

SESSION OF 2009

SUPPLEMENTAL NOTE ON SENATE BILL NO. 142

As Amended by Senate Committee of the Whole

Brief*

SB 142 would create the Safety Corridor Act. Its provisions are outlined below.

Definition and Criteria for Establishing a Highway Safety Corridor

These provisions would:

- Define a “safety corridor” as a highway segment designated by the Secretary of Transportation and identified by moving or posted signs;
- Specify that the criteria the Secretary would use include the following to determine whether a segment would be eligible to be designated as a safety corridor:
 - Whether the designation would reduce accident rates;
 - Whether the designation would reduce fatality rates;
 - Accident rates and accident fatality rates, which account for the amount of crashes;
 - Number of crashes resulting in serious injury or death; and
 - Traffic volumes;
- Require the Secretary to use the same criteria on all highways in determining whether a segment should be designated as a safety corridor;
- Grant the Secretary the authority to designate highway safety corridors on interstate, United States or state highways; and

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Establish a procedure to end a highway safety corridor designation.

Establishing Highway Safety Corridors in Cities and on Local Highways

These provisions would:

- Allow the Secretary to designate a segment of an interstate, U.S., or state highway within city limits as a safety corridor only if the city's governing body had passed an ordinance or resolution supporting the designation; and
- Allow the Secretary to designate a segment of a local highway as a safety corridor only if the local government entity having jurisdiction over the highway had requested a determination of eligibility for a safety corridor designation and had passed an ordinance or resolution supporting the designation.

Fines

The bill would double fines for moving violations committed in highway safety corridors except for violations of exceeding the speed limit less than eleven miles per hour over that limit. A fine could be doubled if a violation were committed within a construction zone (as in current law) or within a highway safety corridor, but not for both reasons.

Safety Corridor Fund

These provisions would establish the Safety Corridor Fund. The bill would:

- Require all funds collected under the Uniform Fine Schedule for safety corridor violations to be remitted to the State Treasurer;

- Require \$25 of each fine collected for a violation of the Safety Corridor Act be deposited in the Safety Corridor Fund;
- Require the remainder of the fines to be credited to various funds as prescribed by current law; and
- Authorize the Secretary to establish and administer a grant program for local government entities wanting to designate a segment of highway as a safety corridor, using moneys in the Safety Corridor Fund. It would require all moneys credited to the Safety Corridor Fund to be used only for education, enforcement, and reimbursement, as soon as moneys are available, of actual and necessary expenses paid from another fund of the Department of Transportation or any state agency to implement the Act.

Background

SB 142 was requested by the Kansas Department of Transportation. Conferees who testified in support of the bill were Robert Lee, Deputy Police Chief, City of Wichita, and Steve Buckley, Safety Engineer, Kansas Department of Transportation. No other person presented testimony on the bill.

The amendments were the result of Committee discussion. The Committee asked for additional criteria for establishing a safety corridor. It also requested an amendment to disburse moneys collected for fines other than the \$25 for the Safety Corridor Fund to the Crime Victims Compensation Fund and other funds as per current law. The Committee further added the repayment amendment as noted in the brief and struck all language relating to the prohibition of plea bargaining in the original bill.

The Senate Committee of the Whole amended the bill to eliminate double fines for speeding in safety corridors for violations less than eleven miles per hour over the speed limit.

The fiscal note prepared by the Division of the Budget on the original bill states that KDOT indicates that it would establish a Safety Corridor Steering Committee to outline the criteria for selecting, decommissioning, and approving applications for safety corridors. KDOT estimates three safety corridors would be established within the first year of the implementation of SB 142. The initial cost for establishing a safety corridor would include \$4,000 for signage per corridor and \$30,000 for a traffic study for each corridor. Total additional expenditures for FY 2010 are estimated to be \$102,000, which includes \$12,000 for signage and \$90,000 for traffic studies, all paid from the State Highway Fund. The agency indicates it would need an increase in expenditure authority within the agency operations account of the State Highway Fund in FY 2010. Future expenditures would be paid from the Safety Corridor Fund, but the agency does not have enough information at this time to base an accurate estimate of the amount of revenues that would be collected each fiscal year.

The League of Kansas Municipalities states it is not possible to quantify the bill's fiscal effect to cities because it is not known how many cities would choose to participate, the number of safety corridors that would be established within a city, and the number of moving violations that would occur within a corridor located within a city.

The Office of Judicial Administration states that in order to handle safety corridor infractions in a manner different than other fines, the management system would require programming changes, which would require \$25,000 from the State General Fund. The changes include a means to identify the infraction that a person committed in a corridor, doubling the fine, and distributing the doubled fine in a different manner than from other fines. Any fiscal effect resulting from the enactment of the bill has not been included in *The FY 2010 Governor's Budget Report*.