

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 March 21, 1990 in room 254-E of the Capitol.

~~All members were present except~~ Members present:
Senators Morris, Doyen, Francisco, Hayden, Kanan, F. Kerr, Martin, Sallee,
Thiessen and Vidricksen.

Committee staff present:

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

Conferees appearing before the committee:

Horace Edwards, Secretary, Department of Transportation
Pat Hubbell, Kansas Railroad Association
Don Lindsey, United Transportation Union
Mary Turkington, Kansas Motor Carriers Association
Warren Hoemann, Yellow Freight System of Overland Park
Robert B. Fenner - Sherman County Commission
Jack E. Dinger, Mayor, Baxter Springs
Oscar Becker, Mulvane
Rex Peck, Salina
Mark Wettig, Department of Revenue

Hearing and Action on H.B. 2959 - Prohibiting special permits for triple
trailers.

Secretary Edwards appeared before the Committee and made a statement regarding some perceptions which he felt should be corrected concerning his role on this subject. A copy of his statement is attached. (Attachment 1).

The Chairman said an amendment had been agreed upon between the Trucking Industry and the Railroad Association. A copy of the proposed amendment was distributed. (Attachment 2). This would allow triples to operate on U.S. highway 69 alternate between a motor-freight truck terminal located at the city of Baxter Springs and the Kansas-Oklahoma line; and interstate highway 70 between a motor-freight truck terminal located within a five-mile radius of such interstate at the city of Goodland and the Kansas-Colorado line.

Bruce Kinzie reviewed the balloon copy of H.B. 2959 with the committee.

Pat Hubbell said a compromise had been worked out and this bill was acceptable. A copy of his statement is attached. (Attachment 3).

Don Lindsey distributed material which expressed their support for H.B. 2959. A copy of his material is attached. (Attachment 4).

Les Frazier said this bill would have a major impact on the City of Goodland. Yellow Freight is one of their big industries. If they were to lose it the economic impact would be devastating. They support passage of the bill with the proposed amendment.

Mary Turkington said they support the proposed compromise. She said the subject would be revisited in 1991 because they feel the triple trailers are necessary in order to remain competitive. A copy of her statement is attached. (Attachment 5).

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E Statehouse, at 9:02 a.m./~~p.m.~~ on March 21, 1990

Warren Hoemann spoke of his support for triple trailers and said the Topeka Teamsters were neutral on the issue and the Baxter Springs Teamsters are in favor of triple trailers. A copy of his statement is attached. (Attachment 6).

Robert B. Fenner submitted a Resolution from Sherman County endorsing the use of triple trailers. A copy of this Resolution dated March 19, 1990 is attached. (Attachment 7).

Jack Dinger spoke of the importance of having Yellow Freight in Baxter Springs. He spoke in favor of the proposed amendment. A copy of his statement is attached. (Attachment 8).

Opponents

Oscar Becker spoke in opposition to the proposed amendment. He said this was just "a foot in the door" and he did not believe triples were safe and he said jobs would be lost. A copy of his statement is attached. (Attachment 9).

Rex Peck said he has been a truck driver for 37 years and spoke of the problems he had in driving triples. He is opposed to them. A copy of his statement is attached. (Attachment 10).

A motion was made by Sen. Doyen to adopt the proposed amendment to H.B. 2959. Motion was seconded by Sen. Vidricksen. Motion carried.

A motion was made by Sen. Vidricksen to recommend H.B. 2959 as amended favorably for passage. Motion was seconded by Sen. Doyen. Motion carried. Sen. Doyen will carry the bill on the floor of

Hearing on H.B. 2658 - Motor vehicles, suspension or revocation of drivers' license.

Mark Wettig said this bill would make technical corrections to allow a blood or breath test taken outside of a two-hour period to be used as evidence in DUI cases. The time might be two hours and 10 minutes. A copy of his statement is attached. (Attachment 11).

Several members wanted to talk to judges before taking any action on this bill.

Meeting was adjourned at 10:00 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-21-90 Place 254-E Time 9:02

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Tom Whitaker

Topeka

Ks. Motor Carriers Assn

MARY E. TURKINGTON

Topeka

Ks Motor Carriers Assn

Warren Hoemann

Overland Park

Yellow Freight System

PAUL W. MATTHEWS

OKLA CITY, OK

HIGHWAY USERS
FEDERATION

DONALD LISKA

TOPEKA

CHURCHILL TRUCK LINES

TED STEPHENS

LENEXA

U.P.S.

Mike Kelley

Overland Park

Yellow Freight System

JACK E. DINGER

BAXTER SPGS

MAYOR

Carl Hill

Topeka

Ks Motor Carriers Assn.

DEAN DERRYBERAY

BAXTER SPGS

YELLOW FRT SYS

Wade BARNETT

Goodland

CITY COMM.

Tim Rath

Goodland

Chamber

Ron Harding

Goodland

Chamber of Commerce

R B Jensen

Goodland

Chairman Sh Co Com

Lesko Frayser

Goodland

Mayor

Tom Mummy

Topeka

KDOT

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-21-90 Place 254-E Time _____

GUEST LIST

NAME	ADDRESS	ORGANIZATION
John Jay Bowen	Topeka	KDOT
John A. Dickinson	Topeka	KDOT
Justin Peck	Salina	
Pam Somerville	Topeka	KDOT
Horace Edwards	TOPEKA	KDOT
John C. Bottenberg	TOPEKA	KS RAILROAD ASSOC
Pat Hubbell	Topeka	Kansas Railroad Assoc.
Heroy Jones	Osawatomie	BLE
Don Lindsey	OSAWATOMIE	UTU
Anne Hesse	Topeka	KDOT
GARY GRIPPINGS	TOPEKA	KDOT
REX PECK	SALINA KS	ANR
J. M. LAVIELLE	WICHITA KS	ANR
OSCAR E. BECKER	MULVANE KS.	ANR.
EDGENE WAREHIME	WICHITA KS	A & R

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-21-90 Place 254-E Time _____

GUEST LIST

NAME ADDRESS ORGANIZATION

Stephen C. Zimmerman	Topeka	KDOT
HORACE B. EDWARDS	TOPEKA	KDOT

KANSAS DEPARTMENT OF TRANSPORTATION

*Docking State Office Building
Topeka 66612-1568
(913) 296-3566*

Horace B. Edwards
Secretary of Transportation

Mike Hayden
Governor of Kansas

**STATEMENT TO THE SENATE TRANSPORTATION COMMITTEE
BY KDOT SECRETARY HORACE B. EDWARDS
March 21, 1990**

Thank you, Mr. Chairman, for this opportunity to appear before your Committee regarding House Bill 2959.

The principle protagonists over triples, the trucker folks, and the railway folks, have agreed to a compromise as a basis for an armistice, and indications are that the legislature will ratify their compromise agreement and enact it into law. This appears to be a good resolution to the issue and I am pleased.

