

MINUTES OF THE House COMMITTEE ON TransportationThe meeting was called to order by Representative Rex Crowell at  
Chairperson1:30 ~~xxx~~ p.m. on January 18, 1984 in room 519-S of the Capitol.

All members were present except: Rep. Joe Knopp, Excused

## Committee staff present:

Hank Avila, Legislative Research Department  
Fred Carman, Office of the Revisor of Statutes  
Donna Mulligan, Committee Secretary

## Conferees appearing before the committee:

Senator Charlie Angell  
Senator Dan Thiessen  
Mr. Paul E. Fleener, Kansas Farm Bureau  
Mr. William M. Martin  
Miss Becky Crenshaw  
Mr. Mike Beam, Kansas Livestock Association  
Mr. Bill Edds, Kansas Department of Revenue  
Mary Turkington, Kansas Motor Carriers Association  
Representative David Heinemann  
Mr. Henry Stoudy

The first order of business was a hearing on SB-176 concerning registration of vehicles. Senator Angell briefed the committee, explaining the bill's content. Senator Angell referred to Page 5, Line 220 of SB-176 and stated he had heard no complaints about raising the farm pickup tag fee from \$15.00 to \$25.00 last session. Senator Angell pointed out the bill states any farm truck which is registered for 54,000 lbs. or above would have to have printed on the side of it "Farm Truck-Not for Hire".

Chairman Crowell mentioned he had heard varying opinions as to what the compromise had been in the Senate last year regarding what the registration fee should be for vehicles weighing 54,000 lbs. and above.

Senator Angell pointed out he feels the fee for the 54,000 lb. to 66,000 lb. category is too high, because the basic licensure is being raised for many farmers from \$62.00 to \$200.00.

Senator Thiessen was the next conferee and he pointed out that Kansas agriculture has changed tremendously and the transportation needs are different than they were. New markets have developed that are accessible to trucks, and many of the agriculture people like to make use of those markets. He added that since so many railroads have been abandoned there is a greater need to haul grain longer distances by truck, and many times grain has to be hauled on 10-wheelers that should be hauled in semitrailers. Therefore, he urged SB-176 be passed.

Mr. Paul E. Fleener, Director of Public Affairs Division of Kansas Farm Bureau, testified in support of SB-176. (See Attachment 1) He stated that his organization supports the standardized pickup truck fee.

Mr. William M. Martin was then introduced, and testified in favor of SB-176. (See Attachment 2) He stated that he couldn't understand why out-of-state truckers can buy a tag for a nominal fee and come to Kansas to buy his hay, and truck it out of the state. Mr. Martin pointed out that Kansas is a large hay producing state and farmers could market their hay much more effectively and bring more income into the state of Kansas if SB-176 were passed.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on January 18, 1984

Miss Becky Crenshaw, representing the Committee of Kansas Farm Organizations gave testimony in support of SB-176, saying it more accurately represents a fair user fee schedule.

Mr. Mike Beam of the Kansas Livestock Association testified in support of SB-176. (See Attachment 3) He indicated his organization feels it is time to update the farm tag schedule and that Kansas farmers and ranchers should be able to tag semi-truck tractor units as farm vehicles as outlined in SB-176.

Mr. Bill Edds of the Revenue Department testified that the bill may create some enforcement problems regarding truck-tractors weighing in excess of 42,000 lbs. Also, a County Treasurer might have difficulty ascertaining whether they can be correctly registered as farm truck tractors. Mr. Edds indicated SB-176 would have a positive fiscal note.

Ms. Mary Turkington of the Kansas Motor Carriers Association appeared as an opponent to SB-176 as currently written. (See Attachment 4) She testified that there must be a basic fairness in the registration fees paid by those who operate vehicles of comparable gross weight. Ms. Turkington explained that owners of farm vehicles in most cases, would operate their vehicles as much as those required to register and pay fees for operations of 6,000 miles or less. She requested fairness from the committee in dealing with the floor amendment which added an additional bracket for a fee of \$200.00.

