

MINUTES**SENATE COMMITTEE ON TRANSPORTATION, TECHNOLOGY, AND LEGISLATIVE AFFAIRS
HOUSE COMMITTEE ON PUBLIC TRANSPORTATION
MEETING JOINTLY****AUGUST 1, 2019**

The Senate Committee on Transportation, Technology, and Legislative Affairs met jointly with the House Committee on Public Transportation, at 2:30 p.m., Thursday, August 1, 2019, in Room 151 - State Capitol, Little Rock, Arkansas.

Committee members present: Representative Mike Holcomb, Chair; Senator Blake Johnson, Chair; Senators Lance Eads, Kim Hammer, Ricky Hill, and Bill Sample; Representatives Milton Nicks, Jr., Vice Chair; Harlan Breaux, Craig Christiansen, Cameron Cooper, Megan Godfrey, Steve Hollowell, Jasen Kelly, Ron McNair, Jay Richardson, Johnny Rye, and Carlton Wing. Non-members present: Senator Terry Rice, Representatives Bruce Cozart and Stu Smith.

Representative Holcomb called the meeting to order.

Motion Authorizing Chairs to Approve Expenditure for Special Expenses (Exhibit C)

Representative McNair made a motion to approve expenditures for special expenses incurred by the committees. Senator Sample seconded the motion and the motion carried.

Review of Rule Regarding Specifications Governing School Bus Design, Commission for Arkansas Public School Academic Facilities and Transportation (Exhibit D)

Ms. Jennifer Dedman, Attorney Supervisor; and Ms. Janet Clarke, Public School Program Coordinator; Division of Public School Academic Facilities and Transportation, Arkansas Department of Education, discussed the proposed rule governing school bus design. The rule was amended to reflect changes in the Federal Motor Vehicle Safety Standards and specifications of the National Congress on School Transportation. The current rule has been in effect since 2012.

Senator Johnson stated the proposed rule does not require all buses to be air brake equipped and asked if there was a specification hereafter that would require them. Ms. Dedman said the rule already allows for a hydraulic assist braking system and that air brakes are only required for buses with a maximum capacity of 65 passengers or above, or a gross vehicle weight rating of 26,001 pounds and above.

Senator Hill asked if air brakes will be required on all new buses from this point forward and if the state will lose federal funding if the proposed rule is not approved. Ms. Dedman reiterated that air brakes are only required for buses with a maximum capacity of 65 passengers or above, or a gross vehicle weight rating of 26,001 pounds and above. He also asked if there is any data showing how many accidents could have been prevented if buses had air brakes. She does not have information on funding at this point but will check and report back. She has also requested data on accident prevention from several data gathering groups but has not yet heard back from anyone.

Representative Cozart said he requested the proposed rule change be referred to this committee for further discussion during the Administrative Rules Subcommittee meeting. He feels there should be an option for rural schools that cannot afford to purchase new buses with air brakes. He questioned the price of upgrading buses to air brakes or downgrading to mechanical brakes. Ms. Dedman stated that older buses have been grandfathered in and there is no requirement to upgrade existing buses.

Senator Rice said it was his understanding that the numerous questions raised at the previous meeting would be addressed today. He asked Ms. Dedman to provide data on the cost associated for a new bus with air brakes versus a new bus with hydraulic brakes and any state or national data showing the number of accidents caused by a failure of hydraulic brakes. Senator Rice also expressed his concerns about unfunded mandates.

Senator Hammer asked Ms. Dedman if the proposed rule meets city codes. She replied that she is unaware of any codes preventing the use of air brakes. Upon further questioning by Senator Hammer, she said that older buses have been grandfathered in and there is no requirement to upgrade existing buses.

Representative Rye requested Ms. Dedman provide the additional cost in state funding if the proposed rule is approved.

Senator Hill made a motion to recommend the Administrative Rules Subcommittee not favorably review this rule. Representative Rye seconded the motion and the motion carried.

Representative Holcomb advised Ms. Dedman to submit the statistical information requested by members if the proposed rule is approved.

Consideration to Approve Minutes of the October 26, 2017, Meeting (Exhibit E)

Senator Sample made a motion to approve the Minutes from the October 26, 2017, meeting. Representative Nicks seconded the motion and the motion carried.

Consideration to Approve Minutes of the September 5, 2018, State Agency Rules Review Meeting, Pursuant to Act 781 of 2017 (Exhibit F)

Senator Eads a motion to approve the Minutes from the September 5, 2018, meeting. Without objection, the motion carried.

Consideration to Adopt Interim Study Proposals Exhibits G.1 – G.10

Senator Sample made a motion to adopt Interim Study Proposals G.1 – G.10. Without objection, the motion carried.

ISP 2019-023 - To Amend the Lighting Requirements for a Motor Vehicle Used as a Wrecker or Tow Vehicle - Representative DeAnn Vaught (Exhibit G.1)

ISP 2019-026 - To Require Verification of the Hours Worked on a Computer in Performing Work under Certain Contracts of a State Agency or a Political Subdivision - Senator Mathew Pitsch (Exhibit G.2)

ISP 2019-028 - To Regulate the Length of a Railroad Train Operated on a Main Line or Branch Line - Representative Jay Richardson (Exhibit G.3)

ISP 2019-030 - To Amend the Law Concerning Mandatory Seat Belt Use - Representative Jim Sorvillo (Exhibit G.4)

ISP 2019-031 - A Study to Determine Whether or not the Additional Motor Vehicle Registration Fees Imposed by Acts 2019, No. 416, on Electric Motor Vehicles and Hybrid Motor Vehicles are Reasonable in Relation to the Registration Fees Imposed on Similar Motor Vehicles in other States - Representative Tippi McCullough (Exhibit G.5)

ISP 2019-037 - Conduct a Study to Determine How to Alleviate Traffic Delays Caused by Railroad Trains Blocking Railroad Crossings - Senator Bill Sample (Exhibit G.6)

ISP 2019-052 - To Regulate the Length of a Railroad Train Operated on a Main Line or Branch Line; and to Declare an Emergency - Representative Jay Richardson (Exhibit G.7)

ISP 2019-096 - To Clarify the Law Concerning Distracted Driving; and to Make a Violation of the Distracted Driving Law a Secondary Offense - Senator Alan Clarke (Exhibit G.8)

ISP 2019-097 - To Authorize the Issuance of a Special License Plate for the Arkansas Forestry Commission - Senator Trent Garner (Exhibit G.9)

ISP 2019-098 - To Amend the Law Concerning the Issuance of a Driver's License to Certain Applicants - Senator Greg Leding (Exhibit G.10)

Highway Revenue & Highway Severance Turnback Reports, 2017 and 2018 (Exhibit H)

In accordance with Act 781 of 2017, the annual reports on highway severance turnback were received.

With no further business, the meeting adjourned at 3:00 p.m.