However, I am concerned that through this debate, some have perceived that I appeared to have:

1. Tried to sneak a rule through, favorable to truckers, without the knowledge of the legislature and the people;
2. Attempted to usurp the powers and prerogatives of the Kansas legislature; and,
3. Failed to either provide information to or appear before the House Transportation Committee at the Chairman's request.

These perceptions are wrong, and today, I would like to correct that record.

Mr. Chairman, and Committee members, you deserve to know why I care. . . Why in this case, is the Secretary of the Kansas Department of Transportation, unwilling to permit false impressions to remain uncorrected.

Well, the consequences of leaving false impressions uncorrected are too severe. . . when the Secretary of Transportation is perceived as acting collusively with trucking interest to the detriment of rail or any other transportation mode, then:

1. KDOT and it's Secretary will appear to be less trustworthy by the legislature, some of the considerable improvement in the agency may be undone and future growth made more difficult;
2. My ability to work cooperatively with the legislature to advance the Comprehensive Highway Program will be lessened;
3. My attempts to help preserve and improve rail service with Kansas may be seriously undermined; and,

4. My ability to advance the interest of Kansas through my leadership of state rail officials as their national chairman will be diminished.

The simple truth regarding triples before the introduction of HB 2959 is:

1. Kansas business people, representing Kansas trucking interest requested the KDOT Secretary to exercise his clear, existing authority to grant special highway use permits under KSA 8-1911. The agency determined that other states had used regulatory authority in regard to triple trailers.

2. My understanding of the intent of that request was that it was for a limited period pilot program on divided 4-lane highways and with other selected access provisions.

3. To insure that an informed decision either yes or no was made to that request, I announced a schedule for public hearings in the Kansas Register in accordance with state law. This, as I stated in my press release, was to lift the question up for scrutiny so that all of the relevant issues could be revealed and examined.

In terms of my not appearing before the House Transportation Committee, I did not perceive that my failure to personally appear before the Committee would be viewed as an affront. If I had, I would have altered my schedule. I regret this misunderstanding.

The rest, Mr. Chairman, and members, is now history. . . a part of which I hope this statement corrects.

Thank you. I'll be happy to respond to questions.

HOUSE BILL No. 2959

By Committee on Transportation

2-8

relating to motor vehicles; concerning permits for oversize and overweight vehicles; providing for a special vehicle combination permit; concerning multi-state special permit fees

AN ACT ~~prohibiting the issuance of special permits by the secretary of transportation for certain vehicle combinations;~~ amending K.S.A. 1989 Supp. 8-1911 and repealing the existing ~~section~~.

sections

8-1904 and

Be it enacted by the Legislature of the State of Kansas:

Attachment I

~~Section F~~ K.S.A. 1989 Supp. 8-1911 is hereby amended to read as follows: 8-1911. (a) The secretary of transportation with respect to highways under the secretary's jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application in writing and good cause being shown therefor, may issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this act or otherwise not in conformity with the provisions of this act upon any highway under the jurisdiction of the party granting the permit and for the maintenance of which such party is responsible. Any permit authorized under this section may be for a single trip on a highway or route or for continuous operation on a highway or route. No permit shall be required to authorize the moving or operating upon any highway of farm tractors, combines, fertilizer dispensing equipment or other farm machinery, or machinery being transported to be used for terracing or soil or water conservation work upon farms, or vehicles owned by counties, cities and other political subdivisions of the state, unless such moving or operation occurs at any time from a half hour after sunset to a half hour before sunrise, except that this sentence shall not: (1) Exempt trucks owned by counties, cities and other political subdivisions specifically designed and equipped and used exclusively for garbage, refuse or solid waste disposal operations from the maximum gross weight limitations contained in the table in K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on interstate highways. Application for any permit to operate a vehicle or combination of vehicles on the highways under the jurisdiction of the secretary of transportation may be made by telephoning the secretary for the permit. The secretary of transportation may then issue or withhold the permit

Sec. 5.

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1 by sending a collect telegram or making a collect telephone call to
2 the applicant notifying the applicant thereof, and if the permit is
3 granted, the applicant shall execute, in triplicate, a permit on a
4 serially numbered form provided by the secretary. Such form shall
5 require information specified in subsections (b) and (c). The provi-
6 sions of subsections (c), (d) and (e) shall apply to the permit, and
7 the original copy of the permit executed by the applicant or the
8 copy of the telegram if the permit is granted by telegraph, shall
9 accompany the vehicle or combination of vehicles in lieu of the
10 regular permit and shall be a valid permit for such operation and
11 movement of the vehicle or combination of vehicles until the regular
12 written permit executed by the secretary is issued and received.
13 Application by telephone shall be followed by the mailing to the
14 secretary, within 24 hours, of the second copy of the permit executed
15 by the applicant, which mailing shall constitute a written application
16 as required. The third copy of the permit shall be retained by the
17 applicant.

18 If it is determined by the secretary of transportation that any
19 person who executed a permit has not complied with the applicable
20 provisions of this section and the rules and regulations of the sec-
21 retary of transportation relating thereto, the secretary may withdraw
22 the privilege of executing such permits from the person.

23 (b) The application for the permit shall specifically describe the
24 vehicle or combination of vehicles and load to be operated or moved
25 and the highway or highway route for which the permit is requested.
26 Any permit authorized under this section may be for a single trip
27 or for continuous operation. The application shall specify the re-
28 quested duration of the permit.

29 Upon proper application stating the description and registration
30 of each power unit the secretary of transportation shall issue permits
31 for a period, from May 1 to November 15, for custom combine
32 operators at the rate of \$10 per power unit. Each application shall
33 be accompanied by information as required by the secretary. The
34 permits shall allow the movement of such vehicles on designated
35 interstate highways as requested by the operator, if such vehicles:

36 (1) Do not exceed 14 feet in width, except that such vehicles
37 may be loaded with two combine headers which exceed 14 feet in
38 width; and

39 (2) are not overweight.

40 (c) The secretary or local authority may issue or withhold the
41 permit at the secretary's or local authority's discretion or may limit
42 the number of trips, or establish seasonal or other time limitations
3 within which the vehicles described may be operated on the high-

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ways, or may otherwise limit or prescribe conditions of operations of such vehicle or combination of vehicles, when necessary to assure against undue damage to the road. The secretary or local authority may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(d) Every permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit. It shall be unlawful for any person to violate any of the terms or conditions of special permit.

(e) The secretary of transportation shall charge and collect a fee of \$5 for each special permit issued under the authority of this section, except ~~the~~ fee shall be charged for permits issued for vehicles owned by counties, cities and other political subdivisions of the state. The fees received under this section shall be remitted to the state treasurer who shall deposit the same in the state treasury and shall be credited to the state highway fund. The secretary may adopt rules and regulations for payment and collection of the fees.

for the special vehicle combination permits authorized under section 2, the fee for each qualified carrier company shall be \$2,000 per year, plus \$50 per year for each power unit operating under such annual permit. No

(f) If any local authority does not desire to exercise the powers conferred on it by this section to issue or deny permits then such a permit from the local authority shall not be required to operate any such vehicle or combination of vehicles on highways under the jurisdiction of such local authority, but in no event shall the jurisdiction of the local authority be construed as extending to any portion of any state highway, any city street designated by the secretary as a connecting link in the state highway system or any highway within the national system of interstate and defense highways, which highways and streets, for the purpose of this section, shall be under the jurisdiction of the secretary.