Chairman Crowell opened the questioning by referring to Line 231 and 232 of SB-176, and asked if the original compromise was that anything above the 54,000 lbs. was to be \$500.00. Ms. Turkington indicated that was correct.

This ended the hearing on SB-176.

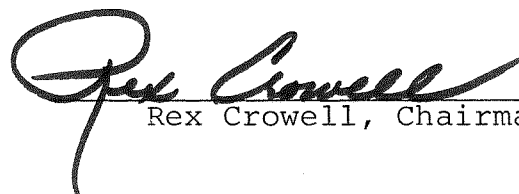
The next order of business was a hearing on HB-2587. Representative Dave Heinemann, sponsor of HB-2587, testified concerning disclosure of records of certain speeding convictions. The bill would still maintain closing of records within the Division of Vehicles.

Representative Heinemann explained that, as he understood it, the primary concern had been that the insurance companies were using these convictions for their rate making purposes for premiums, and the intent of the legislation last year was to make it clear that they could not use those types of speeding convictions for such purposes.

Mr. Henry Stoudy appeared in opposition to HB-2587, and stated he did not feel it is fair for a person with a speeding ticket in the category of 55-65 to receive the same insurance rate as a person having a clear record.

A discussion ensued between members of the Committee and Representative Heinemann as to the availability of driving records to the Public, and it was recommended by Chairman Crowell that someone from the Revenue Department check into the matter.

The meeting was adjourned at 3:00.

  
Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 1-18-84

PLEASE PRINT

| NAME              | ADDRESS             | COMPANY/ORGANIZATION        |
|-------------------|---------------------|-----------------------------|
| Ron Welch         | 717 KANSAS - Topeka | AAA Auto Club of KS         |
| Shelley Jones     | Topeka              | KLA                         |
| Ed Coulter        | Topeka              | Budget Div                  |
| RON CACHES        | TOPEKA              | KACI                        |
| William M. Martin | Glasco Ks           | Cloud Co. F. # Bureau       |
| Charles Bruner    | Yunabtown, Ks.      |                             |
| Paul E. Flegner   | Manhattan           | Ks. Farm Bureau             |
| Serald Wiley      | Dighton, Ks         | Ks Ass Wheat Growers        |
| Dan Thiessen      | Independence        | Senate                      |
| Wiz Delgado       | Topeka              | K.D.O.R.                    |
| Virginia Smith    | Topeka              | Dept of Rec.                |
| Leonard Cabell    | Topeka              | Dept of Rec.                |
| Bobby Croushaw    | "                   | Comm of Farm Orgs.          |
| Nike Beam         | "                   | Ks Livestock Assn.          |
| Mary T. ...       | "                   | Kansas Motor Carriers Assn. |
| Tom Whitaker      | "                   | Kansas Motor Carriers Assn. |
| CONRAD ODELL      | LYONS, KS           | BRANSON TRUCKLINE INC.      |
| Jeanne Temple     | Topeka              | Attorney General's Office   |
| BILL EADS         | "                   | DEPT. OF REVENUE            |
| ED DE SOIGNIE     | "                   | KDOT                        |
|                   |                     |                             |
|                   |                     |                             |
|                   |                     |                             |

STATEMENT TO THE  
HOUSE TRANSPORTATION COMMITTEE

RE: SB 176  
Motor Vehicle Registration Fees  
January 18, 1984  
Topeka, KS

by  
Paul E. Fleener, Director  
Public Affairs Division  
Kansas Farm Bureau

Mr. Chairman and members of the Committee:

We certainly appreciate the opportunity to make some brief comments in SUPPORT OF SB 176 as the measure before you relates to the registration fees for trucks and truck-tractors owned and operated by those engaged in farming.

