

Kentuckians for Better Transportation (KBT)
New Federal Legislative Policies 2011-2012
Adopted By KBT Board of Directors
September 16, 2011

Encourage Investment by Reducing Federal Corporate Tax Rate. Kentuckians for Better Transportation (KBT) encourages the members of the Kentucky Congressional Delegation of the 112th Congress to support a reduction in the federal U.S. corporate income tax rate, as a means of freeing up capital that can be reinvested into needed improvements in all modes of transportation. In the rail mode alone, it is estimated that \$200 billion in improvements will be needed by the year 2035.

SAFETEA-LU Reauthorization. - KBT supports increased funding in a multi-year reauthorization of at least six years to fully meet our nation's transportation needs. We would reluctantly accept a reauthorization shorter than the current six years, provided it includes current or increased funding levels. If less federal transportation funding is an inevitable fact, and the 112th Congress cannot enact a 6-year, fully-funded, comprehensive reauthorization of SAFETEA-LU, then KBT supports a shorter-term comprehensive reauthorization of SAFETEA-LU, which minimizes the reduction in federal transportation funding to Kentucky. KBT further urges the 112th Congress to immediately explore opportunities for increased transportation revenues for a fully-funded transportation program for subsequent reauthorizations.

Kentuckians for Better Transportation (KBT)
New Safety Legislative Policy Positions
Adopted by KBT Board of Directors
September 16, 2011

1. Seat Belt Enforcement. (Priority) KBT believes that enforcement of Kentucky's primary seat belt law can be strengthened by adding court costs to the current fine of \$25. While court costs vary by county, and there are three set Court cost amounts: \$130, \$131.50 or \$141.50. **KBT urges the 2012 Kentucky General Assembly to strengthen the penalty for not wearing seat belts. They are a proven lifesaver when worn properly.**

2. Child Booster Seat.(Priority) Motor vehicle crashes continue to be the number one cause of death for Kentucky children. Kentucky's current booster seat law, enacted in 2008, is KRS 189.125(3)(b). It states that children who are under the age of seven and between 40 inches and 50 inches in height shall be properly secured in a booster seat. **KBT urges the 2012 Kentucky General Assembly to amend the current statute, changing the age limit from seven years of age to eight years of age.**

3. Administrative License Revocation. (Priority) More than half of fatal crashes on Kentucky highways are alcohol- or drug-related. Revocation of drivers' licenses for alcohol and other drug test failure/refusal is an effective deterrent to DUI. Administrative license revocation provides for more efficient enforcement, and without long delays while awaiting a criminal trial. An offender would retain his/her driving privilege through a temporary permit, made part of the citation, issued at the time of the arrest. The offender would also retain the right of due process through an administrative appeal system. In the effort to remove impaired drivers from our highways, **KBT urges the 2012 Kentucky General Assembly to join with 41 other states and enact an administrative license revocation law.**

4. Motorcycle Helmets. (Priority) Motorcycles are only 2.8 percent of the total Kentucky registered vehicles and even a smaller percent of vehicle miles traveled (VMT) but they account for nearly 13 percent of fatal crashes. According to the National Transportation Safety Board (NTSB) studies, helmets are 37 percent effective in reducing motorcycle fatalities, and mandatory helmet laws result in near 100 percent usage. To reduce motorcycle deaths, serious injuries and healthcare costs, **Kentucky should join the 20 states that require all riders to wear helmets. Helmets should be mandatory for riders of two or three-wheel motor vehicles on public roads or right-of-way.**

5. Requirement of use of seat belts. (Priority) Kentucky's primary seat belt law requires that "every vehicle designed to carry ten (10) or fewer passengers" must be restrained with seat belts. ***KBT urges the 2012 Kentucky General Assembly to expand the definition of motor vehicle to include all passengers in every vehicle designed to carry fifteen (15) or fewer passengers.***

6. Ignition Interlock. Reliable ignition interlock technology has proven to be a successful way to improve safety systems within motor vehicles, and deter unlawful behavior (speeding and

DUI) by individuals. While 49 states have some form of ignition interlock laws, Kentucky's interlock ignition law (KRS 189A.340-410) provides a Judge with the discretion to determine whether an interlock system should be installed, upon conviction. In recent years, proposed changes to Kentucky's ignition interlock statute would increase the responsibility of the Kentucky Transportation Cabinet (KYTC) to secure funding and administrative support when ignition interlocks are ordered by Judges when a citizen can demonstrate that they are poor or indigent. **KBT believes this administrative responsibility should be borne by the Administrative Office of the Court (AOC), and not KYTC, because the action and the remedy has been Court ordered.**

7. School Bus Advertising. Due to severe reductions in all forms of revenue in recent years, some of Kentucky's school districts are considering full-color, display advertising on their school buses to generate new revenue for their school districts. While KBT has genuine sympathy for the financial plight of many of Kentucky's school districts, **KBT is opposed to the passage of enabling legislation which would allow school districts to have advertising on their school buses. The bright yellow color of a school bus is intended to warn motorists about the priceless cargo carried inside that school bus. While revenue is a crucial ingredient, safety must come first.**

