

Approved 2/28/89 _____
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris _____ at
Chairperson

9:02 a.m./~~pm~~ on February 23, 1989 in room 254-E of the Capitol.

Members present:

Senators Morris, Doyen, Francisco, Hayden, Kanan, F. Kerr, Martin, Rock, Sallee and Vidricksen.

Committee staff present:

Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:

Mary Turkington, Kansas Motor Carriers Association
Alphonso Maxwell, KCC
Mike Grogan, KDOT
Terry Humphrey, Kansas Manufactured Housing Association

The Chairman appointed a sub-committee on S.B. 250. They are Sen. Doyen, Chairman, and members are Senators Francisco, Martin and Sallee.

Hearing on S.B. 238 - Motor carriers, K.C.C. plates, exemption.

Mary Turkington, Kansas Motor Carriers Association, said this bill addresses a credential requirement which imposes a burden on some interstate carriers with respect to the display of the external plate. They have researched this with the Corporation Commission and the Highway Patrol. A copy of her statement is attached. (Attachment 1).

Alphonso Maxwell, KCC, said they support this bill and it would have no effect on revenue received for KCC vehicle registration. A copy of his statement is attached. (Attachment 2).

A motion was made by Sen. Francisco to report S.B. 238 favorably for passage. Motion was seconded by Sen. Sallee. Motion carried.

Hearing on S.B. 255 - Regulating traffic; concerning the width and length of certain vehicles.

Mike Grogan, KDOT, said the Department had looked at all the rules and regulations and after several internal meetings they determined some technical amendments were necessary to conform to federal regulations.

Terry Humphrey, Kansas Manufactured Housing Association, said this bill was necessary because in moving a 16 wide manufactured home it was permitted by rules and regs but not by statutes. Also, the new power units being sold for manufactured home transport have a longer wheel base for greater maneuverability so the overall length would have to be changed from 95 feet to 97 feet. A copy of her statement is attached. (Attachment 3).

Ken Jackson and Steve Zimmerman, KDOT, answered questions from the committee in regard to the length of vehicles and permits for transport of these homes.

Mary Turkington, Kansas Motor Carriers Association, said they understand the need for this bill.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:02 a.m. ~~p.m.~~ on February 23, 19 89

It was brought to the attention of the committee that S.B. 245 deals with widths of combines and could be incorporated into this bill. The new combines exceed 12 feet and are now 14 feet and there is concern about hauling them. A conceptual motion was made to incorporate S.B. 245 into S.B. 255 so it would include the combines. Motion was seconded by Sen. Hayden. Motion carried.

A motion was made by Sen. Doyen to recommend S.B. 255 as amended, favorably for passage. Motion was seconded by Sen. Vidricksen. Motion carried.

Action on S.B. 123 - Citizen's Utility Ratepayer Board.

A motion was made by Sen. Martin to recommend S.B. 123 favorably for passage. Motion was seconded by Sen. Francisco.

Motion was withdrawn because there was an amendment which had been proposed which would enable CURB to take cases to district court. Sen. Martin made a conceptual motion to amend S.B. 123 so the consumer counsel may appeal orders of the State Corporation Commission through the courts. Motion was seconded by Sen. Francisco. Motion carried.

A motion was made by Sen. Martin to recommend S.B. 123 as amended, favorably for passage. Motion was seconded by Sen. Francisco.

There was some discussion on the bill and some felt further amendments were needed.

The motion failed. Senators Francisco, Martin and Kanan requested to be recorded as voting for the measure.

Meeting was adjourned at 9:50 a.m.

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Presented to the Senate Transportation
& Utilities Committee; Senator Bill Morris,
Chairman; Statehouse, Topeka, Thursday,
February 23, 1989.

Supporting S.B. 238 which eliminates the
requirement for certain interstate carriers
who also may have intrastate authority, from
displaying an external identification KCC tag.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary E. Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here this morning with Tom Whitaker, our Governmental Relations Director, representing our 1,550 member-firms and the highway transportation industry to express our strong support for Senate Bill 238.

This bill addresses a credential requirement which imposes a burden on some interstate carriers with respect to the display of the external KCC plate.

Currently, interstate carriers who operate in interstate commerce in Kansas and who have registered their authority with the Corporation Commission, registered their equipment with the KCC, paid their applicable regulatory fees to the Commission, complied with insurance and related safety requirements, and have been issued a proper cab card and "bingo stamp" credentials -- do not have to display external identification KCC plates on such interstate vehicles if proper identification is

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displayed on the side of the vehicle as required by the Interstate Commerce Commission.

All such interstate vehicles must have the name of the motor carrier and the ICC number on both sides of each such vehicle operated. We do not wish to disturb this statutory provision.

There are a number of such interstate carriers who also may have intrastate common and/or contract carrier authority, private carrier authority and/or an interstate exempt license with the Kansas Commission.

The proposed revision in the statutory language of K.S.A. 66-1,139 as proposed in Senate Bill 238 simply would eliminate the need for these kinds of interstate carriers to display the external KCC tag.

All carriers, subject to KCC regulation, would continue to be easily identified. The carrier either would qualify as a regulated interstate carrier and have the company name and ICC number on the sides of the vehicle -- OR -- the carrier would have intrastate authority only and would display the external KCC plate.

KCC revenue would not be affected. All carriers would continue to register their power equipment with the Commission, pay the annual \$10 regulatory fee per power unit and be subject to the rules and regulations of the Commission.

Enforcement and compliance would not be jeopardized.

We have researched this proposed change with the Corporation Commission and with the Kansas Highway Patrol.