(g) A housetrailer or mobile home which exceeds the width as provided in subsection (a) of K.S.A. 8-1902, and amendments thereto, may be moved on the highways of this state by obtaining a permit as provided in this section, if:

- (1) The width of such housetrailer or mobile home does not exceed 16 feet;
- (2) the driver of the vehicle pulling the housetrailer or mobile home has a valid driver's license; and
- (3) the driver carries evidence that the housetrailer or mobile home, and the vehicle pulling it, are covered by motor vehicle liability insurance with limits of not less than \$100,000 for injury to any one person, and \$300,000 for injury to persons in any one accident, and \$25,000 for injury to property.

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1 ~~(h) Notwithstanding the provisions of this section, no special per-~~
 2 ~~mit shall be issued by the secretary of transportation or any local~~
 3 ~~authority, except as provided in subsection (g) of K.S.A. 8-1904, and~~
 4 ~~amendments thereto, to allow the operation of any vehicle combi-~~
 5 ~~nation consisting of a truck tractor operated in combination with a~~
 6 ~~semitrailer, trailer and trailer.]~~

6.

7 Sec. ~~2~~ K.S.A. 1989 Supp. ~~8-1911~~ is hereby repealed.

8-1904 and 8-1911 are

8 Sec. ~~3~~ This act shall take effect and be in force from and after
 9 its publication in the Kansas register.

7.

New Section 1. (a) The limitations of K.S.A. 8-1904 and 8-1909, and amendments thereto, governing the maximum length and weight of combinations of vehicles upon roads and highways under the jurisdiction of the secretary of transportation or local authorities shall not apply to any vehicle operating on a route designated by the secretary or local authority between a Kansas turnpike authority toll booth and a motor-freight truck terminal located within a ten-mile radius of any such toll booth, except at the northeastern end of the turnpike at which location a twenty-mile radius shall apply, under a permit issued pursuant to K.S.A. 8-1911, and amendments thereto by the secretary, with respect to roads and highways under the secretary's jurisdiction, or a local authority, with respect to roads and highways under such local authority's jurisdiction.

(b) Notwithstanding any other provision of law to the contrary, for the purpose of this section, all two-lane roads and highways within the corporate limits of a city shall be deemed to be under the jurisdiction of such city.

(c) The special permits issued pursuant to this section may be issued for certain divisible loads, as defined by rules and regulations adopted by the secretary of transportation.

New Sec. 2. (a) The secretary of transportation may issue special permits pursuant to the provisions of K.S.A. 8-1911, and amendments thereto, for the operation of a special vehicle combination consisting of a truck tractor, semitrailer, trailer and trailer. In addition to the conditions the secretary may establish under K.S.A. 8-1911, and amendments thereto, such vehicle combinations shall also be required to operate under the following conditions:

- (1) The special vehicle combination may be operated only on:
 - (A) United States highway 69 alternate between a motor-freight truck terminal located at the city of Baxter Springs and the Kansas-Oklahoma line; and
 - (B) interstate highway 70 between a motor-freight truck

terminal located within a five-mile radius of such interstate at the city of Goodland and the Kansas-Colorado line;

(2) the gross weight of such special vehicle combination shall not exceed 110,000 pounds;

(3) the provisions of K.S.A. 8-1908, and amendments thereto, shall apply to such special vehicle combination;

(4) any semitrailer or trailer used in such special vehicle combination, shall not exceed 28 1/2 feet in length;

(5) travel of such special vehicle combination may be restricted to specific routes, hours of operation, specific days or seasonal periods; and

(6) the secretary may enforce any other restrictions determined by the secretary to be necessary.

(b) The special permits issued pursuant to this section may be issued for certain divisible loads, as defined by rules and regulations adopted by the secretary of transportation.

(c) The secretary of transportation may adopt rules and regulations implementing the provisions of subsection (a), including prescribing standards for the qualifications of drivers operating such special vehicle combinations and the equipping and operation of such special vehicle combinations to enhance highway traffic safety.

(d) A person, firm or corporation convicted of violating any provision of this section or any restriction on the special permits issued by the secretary under this section shall be punished by a fine of not less than \$500 nor more than \$1,000 and all special permits issued for the operation of such special vehicle combinations in violation shall be confiscated. The special vehicle combination must be separated into combinations of legal length before the units may proceed.

New Sec. 3. (a) The secretary of transportation is authorized to enter into all contracts and agreements necessary to cooperate with the various departments of transportation among the states for the purpose of issuing multi-state special permits consistent with the provisions of K.S.A. 8-1911, and amendments

thereto. The secretary is authorized to accept, as agent for the various departments of transportation who are parties to any such agreement, fees for each special permit issued for travel through and upon the highways of any such state. The fees collected by the secretary shall be deposited in the state treasury and credited to the highway special permit fund which is hereby created. All expenditures from the highway special permit fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or the secretary's designee.

(b) The secretary may adopt rules and regulations necessary to carry out the provisions of this section.

Sec. 4. K.S.A. 1989 Supp. 8-1904 is hereby amended to read as follows: 8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by subsection (e) of K.S.A. 8-1902, and amendments thereto, may be loaded with such bales secured to a height not exceeding 14 1/2 feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 42 1/2 feet extreme overall dimension, inclusive of front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in sections 1 and 2 and subsections (d), (e), (f), ~~(g)~~ and ~~(h)~~ and (g), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59 1/2 feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and

trailer shall exceed 28 1/2 feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with the superintendent of the Kansas highway patrol for such purpose, and in such event, the superintendent or any designee of the superintendent may issue such special permit pursuant to the terms and conditions of the contract. The limitations in this section shall not apply to vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in K.S.A. 8-1911, and amendments thereto, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(f) The limitations of this section governing the maximum length of combinations of vehicles shall not apply to a combination of vehicles consisting of a truck tractor towing a house trailer, if such combination of vehicles does not exceed an overall length of 97 feet.

~~(g) The limitations of this section governing the maximum length of combinations of vehicles upon roads and highways under the jurisdiction of the secretary of transportation or local authorities shall not apply to any vehicle operating on a route~~

designated--by--the--secretary--or--local--authority--between--a--Kansas
turnpike--authority--toll--booth--and--a--motor--freight--truck--terminal
located--within--a--ten--mile--radius--of--any--such--toll--booth,--except
at--the--northeastern--end--of--the--turnpike--at--which--location--a
twenty--mile--radius--shall--apply,--under--a--permit--issued--pursuant--to
K.S.A.--8-1911,--and--amendments--thereto--by--the--secretary,--with
respect--to--roads--and--highways--under--the--secretary's--jurisdiction,
or--a--local--authority,--with--respect--to--roads--and--highways--under
such--local--authority's--jurisdiction. Notwithstanding any other
provision of law to the contrary, for the purposes of this
subsection, all two-lane roads and highways within the corporate
limits of a city shall be deemed to be under the jurisdiction of
such city.

