

Approved 4-28-90
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

3:15 ~~xxx~~ p.m. on March 19, 1990 in room 519-S of the Capitol.

All members were present except:

Representatives Gross and Dean, excused.

Committee staff present:

Conferees appearing before the committee:

Senator Sheila Frahm
Mr. Jim Deibert, Colby, Kansas
Mr. Steve Berry, Lenora, Kansas

The meeting was called to order by Chairman Crowell, and the first order of business was a hearing on SB-573 providing harvest permits for motor vehicles.

Senator Sheila Frahm, sponsor of SB-573, briefed the Committee on the contents of the bill. (See Attachment 1)

Mr. Jim Deibert, Colby, Kansas, testified in support of SB-573. (See Attachment 2)

Mr. Steve Berry, Lenora, Kansas, testified in support of SB-573. (See Attachment 3)

Chairman Crowell appointed a subcommittee consisting of Representative Roenbaugh, Chairman, and Representatives Guldner and Fry, to further study SB-573.

The meeting was adjourned at 3:30 p.m.


Rex Crowell, Chairman



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRPERSON: JOINT COMMITTEE ON ADMINISTRATIVE
RULES AND REGULATIONS
VICE CHAIRPERSON: EDUCATION
MEMBER: AGRICULTURE
ASSESSMENT AND TAXATION
ENERGY AND NATURAL RESOURCES
LOCAL GOVERNMENT

SHEILA FRAHM

DISTRICT 40

CHEYENNE, DECATUR, GOVE, GRAHAM,
LOGAN, RAWLINS, SCOTT, SHERIDAN,
SHERMAN, THOMAS, WALLACE, WICHITA
COUNTIES

985 S. RANGE

COLBY, KANSAS 67701

(913) 462-6948—HOME

HOUSE TRANSPORTATION COMMITTEE

March 19, 1990

SB 573

Thank you, Mr. Chairman and members of the House Transportation Committee. I appreciate the opportunity to provide an introduction for SB 573. SB 573 was introduced at the request of the Kansas Custom Combine Crews and the Division of Vehicles of the Department of Revenue. Its original intent was simply to provide statutory authority for the Department of Revenue to continue a process of issuing harvest permits for the annual wheat and fall harvest. These permits were available for purchase prior to the harvest season. The procedure simplified the process for both the custom harvesters and the department.

A thorough review of the situation and a pending change in Federal regulations effective January 1991 necessitated the amendments made in this bill by the Senate Transportation Committee. The amended bill that is before you reflects the joint wisdom and agreement (and many hours of work) of the Kansas Motor Carriers Association, U.S. Custom Harvesters, Inc. and the Department of Revenue-Division of Motor Vehicles.

New Section I of the bill will allow custom harvesting activity for this harvest season. New Section 2 of the bill addresses farm custom harvesting operations on and after January 1, 1991, for Kansas registered vehicles. Section 3 is for out-of-state registered crews after January 1, 1991.

The bill provides a definition of "farm custom harvesting operations", (beginning on page 1, line 37), and provides a tab or marker to be issued and displayed in connection with the regular license plate for a truck or truck tractor registered as a farm custom harvesting truck.

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Mr. Chairman, we do encourage favorable passage of SB 573. Provisions are made for both the current year and after January, 1991, for our own Kansas crews and out-of-state registered licensed trucks. We believe that our neighboring wheat producing states hope to introduce similar model legislation in their state legislatures. This legislation will assist Kansas and out-of-state custom harvest crews as they move through our state to assist with wheat and fall harvest.

Joining me today are representatives of our Kansas "farm custom harvesting operations": Jim Deibert, newly installed President of the U. S. Custom Harvesters, Inc. (a growing--now 500 member strong--organization representing agriculture states); Rick Farris, former Kansas director; and Steve Berry, the Kansas director to U.S. Custom Harvesters. Al Gerstner, Administrator in the Motor Carrier Service Bureau, a part of the Division of Vehicles in the Department of Revenue is available this morning to provide technical explanation if needed.

THANK YOU

IN SUPPORT OF SB 573

Good afternoon, my name is Jim Deibert from Colby, Kansas. I have been a custom harvester since 1969.

Permits to harvest in each state are sometime hard to obtain. If you enter the state where there is no port of entry, (of which there is only 3 from SW Kansas to Wichita), and there are no motor carrier inspection people waiting for you have two choices.

You can use the Transceiver System which often doubles the price of the permits and is also not avialable in every town where you enter the state. Or you can go to the county treasurer and obtain permits. They don't issue the fuel permits and are often times out of permits because they never know how many they will need. Also if you come into the state ater 4:00 p.m. or on a weekend you can't obtain a permit from them. If you are caught without permits because you could not find a place to sell them to you the fines are heavy.

The system we propose in SB 573 is a mail-in system which cutters can obtain their Kansas Harvest Permits before they go to Texas. This system works very well not only in Kansas but has been taken as a model to use in other states such as South Dakota, Montana, and North Dakota.

This system saves a lot time. In our business if the permits are easier to get, we can spend our time harvesting rather than running up and down the road. More cutters will buy them rather than take the chance of running without them.

The second part of this bill has to do with a system of license plates for custom harvesters that will be issued in January of 1991. This part of the bill is needed because of the Federal Motor Carrier Safety Standards that were adopted by Kansas last year. It now defines a farm registered vehicle as one that does not go over 150 miles from the farm.

With the help of the Kansas Motor Carriers Asso., we have developed this bill which allows the custom harvester to comply with the federal guidelines.

The tag system we are using now is to buy a farm tag and then purchase harvest permits. The bill we propose will allow the Kansas custom harvester to buy his tag and have interstate movement.

It should make it easier for county treasurer's offices to sell us the tag we really need. These tags are going to cost us more money however without having to buy three harvest permits a year it will eliminate some paper work for the state. Also with the need to comply with the federal guidelines, we feel this bill is a must. The bill clearly defines a farm custom harvester and therefore eliminates the argument of farm or commercial. It also gives us a niche in the system.

Due to the nature of our work, we are on the road 6 months out of the year. Our trucks average less than 15,000 miles per year of which half of those miles are off pavement.

Testimony in favor of SB 573

By Steven L. Berry, Lenora, Kansas

Good afternoon my name is Steve Berry. I farm and ranch near my home in Lenora, Kansas. I also own and operate a custom harvesting business which was started by my father over forty years ago.

I would like to express my support for Senate Bill 573. This bill allows custom harvesters who are not properly tagged to legally operate their vehicles in Kansas this year by purchasing the proper temporary registration. Next year both in state and out of state registered vehicles that are not properly tagged will again be able to purchase temporary registration. Kansas registered vehicles will have an alternate choice, the Farm Custom Harvest Tag. The harvester that purchases the special tag will be able to proportion the tag fee to the states in which the vehicle is operated. Simplifying the permitting process and allowing harvesters to phone in and order their permits will lead to better compliance.

Harvesters who are true professionals want to be in compliance with every states laws. The fear of the unknown and the clouded red tape of the bureaucracies leave many with a frustrated attitude that leads to an uneasy, unsafe and disorganized harvest. I do not believe that this is the intent of our legislative bodies nor do I believe that this is a good example to set for our harvest employees.