

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 6, 2007 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Hank Avila, Kansas Legislative Research  
Bruce Kinzie, Revisor of Statutes Office  
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Representative Nile Dillmore  
Ray Thomas, Wichita, KS  
Chris Maurich, representing ABATE of KS  
Representative Ann Mah  
David Cromwell, EMS Operations Manager  
Marcy Ralston, Chief, Driver Control Bureau  
Carmen Alldritt, Director, Motor Vehicle Div.

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order and opened hearings.

### **HB 2195 - Regulating traffic, increasing penalties for certain right-of-way violations**

Chairman Hayzlett introduced Representative Nile Dillmore who made some introductory remarks, urged the Committee to pass **HB 2195**, then introduced Ray Thomas.

The Chairman welcomed Ray Thomas from Wichita, KS to the Committee. Mr. Thomas told the Committee about a friend of his, Kevin McVeigh, ([Attachment #1](#)) who was killed by a driver who received a fine of \$50 for the accident that killed his friend. Mr. Thomas told the Committee that over 60,000 right of way accidents have occurred in the last six years. He compared the 60,288 right-of-way violation accidents to the 17,585 DUI accidents. He said that a minor accident while drinking equals jail time while the penalty for a right-of-way fatality is not considered criminal because of lack of intent. According to Mr. Thomas this bill proposes increasing penalties based on the severity of the accident with enhanced penalties for repeat offenders. He said the long-term intent of this bill is prevention - not punishment and that it is modeled after MADD and DUI laws because he believes that awareness reduces accidents.

Chairman Hayzlett introduced Chris Maurich with ABATE of KS, Inc. Mr. Maurich stated that even though the motorcycling community has made efforts to mitigate right-of-way type crashes through enhancing motorcycle awareness via billboard, poster, media and other campaigns, the message to "watch for motorcycles" continues to be unheeded. According to Mr. Maurich ([Attachment #2](#)) the penalty for a right-of-way violator who dings a car is generally the same as the penalty for a right-of-way violator that sends a more vulnerable road user, such as a motorcyclist, to the hospital or grave; a misdemeanor or summary offense with a small fine from \$25 to \$100. He concluded by saying they feel that loss of life or physical dismemberment should receive more than a simple penalty for a traffic infraction.

Chairman Hayzlett drew the Committee's attention to written testimony submitted by Barbara Evanhoe of Towanda, KS supporting this bill. The Chairman also pointed out to the Committee approximately 1,000 letters the first proponent, Mr. Thomas, brought with him in support of **HB 2195**.

There were no additional proponents for **HB 2195**.

The Chairman recognized Marcy Ralston, Chief of the Driver Control Bureau, Division of Vehicles, Dept. of Revenue, who appeared not as an opponent but because of concerns about the technical difficulties in administering the law if this bill passes. According to Ms. Ralston, ([Attachment #3](#)) this bill would create a new suspension action Driver Control does not currently impose. She said while the suspension action itself

CONTINUATION SHEET

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is not difficult to administer, the volume of suspensions that could occur do cause concern. Ms. Ralston said Driver Control received approximately 12,800 convictions of this type in 2006, if even half of those convictions matched one of the three criteria for suspension action, it would be a definite increase, including manually adding the convictions to the driving record, issuing the suspension notices and customer inquiries. She concluded by saying that her purpose in appearing before the Committee was to advise them of the difficulties in administering the law and possible fiscal impact by needing to hire additional staff.

There being no additional parties to speak to this proposed bill, the Chairman closed the hearing on **HB 2195**.

Chairman Hayzlett opened the hearing on **HB 2119**.

**HB 2119 - Emergency medical service license plate.**

Chairman Hayzlett introduced Representative Ann Mah as the first proponent for **HB 2119**. According to Representative Mah, this bill provides for the introduction of a new distinctive license tag for Emergency Medical Services attendants (**Attachment #4**). She asked the Committee to support this bill in appreciation of the service that EMS providers have given to our state.

Chairman Hayzlett recognized David Cromwell, Operations Manager for the KS Board of Emergency Medical Services. Mr. Cromwell said Kansas is faced with a severe shortage of EMS personnel, rural Kansas communities especially were facing these issues as the numbers of volunteers dwindle. (**Attachment #5**) He said legislation like this bill would help to address the issue of recruitment and retention by demonstrating support and acknowledgment from the State.

Chairman Hayzlett drew the Committee's attention to written testimony from Con Olson, President of the NE Kansas Regional EMS Council, requesting support of **HB 2119**.

There were no other proponents for this bill.

Chairman Hayzlett recognized Carmen Alldritt, Director, Motor Vehicle Division, Dept. of Revenue who asked to bring her concerns to the Committee. Her concern is with allowing the registration of ambulances, as written in **HB 2119**. Director Alldritt said she had written to the Kansas Board of Emergency Medical Services and explained the problems her department encounters with registration of private and public vehicles. She said the problem was with ambulances, with some registrations being private and some public vehicles. Privately owned ambulances will pay annual registration fees of at least \$40.00, while publicly owned ambulances will pay a one time fee of \$6.00. This creates a special registration within a special registration type and will also cause law enforcement problems. Director Alldritt concluded by asking the Committee to consider their request to strike any references to ambulances, public or private, at this time.

There being no other proponent nor opponents to this bill, Chairman Hayzlett closed the hearing on **HB 2119**.

There was no other business to bring before the Committee so Chairman Hayzlett adjourned the meeting. The next meeting will be on February 7, 2007 at 1:30 p.m. in Room 519-S.