(h) (g) The length limitations of this section shall not
apply to stinger-steered automobile or boat transporters. No
stinger-steered automobile or boat transporter shall exceed an
overall length limit of 75 feet, exclusive of front and rear
overhang.

KANSAS RAILROAD ASSOCIATION

PATRICK R. HUBBELL
DIRECTOR-PUBLIC AFFAIRS

920 S.E. QUINCY
P.O. BOX 1738
TOPEKA, KANSAS 66628

913-357-3392

Statement of the Kansas Railroad Association

Presented to the Senate Transportation & Utilities Committee
Senator Bill Morris, Chairman

Statehouse
Topeka, Kansas
March 21, 1990

* * * * *

Members of the Committee:

My name is Pat Hubbell. I am Director of Public Affairs for the Kansas Railroad Association and I appear here in support of House Bill 2959. House Bill 2959 will prohibit the Kansas Department of Transportation Secretary from adopting rules and regulations which would allow triple trailer trucks to operate on Kansas highways. Railroads have traditionally opposed triples along with public opinion which is overwhelmingly against triple trailer trucks. A Wyoming poll showed statewide that 75.8% opposed triples, while only 13.9% favored triples. I have attached this Wyoming poll which is broken down statewide by age, education, marital status, occupation, housing, income, sex, and years in the State of Wyoming.

The AAA of New Mexico has conducted a similar survey. When asked: "Should the trucking industry be permitted to use triple trailer trucks on New Mexico highways?", .6% said yes; 91% said no. When asked: "Do you think speed limits are adequately enforced for heavy trucks in New Mexico?", 1.6% said yes; 80% no. When asked: "Are you in favor of requiring trucks to pay user fee taxes based on the weight of their trucks and the distances traveled within the state?", 80% responded yes; 1.3% no. I have included a complete copy of the AAA survey with my testimony.

Highway safety concerns have increased as cars get smaller and trucks get bigger. Studies have found that triples pose potential safety hazards in a number of ways. Triples heavier weights mean they have trouble maintaining consistent speeds on uphill and downhill grades. It takes much longer to pass and significant speed differences between autos and trucks increase accident rates. There is also significant amplification of rapid steering movements on the rear-most trailers.

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Experience with triples is not as good as proclaimed. In a California test over a 1,000 miles, triples swayed in a serpentine motion with the third trailer whipping from side to side for 75% of the test mileage. Furthermore, when braking, triples did not always stop in a straight line or remain in their own lane. The test occurred on flat terrain with no winds. I have given the Chairman of the Committee a fourteen minute edited tape from the California Department of Transportation which shows very dramatically the characteristics of triple trailer and double trailer operation.

Traffic World magazine reported January 22, 1990, Mr. Clifford J. Harvison, President of the National Tank Truck Carriers, Inc., told the Houston Traffic Club: "Deregulation of the trucking industry has left companies so financially strapped that new equipment purchases have virtually stopped and safety is being compromised at times. Stripped of its political tinsel and evasive rhetoric, model deregulation has killed people and has left in its wake an infrastructure and plant capacity totally incapable of meeting the transportation needs of the next decade."

There are many questions which should be answered before Kansas allows triples to operate on the state highway system. Questions such as:

Where are the staging areas in Kansas for assembling and disassembling these combinations?

Will Kansas rest areas be used and are they designed to accomodate both automobiles and triple trailer operations?

Who pays for these support facilities?

Where on Kansas highways will the third box be dropped when weather conditions are bad?

Who will pay for the construction of the staging areas or turnouts on highways when climate conditions prevent travel?

Who will pay the Kansas Highway Patrol for the additional enforcement of traffic and safety regulations?

Why did California and New Mexico study triples and decide not to allow them?

How many jobs have been lost in other states because they allowed triple trailers to operate?

In a recent study released by the Kansas Department of Transportation it shows in one particular area of the state where rail abandonment may occur the annual cost of truck damage to Kansas rural highways amounted to \$138,274.00 per year for farm to elevator movements of grain. Incremental road damage cost due to rail abandonment was estimated to be \$55,961.00 per year for intercity grain traffic.

You may ask what effect triples will have on branch line sales and abandonments in Kansas. It's simple, the railroads must pay 100% of the capital cost of maintaining the road bed in a safe and efficient operating condition and to do this they need freight from all segments, not just grain, automobiles, steel and coal but also the LTL business. With the emergence of double stack container trains there are new markets which will open up for intercity movements of LTL freight. I have furnished for each member of the Committee a summary of the report, "The Impact of Rail Branch Line Abandonments on Rural Highways: The Case of South Central Kansas" which was released in December of 1989 by the Kansas Department of Transportation.

On March 8th, President Bush released a new national transportation policy -- the first such plan developed by the federal government since 1978. Bush said the new policy will help America to meet the transportation needs of the 21st century. He called upon public officials, private industry, and individual citizens to work together to put the policy's agenda into motion. Bush said now that the nation's transportation priorities have been defined, our mission is to build on the achievements of the past and to ensure connections among all parts of the United States and the world. The president noted that "America's competitive success in a global economy depends on it."

In later remarks delivered before the House Public Works Subcommittee on Surface Transportation, Secretary of Transportation Samuel Skinner said that the national transportation policy provides a strategic framework for investment in the country's future. He said the transportation policy is "about using our common sense -- doing the right things with our limited resources -- focusing on systems of national significance and promoting national priorities -- improving mobility, the efficient movement of goods, providing jobs, and improving the quality of life for all Americans."

The new policy states that user charges should be set according to costs imposed by each class of motorist. Subsidies can distort intermodal equity and threaten competitive ability or even the survival of non-subsidized modes, the plan says. The policy indicates that truck size and weight limits should be based on a full assessment of public costs and benefits, and if altered, federal user charges should be adjusted accordingly.

I urge the members of the Committee to vote favorably on House Bill 2959. Thank you.

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7. The Impact of Rail Branch Line Abandonment
on Rural Highways

AAA Members Speak Out

The results of our membership survey are in . . .

Here's what you had to say.

In the July/August issue, **AAA World** asked its readers to express their views on a number of issues concerning New Mexico motorists that have been debated at the state and local levels of government.

The survey results, which are printed below, show that AAA New Mexico members have a strong commitment to traffic safety, are overwhelmingly opposed to triple-trailer trucks on state roads, and would support a vehicle emissions program on a statewide level.

The majority of respondents also indicated that they favor the elimination of minimum towing rates in New Mexico so that competitive rates can be negotiated. Currently, both minimum and maximum rates are set by the State Corporations Commission.

A total of 835 AAA members responded to our survey before the indicated deadline. The survey results not only offer insight into how AAA members think about issues facing them today, but they also help AAA New Mexico properly represent our members while working with the state Legislature. We appreciate that so many of you took the time to complete the survey.