8. Motorcycle licenses/permits. KRS 189.285 requires that all motorcycle riders operate with a valid motorcycle operator's license, and that holders of instructional permits for motorcycles not carry any additional passengers. Further, KRS 186.412 requires that all motorcycle riders under the age of 18 have valid instruction of at least 180 days. **Nevertheless, KBT is concerned that many motorcycle riders are operating their bikes with inadequate training and possibly without a valid license. KBT urges the 2012 Kentucky General Assembly to explore this issue to insure that Kentucky's motorcycle riders are properly licensed and adequately trained. KBT joins with the Kentucky Transportation Center at UK in urging the 2012 Kentucky General Assembly require that a motorcycle operating permit expire within one year, which would then require the rider to obtain full license endorsement.**

9. Instructional Drivers Use Magnetic Decals on Car. According to the National Highway Traffic Safety Administration (NHTSA), 20 states have enacted laws which require instructional drivers to place a magnetic decal on the front and back of their vehicle which states "instructional driver". **KBT supports this common-sense approach to warning motorists that a novice driver is nearby and allows the more experienced driver to avoid them. KBT urges the 2012 Kentucky General Assembly to enact this useful idea into law.**

Kentuckians for Better Transportation (KBT)

New State Modal Legislative Policies

Adopted by KBT Board of Directors

September 16, 2011

Restore Funding To Kentucky Aviation Economic Development Fund. KBT urges the 2012 Kentucky General Assembly to recognize the economic value that Kentucky's commercial and general aviation airports provide to the Commonwealth. **While additional new funding could create more jobs, it is critical that the practice of diverting funds from the Kentucky Aviation Economic Development Fund to the General Fund end no later than June 30, 2012.**

Multi-Modal Terminals & Facilities Foster Economic Growth. KBT supports necessary funding for Kentucky's multi-modal hubs, which include airports, rail access, surface transportation access and even waterways access, because they will foster economic growth and promote job creation in the Commonwealth, both now, and in years to come. **Funding is essential in the 2012-2014 Biennial Budget to keep projects moving forward.**

Public/Private Partnerships. KBT recommends that the Legislative Branch provide the Transportation Cabinet enabling legislation for the Executive Branch to promulgate regulations that allow the Transportation Cabinet to enter into agreements with private entities to finance, construct, improve, maintain and/or operate transportation facilities.

Design- Build. KBT recommends that the 2012 Kentucky General Assembly provide the Kentucky Transportation Cabinet (KYTC) with the statutory flexibility to participate in design-build projects, as some of our surrounding states currently have and use this authority. KBT believes that design-build authority is not a panacea, but rather a useful engineering and construction tool to expedite projects that should be available to KYTC, to be used when they deem it appropriate.

"Next Generation" Motor Vehicle Excise Fees. KBT recommends that the 2012 Kentucky General Assembly devise a fair and equitable way to levy the equivalent of a motor fuel excise fee on "next generation" vehicles which will be using Kentucky's street, road and highway network, but not be using gasoline or diesel as their chief source of fuel. Initially, KBT recommends that the General Assembly consider a simple flat fee be added to annual auto registration fees of these "next generation" vehicles in an attempt keep administrative costs and burden at a minimum.

"Special Tax Considerations for 'Next Generation' Vehicles. Some 18 states and the District of Columbia have enacted tax credits and sales tax exemptions for motor vehicles that do not use gasoline or diesel as their primary source of fuel. These states offer tax credits from \$1,500 up to 85% of the purchase price of the vehicle. Other states offer sales tax exemptions, annual registration fee discounts, as well as tax credits to taxpayers who install EV charging systems in their homes. Importantly, these state-based incentives are in addition to a federal \$7,500 tax

credit enacted by the U.S. Congress. **KBT believes that an equitable user fee system for these vehicles should be established, first, before special tax credits or sales tax exemptions are considered.**

Large and Small Public Transportation Systems. KBT will support legislation to create a dedicated revenue source to fund and maintain large and small public transportation systems in Kentucky. There's public transportation in all 120 counties in Kentucky, carrying citizens to work, to doctor's appointments, and to a college campus! **KBT urges the 2012 Kentucky General Assembly to enact legislation that provides public transportation with adequate funds to not just maintain service, but *expand services*, based on growing ridership and to meet federal grant matching stipulations.**

Commercial Watercraft Personal Property Tax Funds. Kentuckians for Better Transportation (KBT) urges the 2012 Kentucky General Assembly to enact legislation which would restrict the state portion of the Commercial Watercraft Personal Property funds, so that it may not be deposited into the General Fund. Further, KBT recommends that the funds remain within the Kentucky Transportation Cabinet, where they would be utilized to improve and benefit all waterways commerce within the Commonwealth. **In restricting these funds to the Kentucky Transportation Cabinet, KBT recommends that the Secretary make the final determination of how to best utilize these funds annually, after consulting with the Water Transportation Advisory Board.**