

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 15, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Jerry Henry- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

Representative Rocky Fund
Representative Janice Pauls
Brooke Danielle Slayton, Royal Valley Middle School
Jayme Burger, Royal Valley Middle School
MaRyka Renae Smith, Royal Valley Middle School
Jaycee Lynn Worrell, Royal Valley Middle School
Patrick Broxterman, Royal Valley Middle School
Kassidy Dahl, Royal Valley Middle School
Taylor Marie Klobnak, Valley Middle School
Sandra Solis, Royal Valley Middle School
Nathan McAllister, Teacher at Royal Valley Middle School
Jarrod Forbes, representing Polaris Industries
Carmen Alldritt, Director, Motor Vehicles Div.
Tom Whitaker, KS Motor Carriers Association
Ed Klumpp, KS Ass'n. of Chiefs of Police and KS Peace Officers Ass'n.

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order and opened the hearing on **HB 2650**.

HB 2650 - Designating part of U.S. 75 highway as the James Lane Freedom Trail memorial highway.

Chairman Hayzlett recognized Representative Rocky Fund as the first proponent on this bill. (Attachment #1) According to Representative Fund this bill was introduced on behalf of the 7th grade history students from Royal Valley Middle School. He said the students wish to have a portion of Highway 75 from the southern city limits of Holton, south on Highway 75 to the junction of Highway 75 and NW 46th Street designated as the James Lane Freedom Trail Memorial Highway. Representative Fund said James Lane was instrumental in strengthening the position of the antislavery cause by encouraging more free-state supporters to settle in Kansas. He said Mr. Lane was a dominant force in Kansas and to an extent national politics for a decade.

The next proponent was Brooke Danielle Slayton. (Attachment #2) According to Ms. Slayton, Mr. Lane escorted the first group of free-staters to Kansas using the trail he established to by-pass proslavery strong holds in Missouri and provided free-state settlers a safe route into Kansas.

Jayme Burger was recognized as the next proponent. (Attachment #3) Ms. Burger said Mr. Lane was a Kansas Senator from April 4, 1861 to July 11, 1866. He served in the United States Army and the Union Army.

MaRyka Renae Smith was the next proponent. (Attachment #4) Ms. Smith shared with the Committee the process her class followed to create **HB 2650**. They started with studying bleeding Kansas, learned the legislative process, how to research and write a bill and the steps to get the bill introduced and passed.

The Chairman recognized Jaycee Lynn Worrell as the next proponent. (Attachment #5) Ms. Worrell believes a portion of Highway 75 should be named the "James Lane Freedom Trail" because Mr. Lane helped make Kansas a free state. She said slaves also used this trail as an underground railroad route which is why they

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chose the word "Freedom" for the sign.

The next proponent was Patrick Broxterman. (Attachment #6) Mr. Broxterman said through their research they found this part of Highway 75 was the closest match to the James Lane trail. He said by designating this portion of Highway 75 as the James Lane Freedom Trail Memorial Highway, people traveling through would know they were on an historic trail.

Chairman Hayzlett recognized Kassidy Dahl. (Attachment #7) According to Ms. Dahl, this trail was a major part of our state's history. She said Mr. Lane was a supporter of the Kansas-Nebraska Act, which gave Kansans' the right to vote whether they should be a free or slave state.

Taylor Marie Klobnak was the next proponent for **HB 2650**. (Attachment #8) Ms. Klobnak told about some of the people who traveled the James Lane Trail. She said John Brown traveled the Trail to get away from proslavery forces in 1859; The Sage Family, a famous abolitionist family traveled the trail to immigrate and settle in Kansas; another traveler was Anne Clark who was a slave who used the trail as an underground railroad route; and, the first Governor of Kansas, Charles Robinson traveled the trail looking for abolitionists coming into Kansas.

The last student proponent was Sandra Solis. (Attachment #9) Ms. Solis told about this trail being the underground railroad route used to get escaped slaves from southern states to northern states. She said in 1859, Charles Smith helped James Lane and about 30 - 40 slaves escape to freedom using this trail.

Chairman Hayzlett recognized Nathan McAlister, the teacher of the 7th grade history students. (Attachment #10) Mr. McAlister said it had come to his attention that James Lane was not the founder of the trail that bears his name. He said the credit for the founding of the trail should be given to the Kansas Central Committee which was an antislavery organization who made the trail to provide antislavery settlers a safe passage to Kansas. Mr. McAlister said James Lane should still be given the credit for popularizing the trail. He said the passage of **HB 2650** will not only honor the memory of those who established the trail, but also that of James Lane and all who used this trail and their efforts to make Kansas a Free State.

There were no other proponents. All the proponents stood for questions.

There were no opponents to **HB 2650** so the Chairman closed the hearing.

The Chairman open **HB 2650** to the Committee for discussion, comments or motions. Representative Swanson made a motion to favorably pass HB 2650, seconded by Representative Ballard and the motion carried.

Chairman Hayzlett opened the hearing on **HB 2660**.