The bill before you was the product of a great deal of work and a great deal of compromise in the 1983 Session of the Kansas Legislature. The bill, in fact, embodies two concepts that previously had been in separate bills. SB 230 was amended into SB 176. SB 230 related to the effort to standardize the registration fee for pickup trucks. We have supported, perhaps somewhat reluctantly at first, the standardized pickup truck fee. But three or four years ago when we were making a presentation to the Senate Transportation Committee we were asked rather pointedly if we could find some room to compromise with our urban friends, many of whom drive pickup trucks and felt there was some discrimination in their paying a \$27.50 registration fee when a farm tag cost \$15. As is always done in our organization the issues are studied by our farmers and ranchers and determined by voting delegates representing our membership at an annual meeting. Our delegates looked at the matter very pragmatically. One of them said: "Look, if we are ever going to get these higher weight limits that we need in our modern farming and ranching operations we should try to hear thoughts and recognize the views of those who are suggesting a standard pickup truck fee." And, following those comments, our delegates amended our policy position to

incorporate the call for both a standardized pickup truck fee and the larger truck weight limits and commensurate fees for those higher weight limits.

At the end of the 1983 Legislative Session you had a bill on a calendar just before you adjourned that related in some way to the motor vehicle registration fees and into that measure was amended the standardized pickup truck fee. Some of our people thought "there goes our bargaining ship."

In our present resolution our people are coming back to you suggesting that it would be appropriate and fair for the Legislature to now deal with the second half of the equation and grant, as the Senate Committee did last year and as the full Senate did in a vote of 37-1 the higher truck weights and registration fees.

The use of farm trucks has increased immeasurably over the years. We have come a long way in technology since the original farm tag statute was drafted. But the drafters must have recognized that on a "proportional use" basis, farm trucks are not on the road as much as commercial, over-the-road trucks. They consequently built a schedule for farm trucks that was in some way proportional to the amount of weight and the amount of mileage driven. That, really, is what our people are asking now for the upper weight limits, that for the limited use of some of the larger farm trucks there be a larger weight limit so that they can tag them properly, pay their fair share, and be about their business.

Last year when this bill was before the Senate Committee on Transportation one of our good members from Atchison County, Mr. Harvey Fasse, basically a grain farmer, told the Committee: "A high percentage of farm owned and operated large trucks are used relatively few days of the year and are driven relatively few miles." Mr. Fasse also told the Committee, "These units still need to pay their fair share of highway, county road and bridge construction, maintenance and repair costs. They do this by fuel tax, property tax and registration fees." Mr. Fasse did indicate that the \$500 registration fee in SB 176 "seems a little high compared to the amount of miles these trucks use the roadways. But, they all need to pay their fair and equitable share."

Mr. Chairman, and members of the Committee, our policy position remains the same on this issue. We support the legislation. Our delegates said this at our most recent (December 4-6, 1983) annual meeting:

*MOTOR VEHICLE REGISTRATION FEES*

*We strongly urge enactment of legislation to provide increased weight limits, with proportionally higher registration fees, for trucks or truck-tractors owned by a person engaged in farming and used by such owner to transport agricultural products or commodities. Having supported the 1983 legislation to provide for a standardized license fee for pickup trucks in the "12,000 pounds or less" category, we now ask the Legislature to enact the higher weight limit legislation for farm trucks.*

We sincerely ask for your support of this measure. Our members believe it is fair. There will be some who suggest that the fees are too high but in the spirit of compromise - because we've been arguing and discussing this issue for far too long with those who hold an opposing view. The measure before you is, in fact, a compromise proposal. It is a good measure to provide an equitable balance of revenues for the use - limited though it may be in many instances - of larger farm trucks and truck-tractors in the course of agricultural operations. We have not tried to surround you with farmers and ranchers who support this measure. We could have asked them to come to Topeka en masse. Instead, we appeal to your logic and to your sense of fairness.

Thank you very much for this opportunity to express our views in support of SB 176.

To: MEMBERS of HOUSE TRANSPORTATION COMMITTEE

SUBJECT: S.B. 176 FAVORABLE ACTION

I have come to ask you ladies and gentlemen to favorably consider the legislation presented to you in S.B. 176.

For many years KANSAS Truck TAG laws have provided for blanket Farm Tag Fee of \$62 for truck in a class of 42,000 lbs and over. However, this law prohibited the use of such a tag on semi-trailer type trucks.

