

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Thursday, January 22, 2015, 546-S of the Capitol.

All members were present except:

Senator Pat Pettey – Excused

Senator Jeff King – Excused

Senator Kay Wolf – Excused

Committee staff present:

Jill Shelley, Legislative Research Department

Whitney Howard, Legislative Research Department

Adam Siebers, Office of Revisor of Statutes

Carolyn Long, Kansas Legislative Committee Assistant

Scott Wells, Office of Revisor of Statutes

Conferees appearing before the Committee:

Mike Hoeme, Transportation Director, Kansas Corporation Commission

Tom Whitaker, Kansas Motor Carriers Association

Aaron Popelka, Kansas Livestock Association

Sean Miller, Kansas Building Industry

Others in attendance:

[See Attached List](#)

Possible bill introductions

The Chairperson opened the meeting by recognizing Representative Ron Ryckman, Sr., Vice Chair, House Transportation Committee.

There were no bill introductions.

Summary of proposed changes to CMV safety regulations and CMV economic regulation by Staff

Jill Shelley, Legislative Research, presented the committee with summaries of the proposed changes to CMV safety regulations and the proposed changes to CMB economic regulations included in **SB 21**. The summaries included a list of the regulations from which the private carriers 26k or less would be exempt, as well as a list of the safety regulations from which the bill would not exempt them. ([Attachment 1](#)) and ([Attachment 2](#)).

Hearing on SB21 — Regulation and safety requirements for private motor carriers.

The Chairperson opened the hearing on **SB 21** and introduced Adam Siebers, Assistant Revisor, who informed the committee that this bill would amend the Kansas Corporation Commission (KCC) operating authority and safety statutes for medium-class private motor carriers. The bill would define the term "domicile" as the principal place of business of a motor carrier, exempt private motor carriers with trucks of 26,000 pounds or less from most safety regulations, and clarify that private motor

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carriers would be required to comply with safety regulations on load securement, annual inspections, and coupling devices.

Mike Hoeme, Director of Transportation, KCC, thanked the task force members for their diligence and for providing feedback during the process of developing this legislation. Three of the KCC's safety regulations remain in place: load securement, annual inspections and coupling devices. The task force team added coupling device requirements based on incidents of trucks and trailers becoming detached. These exemptions do not apply to CMVs, regardless of weight, which are designed or used to transport 16 or more passengers, including the driver, or to intrastate public (for-hire) motor carriers of property or passengers, or to the transportation of hazardous materials ([Attachment 3](#)).

Tom Whitaker, Executive Director, Kansas Motor Carriers Association, commended Chairperson Petersen and the staff of the Kansas Corporation Commission for their work on the task force and voiced his Association's support of the bill ([Attachment 4](#)) .

Speaking in favor of the legislation, Aaron M. Popelka, V.P. of Legal and Governmental Affairs, Kansas Livestock Association, reminded the committee that exemptions existed for farm use; however, KLA original concerns emerged when farmers would use their vehicles for other commercial ventures ([Attachment 5](#)) .

Sean Miller, Kansas Building Industry Association, thanked the KCC, Kansas Highway Patrol, Department of Revenue, and all stakeholders that participated in the task force. He felt this proposed legislation is a well thought out approach to the issues faced during the past year ([Attachment 6](#)).

Written testimony in favor of the legislation was submitted by Terry Richardson, President, Kansas Association of Well Service Contractors, Inc. ([Attachment 7](#)).

Captain Chris Turner, Kansas Highway Patrol (KHP), was asked by Chairperson Petersen to address the safety regulations the KHP requested be in the bill regarding coupling devices. Captain Turner shared that there had been several accidents, including one fatality-involved accident, involving trailer separation as a result of an improper ball and trailer hitch, and as a result the KHP requested inclusion of these safety regulations in the proposed legislation.

There being no neutral testimony or opponents for this bill, the hearing was closed on **SB-21**.

The Chairperson thanked all those who presented and adjourned the meeting at 8:55 a.m.

The next meeting is scheduled for Tuesday, January 27, 2015.