*Percentages may not total 100 as some respondents did not answer every question.

ALCOHOL

- What blood alcohol content (BAC) would you consider adequate for determining presumed guilt or legal intoxication in drunk driving cases? The current level is .10 BAC in New Mexico.

.05	21%	.10	45%	.15	38%
.08	22%	.13	25%		
- Would you support a statewide law which would make it illegal for a person to operate a motor vehicle on the street with an opened container of any alcoholic beverage in his immediate possession?

74% Yes	1% No
---------	-------

For any person to drink any alcoholic beverage while in a motor vehicle on a public way?

83% Yes	15% No
---------	--------
- Would you favor one of the following for first time drunk driving offenders:

(Adult)	
a. Mandatory jail sentences	26%
b. Mandatory suspension of driver's license	48%
c. Restricted driver's license	29%
(Teenage)	
a. Mandatory suspension of driver's license	80%
b. Restricted driver's license	15%
- Do you favor roadblocks to apprehend drunk drivers?

75% Yes	23% No
---------	--------
- Would you be in favor of a toll-free number to report drunk drivers?

68% Yes	12% No
---------	--------

TRAFFIC SAFETY

- Should the New Mexico legal driving age be raised to 16 with driver's education and 17 with a non-restricted drivers license?

85% Yes	14% No
---------	--------
- Would you favor a law prohibiting the use of headsets while operating a vehicle?

88% Yes	12% No
---------	--------
- Would you favor a law prohibiting operating a vehicle while barefoot?

49% Yes	49% No
---------	--------
- Should people 65 and older be required to pass a complete and comprehensive driving test every two years?

48% Yes	49% No
---------	--------
- Should the use of seat belts be mandatory in all vehicles?

67% Yes	21% No
---------	--------
- The National Highway Traffic Safety Administration reports that school buses are the safest form of surface transportation. Most fatal injuries relating to school buses occur outside the bus. With this brief introduction, would you favor:

a. Mandatory seat belts on school buses?	
46% Yes	45% No
b. Create a school bus safety committee to study the feasibility of mandating seat belts on school buses.	
47% Yes	44% No

- Fund alternative programs in public awareness, school bus driver training, and student safety training.

68% Yes	22% No
---------	--------

- Should motorcycle drivers and riders be required to wear safety helmets?

84% Yes	15% No
---------	--------
- Would you favor impounding a DWI repeater's vehicle for a period of time?

84% Yes	15% No
---------	--------

TRUCKS

- Should legislation be initiated to require truck operators to hold one national driver's license to make it easier to monitor their driving abilities and records?

85% Yes	1% No
---------	-------
- Should the trucking industry be permitted the use of triple trailers on New Mexico highways?

0.6% Yes	91% No
----------	--------
- Do you think the safety standards, enforcement, and emergency measures for truck transport of hazardous products are adequate?

1.9% Yes	71% No
----------	--------
- Do you think speed limits are adequately enforced for heavy trucks?

1.6% Yes	80% No
----------	--------
- Are you in favor of requiring trucks to pay user taxes based on the weight of the truck and the distance it travels within the state?

80% Yes	1.3% No
---------	---------

AUTO EMISSIONS

- The Federal government is proposing stricter exhaust emission standards for new automobiles to reduce air pollution. Would you favor these stricter emission standards?

65% Yes	30% No
---------	--------
- Would you support emission control on a state 70% or local 12% level?

82% Yes	18% No
---------	--------
- Do you favor allowing state-certified facilities such as gas stations or auto repair shops to conduct vehicle emissions inspections?

53% Yes	43% No
---------	--------
- Do you favor a gasoline tax to cover the cost of vehicle emissions inspection?

54% Yes	43% No
---------	--------

EMERGENCY ROAD SERVICE

- Currently the state of New Mexico sets minimum and maximum rates for towing vehicles within the state. Maximum rates protect the consumer; minimum rates artificially inflate towing costs. Do you favor elimination of minimum rates to allow negotiation of competitive rates?

76% Yes	12% No
---------	--------

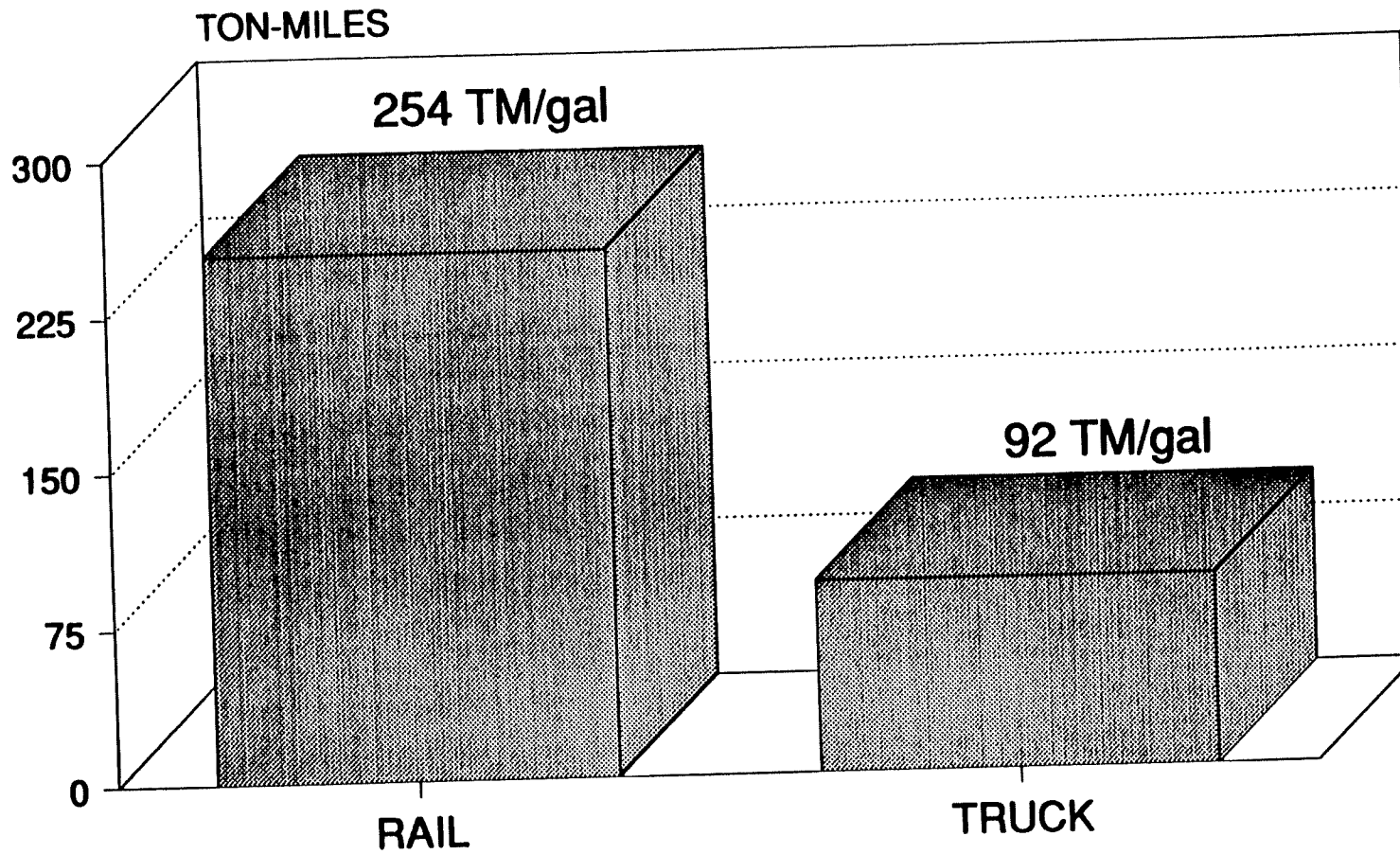
QUESTION: Now here is a question about Wyoming law. Wyoming state law allows trucks to pull two trailers on public highways. The Wyoming legislature may be asked to change the law to allow trucks to pull three trailers. Would you favor or oppose a change to allow trucks to pull triple trailers or haven't you formed an opinion on this issue?

