

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 23, 2004 in Room 519-S of the Capitol.

All members were present except:

Representative John Ballou- excused

Committee staff present:

Mary Galligan, Legislative Research Department

Hank Avila, Legislative Research Department

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Steve Kearney, KS Automotive Recyclers Ass'n.

Randy Hearll, Topeka Salvage Pool

Representative R. J. Wilson

Lt. John Eichkorn, KS Highway Patrol

Sergeant Major Fred W. Bogatay, U.S. Army Reserves

Tom Whitaker, KS Motor Carrier Ass'n.

Others attending:

See Attached List.

HB 2860 - Salvage vehicle dealers, buyer's identification cards

Chairman Hayzlett opened the hearing on **HB 2860** and introduced Steve Kearney, representing the Kansas Automotive Recyclers Ass'n. (Attachment 1) Mr. Kearney explained that this bill establishes a mechanism through which those wishing to purchase vehicles that are "non-repairable" and "salvage" would apply to the Division of Vehicles and pay a \$10 fee for a "bid card." According to Mr. Kearney this approach is used in several other states to identify legitimate buyers and forces the unscrupulous and the auto thieves to seek another source for their endeavors and would ultimately protect consumers.

There were no other proponents.

Chairman Hayzlett recognized Randy Hearll, a shareholder in the Topeka Salvage Pool, Inc. (Attachment 2) According to Mr. Hearll a salvage vehicle pool or as often called an "insurance pool" provides a service mainly to insurance companies, and also to banks, credit unions, car rental companies and others by towing, securing, doing necessary title work, advertising, selling, assigning the title to the buyer and accounting for and forwarding the proceeds to the owner of the damaged vehicle. He said they have followed past practice of allowing members of the public to apply, pay an annual membership fee and purchase vehicles at the salvage vehicle pool. Mr. Hearll said they have been able to stay in business by keeping costs down and using innovation and service. Mr. Hearll said they were concerned that the passage of **HB 2860** would lead to the closing of the Topeka Salvage Pool.

There were no other opponents. Chairman Hayzlett closed the hearing on **HB 2860**.

HB 2235 - Regulating traffic; concerning sun screening devices

The Chairman introduced Representative R. J. Wilson. (Attachment 3) Representative Wilson explained **HB 2235** would allow individuals with a medical condition requiring such a sun screen to affix a sticker to their bumper to serve as a notification to law enforcement that the person driving the vehicle is exempt from the current law. This program would be administered by the Department of Motor Vehicles. Representative Wilson referred to a letter from Brenda Geier who has a medical condition requiring the tinted windows. He also passed out a letter from John Mazurek, the City Prosecutor for Pittsburg, KS who wrote in support of **HB 2235**.

The next proponent was Lt. John Eichkorn, Kansas Highway Patrol. According to Lt. Eichkorn under

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current law, sun screening devices cannot limit total light transmission into a vehicle to less than 35%. (Attachment 4) **HB 2235** proposes to allow a sun-screening device that transmits less than 35% of total light to any Kansas resident who has a medical condition that requires one. Lt. Eichkorn said the Patrol would like to recommend two amendments. The first amendment would allow an exception of "publicly owned police vehicles" due to police service dogs being kept in patrol cars during the day. The second amendment the Patrol is recommending would state "Such decal shall be attached to the rear bumper of the motor vehicle and shall be maintained free from foreign materials and in a condition to be clearly legible."

There were no other proponents and no opponents. The Chairman closed the hearing on **HB 2235**.

HB 2833 - Designating highways for the 75th, 89th & 95th divisions of the US Army

Chairman Hayzlett introduced Sergeant Major Fred W. Bogatay, US Army Reserves. He said it was important to name these highways for the three Army Divisions so the people of Kansas, as well as those that drive through Kansas, know that Kansas is proud of its past, current and future veterans of all branches of the military both active and reserve components. He feels it is important to have signs posted along these dedicated highways to remind everyone that Kansas veterans helped make this country safe and strong. (Attachment 5) Sgt. Major Bogatay gave a brief history of each Division.

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **HB 2833**.

HB 2871 - Motor carriers, traffic infractions

The Chairman recognized Tom Whitaker, Executive Director of the Kansas Motor Carriers Association who spoke in support of **HB 2871**. (Attachment 6) Mr. Whitaker explained that the bill eliminates the mandatory requirement for appearance in court for violation of certain laws governing the operation of truck and other commercial vehicles. According to Mr. Whitaker this change in Kansas law is necessary because one judge in one judicial district has determined that a mandatory court appearance is required. This bill allows the violator the ability to sign for the violation and pay the fine to the court.

There were no other proponents and no opponents. The Chairman closed the hearing on **HB 2871**.

Chairman Hayzlett called for final action on **HB 2235**. A balloon amendment was handed out to the Committee. (Attachment 7) Representative Larkin moved to adopt the balloon amendment, the motion was seconded by Representative Dreher and the motion carried. Representative Wilk made a motion to pass out **HB 2235, as amended** out favorably. Representative Toelkes seconded the motion and the motion carried.

The Chairman called for final action on **HB 2871**. Representative Ballard made a motion to pass this bill out favorably, Representative Huff seconded the motion and the motion carried.

Chairman Hayzlett asked for approval or corrections to the February 5th and 10th Minutes of Committee meetings. Representative Huff made a motion that the Minutes be approved, Representative Vickrey seconded the motion and the motion carried.

Chairman Hayzlett called for final action on **HB 2661**. Mike Hoeme, Transportation Div., KCC, read a proposed amendment to this bill (Attachment 8) Representative Myers made a motion to adopt the amendments to **HB 2661**, Representative Long seconded the motion and the motion carried. Representative Humerickhouse made a motion to pass **HB 2661, as amended**, the motion was seconded by Representative Dreher and the motion carried.

There being no further business before the Committee the meeting was adjourned. The next meeting will be March 9, 2004, at 1:30 p.m. in Room 519-S.