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To: House Committee on Transportation
Rep. Richard Proehl, Chair

From: Aaron M. Popelka, V.P. of Legal & Governmental Affairs, Kansas Livestock Association

Re: **SB 21 AN ACT concerning motor vehicles; relating to commercial vehicles; motor carriers; regulation.**

Date: March 10, 2015

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing over 5,000 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf and stocker production, cattle feeding, dairy production, grazing land management and diversified farming operations.

Thank you, Chairman Proehl and members of the Committee, my name is Aaron Popelka and I am with the Kansas Livestock Association (KLA). KLA appears to today as a proponent of SB 21.

Members of the Committee may recall that last year House Substitute for Senate Bill 273 was passed by the legislature and signed into law by Governor Sam Brownback. This legislation exempted medium class commercial vehicles, those with a gross vehicle weight rating between 10,000 and 26,000 pounds, that operate in intrastate commerce from most federal and state commercial vehicle regulations. There were some exceptions to the exemptions like mandatory vehicle inspections and load securement regulations.

This was good news to many KLA members who have part-time careers off the farm or ranch. While farm-related vehicles in this category are already exempt, those with part-time businesses off the farm soon found themselves subject to unnecessary and confusing commercial vehicle regulations and fines as a result of stepped up enforcement measures following the passage of the last federal transportation bill.

SB 273, however, contained a one-year sunset. As a result, the Kansas Corporation Commission (KCC) convened a taskforce last summer to develop a longer-term solution to this issue. It soon became apparent within the taskforce that for-hire motor carriers wanted to be regulated despite a year free from unnecessary regulations. While KLA members would generally question why an industry would want to be subject to unnecessary regulations, KLA agreed with the rest of the taskforce to allow for-hire carriers to be regulated if the private carriers remained exempt.

After KCC received a response from the Federal Motor Carrier Safety Administration confirming that federal law would allow such an approach without jeopardizing federal

highway funding, SB 21 was drafted. It subsequently passed the Senate 40 – 0. KLA believes this is an adequate compromise that allows part-time farm and ranch operators that operate occasionally as private motor carriers to avoid unnecessary regulation, but allow for-hire carriers to remain a regulated industry.

While KLA supports this compromise, we would ask the KCC to make available to private medium class commercial vehicle operators easy to understand guidance on how to comply with the load securement, coupling device, and vehicle inspection regulations.

Thank you for the opportunity to submit testimony. KLA asks that the Committee favorably pass SB 21.