	<u>FAVOR TRIPLE TRAILERS</u>	<u>OPPOSE</u>	<u>DK/NA</u>
STATEWIDE:	13.9	75.8	10.2
AGE:			
18-29	12.2	79.9	7.9
30-39	17.3	74.1	8.6
40-49	14.2	72.5	13.3
50-64	17.2	75.0	7.9
Over 64	7.0	81.3	11.8
EDUCATION:			
Less than high school	13.9	72.2	13.9
High school Degree	12.4	76.2	11.4
Some college	14.0	76.2	9.8
College degree	18.3	74.4	7.3
Graduate	13.9	81.5	4.6
MARITAL STATUS:			
Married	13.6	76.8	9.6
Single	23.9	65.7	10.5
Divorced or Separated	8.0	80.9	11.1
Widowed	3.9	84.5	11.6

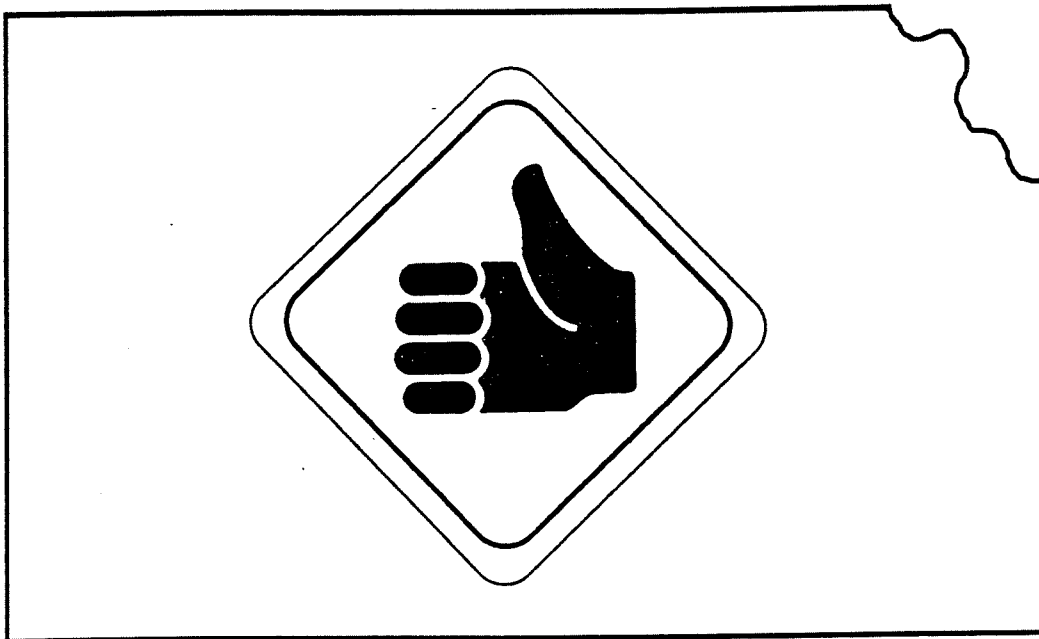
	<u>FAVOR TRIPLE TRAILERS</u>	<u>OPPOSE</u>	<u>DK/NA</u>
OCCUPATION:			
Professional	12.7	79.6	7.7
Business	17.5	76.8	5.6
Clerical	12.6	76.0	11.4
Skilled	14.2	73.6	12.2
Unskilled	22.6	65.1	12.3
Agriculture	18.7	77.3	4.0
Other	8.5	78.5	13.1
HOUSING:			
Own	12.9	76.7	10.5
Rent	16.2	73.6	10.2
INCOME:			
Under \$20,000	12.0	76.5	11.4
\$20-\$50,000	15.9	75.2	8.8
Over \$50,000	14.6	77.8	7.6
SEX:			
Male	22.0	69.4	8.6
Female	6.1	82.1	11.8
YEARS IN WYOMING:			
0-9	15.5	72.4	12.1
10-22	17.4	72.3	10.3
23-41	13.8	78.1	8.1
Over 42	8.8	80.6	10.6

FUEL EFFICIENCY

REVENUE TON-MILES PER GALLON



KANSAS
COMMERCIAL DRIVER LICENSE
MANUAL



**THE PRIDE'S BACK INSIDE!
FROM NOW ON, ONLY THE BEST WILL DRIVE**

Section 6: Combination Vehicles

This section provides information needed to pass the tests for combination vehicles (tractor-trailer, doubles, triples, straight truck and trailer). The information is only to give you the minimum knowledge needed for driving common combination vehicles.

This Section Covers

- *Driving Combinations*
- *Coupling & Uncoupling*
- *Inspecting Combinations*

Combination vehicles are usually heavier, longer, and require more driving skill than single commercial vehicles. This means that drivers of combination vehicles need more knowledge and skill than drivers of single vehicles. In this section, we talk about some important safety factors that apply specifically to combination vehicles.

6.1 Driving Combination Vehicles Safely

More than half of truck driver deaths in crashes are from truck rollovers. When more cargo is piled up in a truck, the "center of gravity" moves higher up from the road. The truck becomes easier to turn over. Fully loaded rigs are 10 times more likely to roll over in a crash than empty rigs.

- *Rollover Risks*

Do the following two things to help prevent rollover: **keep the cargo as close to the ground as possible, and go slow around turns.** Keeping cargo low is even more important in combination vehicles than in straight trucks. Also, keep the load centered on your rig. If the load is to one side so it makes a trailer lean, a rollover is more likely. Make sure your cargo is centered and spread out as much as possible. (See Section 3 of this manual.)

Rollovers happen when you turn too fast. Go slow around corners, onramps, and offramps. Avoid quick lane changes, especially when fully loaded.

Trucks with trailers have a dangerous "crack-the-whip" effect. When you make a quick lane change, the crack-the-whip effect can turn the trailer over. There are many accidents where only the trailer has overturned.

