws allowed the young drivers to drive only during certain hours during the day. The current laws set certain restrictions on the purposes for the restricted driver licenses. Although these laws do not have the time limitations in them, it is clear from reading the laws that the intent is to have these young drivers driving only at limited times. And, these limited times routinely are during the daylight hours. This is much safer for a young, inexperienced driver than driving at night.

The current laws allow young drivers to drive to and from school, on days that school is in session, for the purposes of school attendance. There is no provision in the current law

allowing young drivers to drive to school, or some other location, for the purposes of participating in school activities.

Senate Bill No. 369 proposes that young drivers be allowed to drive on days on which there are school activities, to the school of enrollment or property owned or used by the school for the purpose of participating in school activities. This significantly broadens the scope of the law. The language of the law is not specific as to property "used" by the school. We feel that this could allow young drivers unlimited driving at all times, including the times that are the least safe for young, inexperienced drivers.

By reading the bill, it is unclear whether the "school or property owned or used by the school" section of the bill pertains to local facilities, or not. By reading the bill, it appears that, if the school is participating in a tournament or special activity, and it "uses" a facility in another city, or area of the state, these young drivers could drive to the special activity. This would allow these young, inexperienced drivers to drive longer distances with fewer limitations. In the Kansas City Metro area there are many facilities, on both sides of the State Line, used by the different school districts that are some distance from the schools. These facilities are used for sporting events, musical events, and other special activities. These young drivers could drive many miles in our area just to get to an activity.

I know of no school district that does not provide an activity bus for school activities. It has been determined that it is much safer for students to be transported to activities. By having the students together, especially when they have to travel long distances, it is much easier to insure their safety.

There have been many incidents in the past where young drivers with restricted driver licenses have been involved in accidents. Many of these accidents have resulted in serious, permanent injuries, or deaths. In Overland Park there were three young girls killed in one accident. These girls were going to softball practice after school. The driver in this incident was in violation of her restricted driver license since her passengers were not siblings. The school district had furnished an activity bus, but the students did not want to ride it. It is safe to say that this accident would not have occurred if the students had been on an activity bus. That was three lives lost in just one incident.

Many school districts have had policies in place for some time requiring students to ride an activity bus to school activities. Many more school districts have adopted such policies as a result of the accidents and other incidents that have occurred involving students.

The current law, and the versions of the law that preceded it, were born out of necessity. Often times it is necessary for a young person driver to drive to school or work. This is especially true in farming communities. Senate Bill No. 369 was not born out of necessity, it was born out of convenience. This bill sacrifices the safety of our young people, and the motoring public, for convenience sake. Please do not allow this to happen.

The current laws are somewhat difficult for officers to enforce. It is often difficult to determine if a student is going to or from school or work. Under Senate Bill No. 369, it would be nearly impossible for officers to enforce the laws. There are many schools and facilities on each side of the State Line in the Kansas City Metro area, all of which have school activities. There is no way for law enforcement agencies to monitor all of the school activities for all of the school districts.

Kansas discussed the passage of graduated licensing laws just last year. These graduated laws were seriously considered as a way to further control the issuance of driver licenses to young drivers. There would have been more restrictions on the ages, driver training, and purposes for the licenses. These graduated licensing laws are in place in other states, including the State of Missouri. They have been found to be successful in assuring that drivers are qualified to drive.

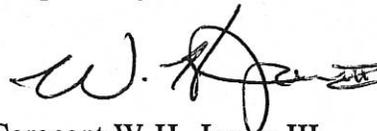
Now, instead of considering graduated licensing laws that would restrict the issuance of driver licenses, the same state is considering relaxing the purposes for which a driver with a restricted driver license may drive. It appears that the legislature is considering taking a giant step backward with this bill.

In summary, we feel that the current laws adequately address the need for young drivers to be issued restricted driver licenses. When it is necessary for a young person to have a restricted driver license, the current laws have the necessary restrictions to make it as safe as possible for them to drive to school or to work.

Please do not allow convenience to determine when our young people should be allowed to drive. We must restrict their driving to purposes that are absolutely necessary. This is the only way that we can assure that it is as safe as possible for them, and the other motorists on our roadways.

We would appreciate your help by voting against Senate Bill No. 369.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. H. James III", with a stylized flourish at the end.

Sergeant W.H. James III
Lenexa Police Department

THE KANSAS CONTRACTORS ASSOCIATION, INC.

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March 8, 2000

To: House Transportation committee members

On behalf of the Kansas Contractors Association, I am inviting you and your spouse to join us on a tour of several construction projects March 13, 2000 in northeast Kansas. This is part of a joint House and Senate Transportation trip to the East Topeka Interchange project and the NASCAR racetrack construction site in Kansas City.

My intent is for us to leave the state capitol from the southwest parking apron around 1 p.m., touring the East Topeka project from 1:30-2:00 and going on over to the NASCAR site around 3:15-3:30p.m. We will return to Lawrence for cocktails and dinner and come back to the statehouse around 8 p.m. that evening.

This will give you an opportunity to see some of the extensive construction that is going on in our immediate area. Both of the construction sites are interesting in the scope of work that is being done. We will have on site, officials who can explain the projects and what they will do when completed.

I do need a headcount so if you are going I would appreciate you letting me know as soon as possible so that I can make arrangements for transportation and food. Just give Nancy or Kris a call at 785 266 4152.

I do hope you can make it and I look forward to hearing from you soon.

Sincerely yours,

Bob Totten
Public Affairs Director

House Transportation Committee
March 8, 2000
Attachment 4