This restriction has placed the Kansas Farmer at an unfair disadvantage to "Farmer/Truckers" in surrounding states especially MISSOURI, OKLAHOMA, and TEXAS. For years Hwy Buyer from these states have been able to secure "Farm Tags" for their semi-trailer trucks at a nominal fee in their home state by classifying themselves as farmers. Many are indeed farmers in their own right, but they not only commercially produce and truck their own hay for delivery in their own and other states, but buy and sell hay from other states, especially KANSAS.

Attachment 2



KANSAS is a MAJOR Alfalfa hay producing state as well as a MAJOR producer of grass hays such as Bromes and Prairie. Much of this production is exported. Many Kansas farmers are engaged in large commercial hay production operations. They feel that some of their profit potential has been limited. Current tagging laws have severely limited the feasibility of owning and operating semi-truckers to haul their own production. Unless the truck or Tractor-Trailer can be operated year-around the tagging fees are prohibitive. Most are engaged in ~~the~~ harvesting activities 4-5 months of the year or field operations for other crop production. The winter months are traditionally months when time is available for marketing and prices are highest.

Changing this tag law as indicated in S.B. 126 would not interfere with commercial trucking in the state of Kansas but would complement it by allowing farmers greater potential and marketing freedom and drawing more income into Kansas. It would allow commercial hay producers to establish their own price and not be at the mercy of out of state truckers who must maintain an adequate margin to insure a profit for themselves. A margin that has increased somewhat in recent years.



I urge you to favorably consider this  
legislation.

Thank you for your time!

William M. Martin

Facts:

1. KANSAS 1983 Hay Production 2.8 Million TON  
(24% decrease from 1982 due to weather)
2. Kansas average price /T for last 2 years \$76 /T  
at the farm



2044 Fillmore • Topeka, Kansas 66604 • Telephone: 913/232-9358  
Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

Statement of the  
KANSAS LIVESTOCK ASSOCIATION  
in support of  
SB 176  
to revise the current "Farm Registration Schedule"  
presented to the  
House Transportation Committee  
Representative Rex Crowell, Chairman

Presented by  
Mike Beam  
Executive Secretary, Cow-Calf/Stocker Division  
January 18, 1984

Mr. Chairman and members of the Committee, I am Mike Beam representing the 9,000 members of the Kansas Livestock Association. Not only are our members livestock producers, but many are diversified farmer/stockman who have an interest in updating the farm tag license fee schedule. We support SB 176.

Last year when this bill was introduced it was brought to my attention that similar legislation had been debated and considered for many years. We have in our files testimony that KLA staff presented on this topic in 1978. Each year during our transportation committee and legislative meeting our members express concern as to why the legislature had never increased the 42,000 limit since its inception around 1955.

Let's look at a few farm statistics from 1955 to 1982.

1955 - average farm 417 acres

1982 - average farm 638 acres

|          | Avg. Yield (1955) | Avg. Yield (1982) |
|----------|-------------------|-------------------|
| Wheat    | 15 bushels/acre   | 35 bushels/acre   |
| Milo     | 11.5 bushels/acre | 62 bushels/acre   |
| Corn     | 24 bushels/acre   | 114 bushels/acre  |
| Soybeans | 10 bushels/acre   | 26 bushels/acre   |

In 1955 Kansas farmers used tractors with approximately 40 horsepower. It is not uncommon today for tractors to be in excess of 175 horsepower.

The point is, Kansas farmers are operating larger farms with greater efficiency than in 1955 and a farm semi unit is a part of that increased efficiency.

Let's look at the options a Kansas farmer or rancher has if he wants to transport his own crops or livestock with his own truck that has a GVW in excess of 42,000 lbs.

