



April 6, 2007

## ***The GR Capitol Report***

Governmental Relations 573/522-9284

**PRIMARY SAFETY BELT BILL DEBATED IN THE HOUSE:** On April 4, during a late night session of the House of Representatives, debate began on HCS HB 90.

HCS HB 90, sponsored by Rep. Neal St. Onge (R-Ellisville), would require all drivers and passengers in cars or trucks to wear a seat belt. Exemptions are allowed for United States Postal Service employees while performing their duties, persons operating or riding a motor vehicle being used in agricultural work-related activities, and persons with a medical reason with documentation from a physician.

The substitute also clarifies existing language that allows a person to ride without a seat belt when there are more persons than there are seat belts. Currently, each driver and front-seat passenger of passenger cars and trucks with a licensed gross weight under 12,000 pounds must wear a seat belt, and a person cannot be stopped solely for a seat belt violation.

During his opening comments, Rep. St. Onge stated that 68 percent of the people killed in traffic accidents in 2005 were not wearing their seat belts. The representative went on to say that the state spends millions of dollars on safety improvements for the traveling public. "Seat belts save lives," St. Onge stated. "A primary enforcement law will save lives at no cost to the state."

During floor debate, Rep. Jeff Roorda (D-Barnhart) presented an amendment that would address some racial profiling concerns that have been raised during discussions of a primary safety belt law in years past. During floor discussion, Rep. Roorda fielded questions posed to him by (what he referred to as) members of the "Jackson Five" (Rep. Brian Yates, R-Lee's Summit; Rep. Will Kraus, R-Raytown; Rep. Gary Dusenberg, R-Blue Springs; and Rep. Leonard Hughes, D-Kansas City; and Rep. Bryan Pratt; R-Blue Springs (who did not participate in the debate of the amendment, but was at the Dias during the debate)) all raised questions and concerns about what a primary safety belt law could and couldn't do as it relates to racial profiling.

Following a lengthy debate from the members of the Jackson County delegation, Rep. Robin Wright Jones (D-St. Louis) got up on the floor to state that seat belts save lives. Rep. Jones said, "racial profiling is a separate issue, which should be addressed on its own merits. Racial profiling and a primary safety belt law should not be coupled together." Rep. Jones continued to say, "racial profiling is an issue that cannot be cured in this proposal and deserves full consideration in its own proposal."

Finally, after over two hours of debate on the first proposed amendment, House leadership laid the bill over for possible further debate at a later date.

**SENATE TRANSPORTATION COMMITTEE MEETS:** On April 4, the Senate Transportation Committee heard HB 732 sponsored by Rep. Mike Parsons (R-Bolivar). This bill will allow emergency personnel to be memorialized (i.e. signage) along a state highway or bridge much like law enforcement officers and state employees who are killed in the line of duty as passed into law by the general assembly in 2005. Rep. Parson's brother-in-law was an emergency worker who was killed in the line of duty two years ago. Rep. Parson believes that emergency personnel work in the same dangerous conditions along our roads as law enforcement and state employees and they should be honored similarly.

There was no public testimony presented on the bill.

The committee voted to approve the bill. The bill now goes to the Senate floor for debate.

The Committee also heard HB 155 sponsored by Rep. Gary Dusenberg (R-Blue Springs). This proposal would repeal the state's mandatory helmet law for motorcycle riders over the age of 21.

Testifying in support of this proposal because motorcycle riders should have the choice as to whether or not wear a helmet were: Sharon Williams, Freedom of the Roadriders; Adam Brown, an EMT and motorcycle rider; Tony Shepherd, ABATE Missouri President; Mark Adamick, motorcycle rider; and Cathy Gessling Clark, ABATE Kearney Chapter.

Testifying in opposition to the bill because helmets have proven to save the lives of motorcycle riders included: Leanna Depue, MoDOT Director of Highway Safety; Dale Findlay, Missouri Safety Council; Tom Holloway, Missouri State Medical Association; Mo McCullough, Eastern Missouri Psychiatric Society; Brent Evans, Missouri Hospital Association; Richard Brownlee, State Farm Insurance, Missouri Insurance Coalition, and American Family Insurance; Heath Clarkston, Property and Casualty Insurance Coalition.

The committee approved the bill by a vote of 8 in favor and 2 opposed. The bill now goes to the Senate floor for debate.

**SENATE HEARS PROPOSAL ON AVIATION:** The Senate Ways and Means Committee met April 2 to discuss SB 602, sponsored by Sen. Harry Kennedy (D-St. Louis). This proposal will remove any aviation fuel tax for transoceanic flights. The sponsor hopes that this proposal will encourage discussions to get an airline to have direct flights from Kansas City and/or St. Louis to overseas destinations.

The committee took no action on this proposal.

**HOUSE SPECIAL COMMITTEE ON URBAN ISSUES PASSES COMMERCIAL ZONE EXPANSION PROPOSAL:** On April 5, Sen. Engler (R-Farmington) presented SB 322 to the House Special Committee on Urban Issues. SB 322 expands the commercial zone in St. Louis to the 25 miles beyond the city limits.

During an executive session of the committee on that same day, the bill was amended which would expand the St. Louis commercial zone south down Hwy. 61 to include the Holcim Concrete Plant and expand the commercial zone in St. Joseph to allow out of state livestock trucks to operate in the commercial zone.