Interstate carriers will be pleased to eliminate the problem of attaching the KCC plate. The Commission estimates that approximately one-third of the current number of plates would not have to be issued with a cost saving to the Commission. Effective date would be Jan. 1, 1990.

The Kansas Motor Carriers Association strongly supports this proposal. We ask that you recommend this bill for passage. We will be pleased to respond to any questions you may have.

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STATEMENT
BY THE
KANSAS CORPORATION COMMISSION

In support of Senate Bill No. 238 which amends K.S.A. 66-1,139 to eliminate the issuance of tags to motor carriers who have interstate authority issued by the ICC registered with the Commission, who also have intrastate common or contract authority, private carrier authority or interstate exempt license issued by the Commission.

Presented to the Senate Transportation and Utilities Committee, Senator Bill Morris, Chairman; Statehouse, Topeka, February 23, 1989.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Alfonzo A. Maxwell, Transportation Division Administrator for the Kansas Corporation Commission (KCC). I am here today representing the KCC in support of Senate Bill No. 238.

I would like to thank the Committee for this opportunity to testify today.

It is the Commission's understanding that Senate Bill No. 238 amends K.S.A. 66-1,139 to eliminate the Commission's issuance of tags to motor carriers who have interstate authority issued by the Interstate Commerce Commission (ICC) registered with the Commission, who also have intrastate common or contract authority, private carrier authority or interstate exempt license issued by the Commission.

This bill, if adopted, would have no affect on the revenue received for KCC vehicle registration. The \$10.00 annual regulatory fee would still be in effect under K.S.A. 66-1,139 and the Commission would still issue those affected carriers a cab card identifying their authority and current vehicle registration (see attached cab card).

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There would, however, be a savings on Commission expenditures since fewer tags would be issued. Of the total 98,223 KCC plates assigned in 1988, 31,403 were assigned to ICC regulated carriers also holding KCC authority. The Commission estimates that approximately \$39,000 in savings would be realized (\$28,577 purchase price for 31,403 tags and \$10,500 in associated mailing costs) as a result of not issuing tags to those motor carriers affected by Senate Bill No. 238.

Again the Commission supports passage of Senate Bill No. 238. I would be happy to answer any questions you may have.

STATE CORPORATION COMMISSION of KANSAS

AUTHORIZES

PRICE TRUCK LINE, INC.

3221 SOUTHWEST ST WICHITA KS 67217

EXAMPLE - Void

TO OPERATE THE FOLLOWING DESCRIBED VEHICLE FROM JANUARY 1, 1989 TO DECEMBER 31, 1989 UNDER THE PROVISIONS OF THE LAWS OF KANSAS, KSA 66-1, 108 ET SEQ. SUBJECT TO SUSPENSION AND CANCELLATION.

| MAKE | YEAR | VEHICLE - ID | BLUE TAG | WHITE TAG | RED TAG | GREEN TAG |
|------|------|--------------|----------|-----------|---------|-----------|
| FORD | 77 | K90UVX36925 | 23474 | | | |

AUTHORITY - TYPE = ICC-C ICC-R KAN-C
MC - ID = 100007

SCC / T008
(REV. 3/86)

EXAMPLE - Void

STATE CORPORATION COMMISSION

Janith McConnell
SECRETARY

PITTSBURG, KS. 66762

KANSAS MANUFACTURED HOUSING ASSOCIATION

TESTIMONY BEFORE THE

SENATE

TRANSPORTATION COMMITTEE

TO: Senator Bill Morris, Chairman and Members of the
Committee

FROM: Terry Humphrey, Executive Director
Kansas Manufactured Housing Association

DATE: February 23, 1989

Mr. Chairman and members of the Committee, I am Terry Humphrey, Executive Director of the Kansas Manufactured Housing Association (KMHA), a trade association representing all facets of the manufactured housing industry.

Today I come before you in support of Senate Bill 255, which deals with width and length of certain vehicles. Specifically, there are two provisions in SB 255 that are very important to the manufactured housing industry. The first provision allows for the overall length of a truck-tractor towing a manufactured home to go from 95 feet to 97 feet. According to manufactured home transporters the 2 feet increase is necessary because the new power units being sold for manufactured home transport have a longer wheel base for greater maneuverability.

Presently when a transporter is towing the largest home which is 80 feet the power unit can not exceed 15 feet. However, the new power units range from 15 feet 6 inches to 17 feet.

Several months ago I approached the Department of Transportation with this proposal and after lengthy discussions and a review of other states requirements the DOT agreed that this was an acceptable change.

The second provision in SB 255 deals with 16 wide movement of manufactured homes. Since 1983, 16 wide movement has been permitted by rule and regulation by the Secretary of Transportation. However, after reviewing this regulation with the DOT, it was determined that a statutory reference to 16 wide movement was needed in Section 2 (g) Item 1 and we support that proposal.

In closing, I would like to remind the committee that all manufactured homes are moved by special permit over routes approved by the DOT and the proposed changes will not effect that. Also, it is our belief that allowing for a longer power unit will be a safety benefit to all highway users. Therefore, I respectfully request your support of SB 255. Thank you.

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OTHER STATES REQUIREMENTS

| <u>State</u> | <u>Combination Length</u> |
|--------------|---------------------------|
| Kansas | 95 feet |
| Nebraska | 95 feet |
| South Dakota | No regulation |
| Oklahoma | No regulation |
| Missouri | 95 feet |
| Colorado | No regulations |
| Texas | 100 feet |
| Arkansas | No regulation |
| Iowa | 95 feet |
| Arizona | 120 feet |