- 1) Purchase a "local" tag or license. This limits the farmer to 6,000 miles/year or remain within a 25 mile radius of home.
- 2) Purchase a commercial tag.
- 3) Use a straight truck (single or tandem axle) with a pup trailer. Currently, a farmer may purchase a 24,000 lbs. and up tag for his straight truck for \$62 and trailer at \$25. Now, he can haul in excess of 24,000 lbs. for \$87.
- 4) Hire a commercial truck.

During the late stages of the 1983 legislative session the farm pick-up tag fee was increased to \$25 and the regular registration fee lowered from \$27.50 so that all pick-ups with a GVW less than 12,000 lbs. pay the same rate. I'd suggest that the farm pick-up schedule say 16,000 lbs. or less. This would solve the problem of the current 12,000-16,000 lb. registration fee category at the same price as 12,000 lbs. and under.

In summary, we feel it is past time to update the farm tag schedule. Kansas farmers and ranchers should be able to tag semi-truck tractor units at a \$500 level for their own use as outlined in this legislation. We urge your support of SB 176. Thank you.



STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

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Concerning Senate Bill 176 which would  
revise the "Farm" registration schedule.

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Presented to the House Transportation Committee,  
Rep. Rex Crowell, Chairman; Statehouse, Topeka,  
Wednesday, January 18, 1984.

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MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here this afternoon representing the 1,560 member-firms of the Association and the highway transportation industry.

The farm registration issue is one that has been before this Legislature on many occasions. Kansas did not have a "Farm" registration as such until 1955 when our Association recommended that such a special registration category be created.

The "Farm" schedule was designed to apply to the farm straight trucks that were operated at that time. The fees deliberately were set very low to apply to those farmer-owned and farmer-operated single-axle straight trucks.

Attachment 4



Obviously, equipment requirements for modern farming operations have changed. Farm vehicles now are much larger, operate more miles and are used differently than in 1955.

Many farm straight trucks are tandem-axle vehicles which lawfully can transport gross weights in the range of 44,000 to 48,000 lbs.

These same farm straight trucks now are operated in many instances with a trailer and the combination of those vehicles can transport from 64,000 to 84,000 pounds depending on the axle configuration of the combination unit.

In addition, many farmers choose to operate pickup trucks and "gooseneck" trailers in combination. The gross weight for this type of unit would vary of course with the size of the trailer and the axle configuration of the combination unit. Some of these units accommodate sizeable gross weights.

I believe it bears repeating that a tractor and semi-trailer combination unit cannot lawfully be registered under the "Farm" registration category if, in fact, its gross weight exceeds 42,000 lbs.

A farmer can register a tractor and semi-trailer unit and lawfully transport the gross weight its axle configuration permits such a unit to carry. The unit must be registered, however, either under the "Regular" schedule or under the "Local" or under the 6,000-Mile schedule -- whichever is applicable and lawful.



Our testimony presented to this Committee last session pointed out that all vehicles are to be registered under the "Regular" schedule unless such vehicles qualify for one of the three limited registration categories. Those limited categories are:

1. The "Local" registration fees for units which operate only within a 25-mile radius of the town where the vehicle is located.
2. The "6,000-Mile" registration available only to those low-mileage vehicles that operate 6,000 miles a year or less.
3. The "Farm" registration which applies to vehicles owned by a person engaged in farming and which vehicle is used by such owner to transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such farm vehicles.

If you will examine the vehicle registration figures included with this statement, you will note that the present registration fees for both the "Local" and for the "6,000-Mile" categories are approximately one-half of the fees required for the "Regular" category. The "Farm" registration fees are much lower although in many instances the gross weights transported are equal to those in the other registration brackets and surely most farm vehicles would operate at least 6,000 miles a year.



You also will note that, effective July 1, 1983, when the revised fees for all pickups were made uniform, a problem was created in the "Farm" registration schedule. The \$25 fee which applies to all pickups also still applies to the 12,001 to 16,000 lb. gross weight category. The next weight bracket from 16,001 to 20,000 lbs. presently has a nominal fee of only \$26. It would seem necessary to revise the fees for these "Farm" gross weight brackets to something more equitable and identifiable. County treasurers could more readily identify the gross weight bracket for which tags were being purchased if the duplicate fees are corrected. [We have some projections on possible options for these lower-weight fees based on current registration data.]