- *Steer Gently*

"Rearward amplification" causes the crack-the-whip effect. Figure 6-1 shows eight types of combination vehicles and the rearward amplification each has in a quick lane change. Rigs with the least crack-the-whip effect are shown at the top and those with the most at the bottom. Rearward amplification of 2.0 in the chart means that the rear trailer is twice as likely to turn over as the tractor. You can see that triples have a rearward amplification of 3.5. This means you can roll the last trailer of triples 3.5 times as easily as a five-axle tractor-semi.

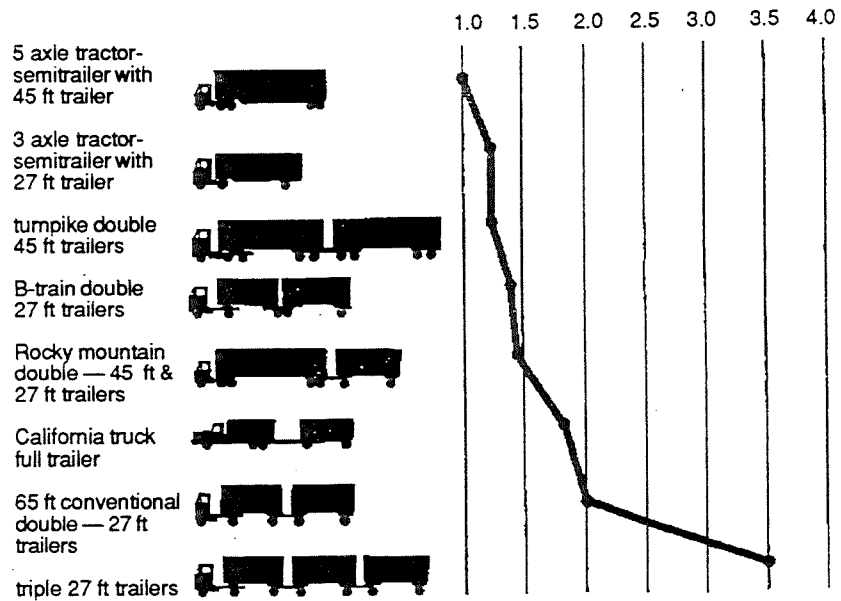


Figure 6-1
Influence of Combination Type
on Rearward Amplification

(from R. D. Ervin, R. L. Nisonger, C. C. MacAdam, and P. S. Fancher, "Influence of size and weight variables on the stability and control properties of heavy trucks," U. of Michigan Trans. Research Institute, 1983.)

Steer gently and smoothly when you are pulling trailers. If you make a sudden movement with your steering wheel, you could tip over a trailer. Follow far enough behind other vehicles (at least one second for each ten feet of your vehicle length, plus another second if going over 40 mph). Look far enough down the road to avoid being surprised and having to make a sudden lane change. At night, drive slow enough to see obstacles with your headlights before it is too late to change lanes or stop gently. Slow down to a safe speed **before** going into a turn.

• **Brake Early**

Control your speed whether fully loaded or empty. Large combination vehicles that are empty take longer to stop than when they are fully loaded. When lightly loaded, the very stiff suspension springs and strong brakes give poor traction and make it very easy to lock up the wheels. Your trailer can swing out and strike other vehicles. Your tractor can jackknife very quickly (Figure 6-2). You also must be very careful about driving "bobtail" tractors (tractors without semi-trailers). Tests have shown that bobtails can be very hard to stop smoothly. It takes them longer to stop than a tractor-semitrailer loaded to maximum gross weight.

In any combination rig, allow lots of following distance and look far ahead, so you can brake early. Don't be caught by surprise and have to make a "panic" stop.

• **Prevent Trailer Skids**

When the wheels of a trailer lock up, the trailer will tend to swing around. This is more likely to happen when the trailer is empty or lightly loaded. This type of jackknife is often called a "trailer jackknife." This is shown in Figure 6-3.



U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 ROOM 454 FEDERAL OFFICE BUILDING
 200 N.W. 5TH
 OKLAHOMA CITY, OKLAHOMA 73102-3288
 July 27, 1989

IN REPLY REFER TO
 HEC-OK

Truck Size and Weight
 Demonstration Program

Mr. Neal A. McCaleb, Director
 Oklahoma Department
 of Transportation
 Oklahoma City, Oklahoma

Dear Mr. McCaleb:

Former Division Administrator, Gordon Penney, met with you and the members of the Truck Industry Self-Funded Research and Development (TISRAD) Board of Directors on May 25, 1989.

One of the main points of business by the Board of Directors was the approval of a Demonstration Program to be conducted by the Motor Transportation Safety Education and Economic Development Foundation (SEED) concerning increased productivity in truck transportation. This program would permit vehicles of 105,000 pounds gross vehicle weight to operate on the Interstate system, toll roads, and selected four-lane primary highways. Permits for gross vehicle weight in excess of 105,000 pounds would require special consideration of the Oklahoma Secretary of Transportation.

This program was based on the belief that the State had "grandfather" authority to issue special permits for gross loads exceeding 90,000 pounds.

We requested clarification from our Washington Office as to the legality of the Demonstration Program and received the following response:

Oklahoma has a grandfathered right to issue overweight permits subject to the following limitations: (1) the Commissioner of Public Safety must make a determination that "an emergency exists," (2) the permit must be "for single load units which cannot be divided," (3) "provided there are a sufficient number of axles so that no axle load will be in excess of eighteen thousand (18,000) pounds," and (4) "[s]uch special permit for the movement of overweight vehicles shall be issued only for a single trip and only for the shortest practicable distance upon

Congressman Glenn English
 Thomas Larson, Administrator
 Federal Highway Administration

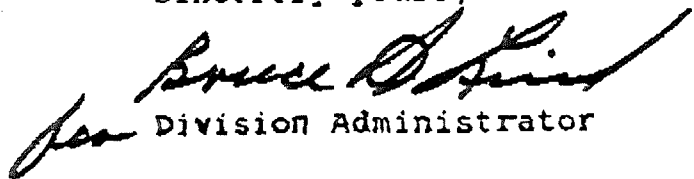
any highway as determined by the issuing authorities." In addition, oversize permits "for single load units which may not be divided " are also grandfathered under somewhat more liberal terms, and "[f]arm equipment shall be exempted from the requirements for special permits due to size..."

None of these conditions is included in the current permit provisions [Okla. Stat. Ann. Tit. 47, §14-118(c) (West 1988)]. The Demonstration Program would violate Section 127 unless the vehicles involved complied with the four conditions listed above.

In addition under Oklahoma law, "[a]ll size, weight and load provisions covered by this chapter [Chapter 14:Size, Weight and Load] shall be subject to the limitations imposed by Title 23, United States Code, Section 127..." [Okla. Stat. Ann. Tit. 47, §14-101(c) (West 1988)]. State law, which includes a 90,000 pound gross vehicle weight, therefore applies only to non-Interstate highways. The State does not have a grandfathered right to operate vehicles above 80,000 pounds GVW on the Interstate without a permit.