HB 2660 - Recreational off-highway vehicles, regulation thereof

The Chairman recognized Jarrold Forbes, representing Polaris Industries. (Attachment #11) Mr. Forbes said they were asking to add a new definition to the off-road family of recreational off-highway vehicles. The new definition would mean any motor vehicle 64 inches or less in width, weighing no more than 2,000 pounds, and having four non-highway tires, a non-straddle seat and steering wheel. These vehicles would be excluded from the definitions of worksite utility vehicle and micro utility truck, and would be listed as non-highway vehicles. As recreational off-highway vehicles they would be required to obtain a non-highway title. Mr. Forbes said the reason for this request is so this new classification of vehicles in the Kansas Statutes will keep pace with the vehicles being produced.

There were no other proponents. Mr. Forbes stood for questions.

The Chairman recognized Carmen Alldritt, Director, Motor Vehicle Division who was listed as Neutral. Director Alldritt handed out an amendment to Committee members that would remove a section having to do with an exclusion from titling the vehicles under certain circumstances.

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No one else wished to speak to the bill so Chairman Hayzlett closed the hearing on HB 2660 and open the hearing on HB 2680.

HB 2680 - Regulating traffic; impeding traffic

Chairman Hayzlett recognized Representative Pauls. (Attachment #12) Representative Pauls said HB 2680 would change the law passed last year regarding driving only in the right lane unless passing. She said this bill will revert back to driving patterns where vehicles can use all of the highway subject to safe operation, traffic density and differences in terrain but will still allow officers to stop slow vehicles impeding traffic by moving too slowly. Representative Pauls said she wanted the bill to allow any passing at any legal speed and she proposed an amendment to change the bill to reflect that concept. She concluded by saying this bill will allow vehicles to drive in the left lane of such a highway at any time if the vehicle is going at least the maximum posted speed or in the left lane at any allowable speed when passing slower moving vehicles in the right lane. She stood for questions.

There were no other proponents so the Chairman called for opponents.

Chairman Hayzlett recognized Tom Whitaker, Executive Director of the Kansas Motor Carriers Association. (Attachment #13) Mr. Whitaker said they believe HB 2680 creates an unintended consequence. He said a driver could receive a citation for driving over the maximum speed limit and as long as such driver was driving within the "buffer zone," the citation would not affect his or her insurance rates. He said under the provisions of this bill a driver could be cited for driving in the left lane at a speed below the posted speed limit and such a violation is a moving violation and could affect insurance rates.

The Chairman drew the Committee's attention to written testimony from Ed Klumpp, representing the Kansas Association of Chiefs of Police and the Kansas Peace Officers Association in opposition to HB 2680 (Attachment #14).

There were no other proponents or opponents so the Chairman closed the hearings on HB 2680.

Chairman Hayzlett opened HB 2561 to the Committee for discussion, comments or motions. Staff brought up the need to correct a technical amendment changing the word "existing" to "exiting" on line 23. Representative Kleeb made a motion to adopt the amendment, seconded by Representative Worley and the motion carried. Representative Worley made a motion to favorably pass HB 2561, as amended, seconded by Representative Kerschen and the motion carried. Representative King made a motion to adopt an amendment on page 1, line 22 to change 15 miles to 22 miles per hour. The motion to adopt the amendment was seconded by Representative Worley and the motion carried. Representative Peck made a motion to adopt an amendment on subsection e to clarify the bill, seconded by Representative Worley and the motion carried. Representative Swanson made a motion to favorably pass HB 2561, as amended, seconded by Representative Kleeb and the motion carried.

The Chairman opened HB 2623 to the Committee for discussion, comments or motions. Representative King proposed an amendment that would clarify which types of coverings would be prohibited. Representative Ballard made a motion to adopt the amendment and favorably pass HB 2623, as amended. Representative Swanson seconded the motion and the motion carried.

There being no further business before the Committee, the meeting was adjourned.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-15-10

NAME	REPRESENTING
Bonnie Williams	USD #337
Cindy Hunter	USD #337
Steve Broxterman	USD #337
Anthony Dahl	USD #337
Lindsay Douglas	KDOT
Lori Church	KAPCIC

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-15-10

NAME	REPRESENTING
Terry Heidner	KDOT
Wendy Smith	RVMS
Jaylan Robinson	RVMS
Patrick Brundage	RVMS
Tom Whitaker	KMCA
Cindy Daley	RVMS
Nathan Mathis	Royal Valley Middle School
Sam Holzer	Polis
Alice M. Ameln	Johnson County Transit
Brenda Heiney	RVMS
Edward Kasper	Royal Valley Middle School
DAN MEYER	KHP
CAROL ALARIN	KDOR
MARY TOLBERT	KDOR
By Rocky Jewel	50th Dist -
Self Bo. Hoberg	State Form
Adria Carter	RVB
Martena Jordan	RV
Bill Waggon	Self
JUUS DUNCAN	KS public transit Assn.