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To: House Transportation Committee, Chairman Rich Proehl

From: Allie Devine on behalf of the US Custom Harvesters Inc.

Date: March 9, 2016

Re: SB 349 – Hazardous Materials Endorsement Exemption

Good morning Chairman Proehl and Members of the Committee, my name is Allie Devine. I am here representing the US Custom Harvesters, Inc.

Through the great work of Kansas Senator Pat Roberts, Congress last December passed “Fixing America’s Surface Transportation Act” (FAST Act) which included an amendment to federal law authorizing states to waive the requirement for a holder of a Class A commercial to obtain a hazardous materials endorsement for a CDL license holder employed in a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder. The exemption is limited to the operation of a service vehicle that is (A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and (B) clearly marked with a “flammable” or “combustible” placard, as appropriate. Today, we are asking for your support and passage of SB 349. This bill would amend Kansas law to implement the federally authorized exemption. The Kansas Senate passed the bill on a vote of 39-0.

Passage of this bill will save time and money for custom harvesters and their client farmers/landowners. Today’s combines carry up to 250 gallons of fuel. We typically “service” combines and tractors every morning by checking oil, tires, and refueling them. We then begin harvesting and operate 10-14 hours with limited stops. By allowing us to haul 1,000 gallons or less, we are able to fuel combines and tractors once a day. With this exemption, we can operate efficiently with fewer employees, equipment stops, and trips to and from fueling stations.

Kansas law (KSA 8-2,146) allows a similar exemption for *seasonal* commercial driver’s license holders. These seasonal licenses are valid for 180 days and may not be renewed within 12 months. While this exemption is helpful, custom harvesters need a longer term solution. Like other industries, custom harvesters have difficulty finding workers. Custom harvesters train many commercial drivers and lose them to other industries. This amendment will help us retain drivers.

Thank you for your time and consideration. I am happy to answer questions.