Testifying in favor of this proposal included Terry Briggs, SITE and Kent Gaines, Construction Employees Coalition.

Testifying in opposition were: Dan Althoff, a Jefferson County dump truck operator/owner; Dave Peters, President of the Missouri Dump Truckers Association; Ralph Roloff, dump truck operator/owner and Richard McIntosh, Executive Director of Missouri Dump Truckers Association. Those testifying in opposition expressed concerns about safety and allowing heavier trucks to operate with limited local weight restrictions.

The committee approved the bill and now goes to the House floor for additional debate.

**MHTC PROPOSALS ADVANCE IN THE HOUSE:** This week the House passed three Missouri Highways and Transportation Commission/MoDOT proposals.

On April 3, the House approved HB 596, sponsored by Rep. Neal St. Onge (R-Ellisville). This bill contains MHTC's annual bid bond proposal authorizing the Commission to accept an annual bid bond for its construction and maintenance projects.

On April 4, the House debated HB 744, sponsored by Rep. Neal St. Onge (R-Ellisville). HB 744 contains MHTC's Unified Carrier Registration proposal and Voiding of Outdoor Advertising Permits proposal. The bill was presented and debated as a federal mandate bill. Despite efforts on the floor to oppose the bill as a federal mandate, the bill was approved.

Both bills now go to the Senate for additional debate and review.

**MEMORIAL HIGHWAY NAMINGS RECEIVE HOUSE APPROVAL AND PASSAGE:**

On April 5, the House passed HB 56, sponsored by Rep. David Sater (R-Cassville). The bill related to designating a portion of Highway 112 from the intersection of Highway 76 south to the intersection of Highway AA as the "Deputy Christopher Lee Castetter Memorial Highway."

During the April 4 House floor debate, the bill was amended to include the following highway designations:

- A portion of State Route M between Old Lemay Ferry Road and Moss Hollow Road as the "Officer Stephen Strehl Memorial Highway";
- A portion of U.S. Highway 61/67 between Wolf Hollow Road and State Route M as the "1922 Sulphur Springs Rail Disaster Memorial Highway";
- A portion of highway 110 from U.S. Highway 21 as the "DeSoto Railroad Employees Memorial Highway";
- A portion of Interstate 44 from St. Louis City to the intersection of Kingshighway as the "Officer Michael Barwick Memorial Highway";
- The new Paseo River Bridge carrying Interstate 29/35 over the Missouri River as the "Christopher S. Bond Bridge"; and

- A portion of State Route 7 in Lee's Summit as the "Larry Stewart Secret Santa Memorial Highway."

A formal procedure was established and placed into law two years ago that required an application process for highway and bridge designations to be followed unless the designations were for fallen law enforcement officers, members of the armed forces killed in the line of duty, or state employees killed while serving the state. However, there is nothing in the law to prohibit going through the legislative process to name a segment of highway or a bridge.

The bill now goes to the Senate for additional debate and review.

**HOUSE TRANSPORTATION COMMITTEE:** The House Transportation Committee began holding hearings on Senate bills this past week. On April 3, the committee held a hearing on SB 200, sponsored by Sen. Bill Stouffer (R-Napton).

SB 200 authorizes the Missouri Highways and Transportation Commission (MHTC) to take the necessary steps to implement and administer a state plan to conform with the federal Unified Carrier Registration Act (UCR Act) of 2005. The UCR Act includes provisions to eliminate the Single State Registration System (SSRS) by January 2007 and replace it with the Unified Carrier Registration (UCR) Agreement.

Under the act, the MHTC may submit to the proper federal authorities, amend and carry out a state plan to qualify as a base-state and to participate in the UCR plan and administer the UCR Agreement. The Commission is authorized to administer the UCR registration of Missouri domiciled motor carriers, motor private carriers, brokers, freight forwarders, and leasing companies, and persons domiciled in non-participating states who have designated Missouri as their base-state under the UCR Act.

Under the act, every motor carrier, motor private carrier, broker, freight forwarder, and leasing company that has its principal place of business within Missouri, and every such person who has designated this state as the person's base-state under the provisions of the UCR Act, shall timely complete and file with the Commission all the forms required by the UCR agreement and the UCR implementing regulations, and shall pay the required UCR registration fees to the Commission.

Testifying in support of the bill was MoDOT's Motor Carrier Services Director Jan Skouby, advising the proposal, if passed, will allow Missouri carriers to elect Missouri instead of another state as their base state when registering and paying fees. Also testifying in support was Bob Wilson, Missouri Motor Carriers Association.

No one testified in opposition to the bill. No action was taken on the bill by the committee.

The committee also heard testimony on SB 395, sponsored by Sen. Ryan McKenna (D-Crystal City). SB 395 proposes to designate a portion of State Route M between Old Lemay Ferry Road and Moss Hollow Road in the City of Barnhart as the "Officer Stephen Strehl Memorial Highway."

Testifying in support of the bill was Rep. Jeff Roorda (D-Barnhart) who worked with Officer Strehl.

No one testified in opposition to the bill and the committee took no action on the proposal.

**LEGISLATIVE MATRIX:** Attached is Governmental Relations weekly update matrix, which shows some of the more important transportation bills that the department is tracking. If you should have any questions about these or any other pending legislative proposals, contact GR at 573.522.9284.

***UPCOMING TRANSPORTATION EVENTS:***

- May 18 – Last day of the 2007 legislative session