

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 9, 2005 in Room 519-S of the Capitol.

All members were present except:

Representative Anthony Brown- excused

Representative Pat George- excused

Committee staff present:

Chris Courtwright, Kansas Legislative Research

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Dan Ramlow, KS Contractor's Association

Dan Ramlow for AAA of Kansas

Lt. John Eichkorn, KS Highway Patrol

Tom Whitaker (written testimony only)

Others attending:

See attached list.

House Bill 2127 - Traffic regulation, use of head lamps, windshield wipers

Chairman Hayzlett recognized Dan Ramlow of the Kansas Contractors Association. He said this bill has positive safety features for the public and would also benefit and protect their industry workers in construction zones during inclement weather. (Attachment 1) He explained that if a driver has their windshield wipers on it is usually for the reason they cannot see out their windshield, due to rain, sleet, snow, or other conditions obscuring their view. And that the need to have one's head and tail lights on under these same conditions, is not to light their way but to signal their location to other drivers. He said to give drivers an extra nudge to use common sense and turn on the full head and tail lights when vision is obscured and their windshield wipers are on, may require regulations. Mr. Ramlow said 20 other states have such a law. He concluded by saying that to make conditions safer on the highways and in work zones, with the provisions of this "wiper law", they see the potential of accidents being reduced and lives being saved.

The next proponent, James R. Hanni, Vice President, Kansas Region and Public Affairs, Automobile Association of America, could not attend the hearing so Dan Ramlow spoke to **HB 2127** for him. According to Mr. Hanni (Attachment 2) as a way to promote safe driving habits among the Kansas drivers, they were requesting the Committee to favorably pass this bill. He said this bill is supported by a national AAA policy that states: "State laws should require motorists to activate headlights when operating the windshield wiper."

Lt. John Eichkorn was the next proponent to speak to **HB 2127**. (Attachment 3) Lt. Eichkorn said requiring motorists to turn on head and taillights during adverse conditions will allow drivers to better see oncoming traffic and most importantly, be seen by other drivers. According to Lt. Eichkorn **HB 2127** provides a relatively easy step that has the potential to prevent injuries and save lives. He said while the Patrol supports most of **HB 2127**, making this legislation a secondary offense hinders the ability of law enforcement officials to encourage the use of headlamps during adverse conditions. As in the case of safety belts, officers can only issue a citation for a safety belt violation after observing and issuing a citation for a separate violation, such as speeding or improperly changing lanes. Lt. Eichkorn concluded by saying not only should we be able to see oncoming cars at night, but the Patrol wants to make sure that motorists can see oncoming traffic during adverse conditions. While secondary language has proven to make good legislation somewhat ineffective, the Kansas Highway Patrol supports **HB 2127** because of its potential benefits to the motoring public.

Chairman Hayzlett recognized Tom Whitaker as the next proponent. According to Mr. Whitaker (Attachment 4) The Kansas Motor Carriers Association supports passage of **HB 2127**. Mr. Whitaker said the Kansas Motor Carrier's Association believes this bill will enhance safety when inclement weather is affecting travel. He urged support of **HB 2127**.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 9, 2005 in Room 519-S of the Capitol.

There were no other proponents and no opponents to this bill so Chairman Hayzlett closed the hearing on **HB 2127**.

A motion was made by Representative Jack to approved the Minutes of the January 27 and February 1, 2005 meetings. Representative Humerickhouse seconded the motion and the motion carried.

There being no further business the Chairman adjourned the meeting. The next meeting will be on February 14, 2005 in Room 519-S at 1:30 p.m.