This Committee should be aware that a farmer could, under the present fee schedule, choose to register his pickup truck for that same \$25 fee in the 12,001 to 16,000 lb. gross weight bracket and exempt his vehicle from the "tax and tags" law. I would assume that no one intended for this kind of loophole to exist.

At some time the Legislature surely needs to address the entire question of the equity and fairness of the fee schedule for farm vehicles in comparison to the fees charged for other "limited" registration categories.

Senate Bill 176 proposes some changes.

Last year, the Kansas Motor Carriers Association, in consultation with Senator Charlie Angell, reached an agreement to remedy the "Farm" registration problems for vehicles with a gross weight of more than 54,000 lbs.



We did not suggest any change in the "Farm" fee schedule for those vehicles which would be registered for a gross weight of 54,000 lbs. or less as the 54,000 lbs. gross weight would cover the lawful gross weight any straight truck could carry on its own. We did not wish to disturb the registration fees for farm straight trucks!

We made a major concession on farm trucks to be registered for a gross weight of more than 54,000 lbs. We agreed that all farm vehicles registered for a gross weight of more than 54,000 lbs. would be charged a nominal registration fee of \$500. This fee would apply even for those farm vehicles registered for 80,000 lbs. and/or for the maximum 85,500 lbs. gross weight permitted under Kansas law.

Compared to the \$1,475 which the "Regular" vehicles pay and the \$775 which the "Local" and the "6,000-Mile" vehicle owners pay, the \$500 fee is more than fair.

Further, we requested and reached agreement for the enforcement language which was included on pages 5 and 6 of Senate Bill 176.

The Kansas Motor Carriers Association gave its word then and we will continue to support these provisions of Senate Bill 176.

We do not support the Senate floor amendment which was added (after our agreement was reached) to provide for an additional fee bracket for farm registrations from:

54,001 to not more than 66,000 lbs. for a fee of \$200



That floor amendment violates the agreement we sincerely believed had been reached. Further, the mere \$200 fee for this additional gross weight bracket invites evasion of the lawful registration of farm vehicles even with the nominal \$500 fee which was to govern the farm combination vehicles.

We respectfully call your attention to the chart of typical vehicle weight limits which we have included in your folder. We prepared this chart for use by the county treasurers to help them determine the axle configuration and the kind of vehicle truck owners were registering with the county treasurers.

The floor amendment would permit either a straight truck and pup trailer -- or a single-axle tractor and semitrailer to transport on the highways of Kansas up to 66,000 lbs. of gross weight for a \$200 bill.

Comparable "Local" and "6,000-Mile" vehicle owners now pay fees ranging from \$360 to \$440 for this same gross weight. Somewhere equity has to prevail!

When vehicles begin to haul gross weights of this size, the highway surely does not know the difference in vehicle ownership.

It would seem to our Association that either the floor amendment which added this gross weight bracket for an embarrassingly small fee should be deleted from the bill -- OR -- the fee should be increased substantially. Unless the fee is established near the \$400 figure, we believe the additional bracket invites evasion and further inequity in the farm fee schedule we gave our word to try to correct.



There must be basic fairness in the registration fees paid by those who operate vehicles of comparable gross weight.

Owners of farm vehicles, in almost all instances, would operate their vehicles as much as those required to register and pay fees for operations of 6,000 miles or less.

We intend to continue to work with the county treasurers to determine the kind and types of vehicles which are being operated on the highways of our state.

The Kansas Motor Carriers Association renews its support for the provisions of Senate Bill 176 for which we gave our word a year ago.

We are aware that some cleanup work needs to be done in the lower weight brackets to eliminate duplication and confusion of current fees.

We ask your fairness in dealing with the floor amendment which added an additional bracket for a fee that invites evasion and inequity even among farm vehicle owners.

We thank you for the opportunity to offer this testimony to the Committee today. I will be pleased to respond to any questions you may have.

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