We are providing this information so that you may take whatever steps are necessary to bring the Demonstration Program into compliance with Section 127 of Title 23 United States Code. Please keep us advised of what actions are taken.

Sincerely yours,


Division Administrator



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ROOM 464 FEDERAL OFFICE BUILDING
200 N.W. 5TH
OKLAHOMA CITY, OKLAHOMA 73102-3288

September 1, 1989

IN REPLY REFER TO
HEC-OK

**TISRAD Truck Size and
Weight Demonstration Project**

Mr. Neal McCaleb, Director
Oklahoma Department
of Transportation
Oklahoma City, Oklahoma

Dear Mr. McCaleb:

By earlier correspondence we advised you that TISRAD's Demonstration Project adopted at its May 25, 1989, Board of Directors meeting was not in compliance with Section 127 of Title 23 United States Code. Your August 7 letter inquired into the apparent inconsistency between the Federal Highway Administration's (FHWA) position on Oklahoma's demonstration project and a similar program implemented by the State of South Dakota.

We have discussed this with our Regional Office and our Headquarters office of Motor Carrier Information, Management and Analysis. They advise that the inconsistency is the grandfather rights of the two states, rather than FHWA's position. Under Section 127, vehicles that could lawfully operate within a state on July 1, 1956, may continue to do so. State permit provisions are included under the Section's grandfather clause. That is, a vehicle that could have been issued a permit in 1956 may be issued a permit today in accordance with 1956 procedures.

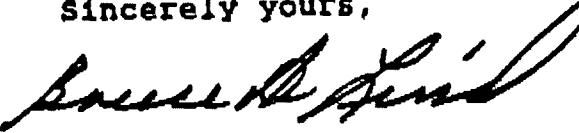
Oklahoma's 1956 statute governing permits for overweight vehicles is grandfathered, but it includes four significant requirements, which may be summarized as follows: (1) The Commissioner of Public Safety must make a determination that "an emergency exists"; (2) the permit for "a vehicle or combination of vehicles in excess of sixty thousand (60,000) pounds gross weight" must be "for single load units which cannot be divided"; (3) "provided there are a sufficient number of axles so that no axle load will be in excess of eighteen thousand (18,000) pounds"; and (4) "[s]uch special permit for the movement of overweight vehicles shall be issued only for a single trip and only for the shortest practicable distance upon any highway as determined by the issuing authorities". On the other hand, South Dakota's 1956 statutes allowed it to issue

overweight permits subject only to the requirement that "[e]very such permit shall be issued for a single trip. . ."

The section 127 grandfather clause produces highly inconsistent results from one state to the next. Nevertheless, Congress has not chosen to change it, and FHWA has no authority to ignore it. Despite its similarity to South Dakota's triple trailer program, Oklahoma's proposed demonstration project must satisfy the conditions set forth in its 1956 permit statute in order to comply with Federal law.

In the event the State of Oklahoma should elect to proceed with the proposed TISRAD demonstration project and issue permits for divisible loads exceeding 80,000 pounds, FHWA would have no recourse but to find the State in violation of Section 127 United States Code. In his annual certification, the Governor would be unable to certify that the State was adequately enforcing all State laws respecting maximum vehicle size and weights on Federal-aid highways, and sanctions would have to be initiated under Section 657, Title 23 Code of Federal Regulations.

Sincerely yours,



for Division Administrator

Copies to: Governor Bellmon
 Lt. Gov. Kerr
 Clent Dedek, DPS
 Vince Robison
 Monty Murphy

9/12/89

TRIPLES AND SAFETY

Those who support triple trailer legislation are quick to point out statistics they say demonstrate the safety of triple trailers. There are, however, some other startling statistics.

- Wyoming already has one of the highest highway fatality rates in the nation. In the last reported year, there were over 1,300 truck accidents in the State of Wyoming.
- Colorado in the last six months has experienced triple trailer accidents involving one fatality, injuries, and hazardous chemicals.

The fatality reported in 1989 in Colorado involved a man being struck by a triple trailer. He was knocked down by the swaying motion of the third trailer. This incident demonstrates the danger of triple trailers.

- Idaho has experienced 57 triple trailer accidents from 1983-1989. Included in the total number of accidents were three fatalities, 14 injuries, and 51 cases of property damage.
- Oregon has experienced 41 triple trailer accidents from 1987-1989. Sixteen of these accidents occurred just last year. An accident involving a hazardous chemical spill closed I-84 for six hours.
- California recently conducted a test over a 1000-mile distance where triples swayed in a serpentine motion with the third trailer whipping from 8" to over two feet for 75 percent of the test mileage. This test occurred on flat terrain with no wind.
- Utah has experienced 65 triple trailer accidents from 1986-1988. At least three of these accidents resulted in incapacitating injury. 1989 information has not yet been published.
- Nevada reported 19 triple trailer accidents in 1987, three of which resulted in incapacitating injury. 1988-89 information has not yet been published.
- Montana reported 7 triple trailer accidents in 1988, one of which resulted in incapacitating injury. Two of these accidents occurred on icy roads despite road condition restrictions.

Kansas Department of Transportation
Bureau of Rail Affairs
December 1989

**THE IMPACT OF RAIL BRANCH LINE ABANDONMENT
ON RURAL HIGHWAYS:
THE CASE OF SOUTH CENTRAL KANSAS**

by

Victor E. Eusebio

and

Stephen J. Rindom

**MIKE HAYDEN
GOVERNOR OF KANSAS**

**HORACE B. EDWARDS
SECRETARY OF TRANSPORTATION**

THE IMPACT OF RAIL BRANCH LINE ABANDONMENT ON RURAL
HIGHWAYS: THE CASE OF SOUTH CENTRAL KANSAS

Victor E. Eusebio
and
Stephen J. Rindom*

December 1989
No. 89-1

* The authors are Research Analysts of the Kansas Department of Transportation (KDOT). Sincere appreciation is expressed to Denver Tolliver of the Upper Great Plains Transportation Institute, for his assistance in the development of the theoretical framework section of this study and to Orlo Sorenson of Kansas State University, John Scheirman of KDOT and Dennis Slimmer of KDOT, for reviewing this paper. Special thanks are also due to the following KDOT personnel: Ron Balsters and Ben Neaderhiser for the Kansas road section data; Clarence Startz, Clayton Ijams and Shona Hadden for the truck weight and volume data; Brian Logan for the county maps; Neil Rusch for the road surfacing cost data; Oscar Albrecht for the rail abandonment data; and Kathie Farrell for the computer graphics. The views expressed by the authors are not necessarily those of KDOT.

EXECUTIVE SUMMARY

The major objective of this study was to develop a systematic procedure to estimate incremental highway costs associated with rail branch line abandonment in Kansas. The procedure was tested in an area in south central Kansas where three Missouri Pacific (MP) branch lines were recently placed in Category I abandonment classification. Documentation of the process is done in this paper.

A shipping cost minimization, transportation network model was used to generate two sets of grain traffic flow data. The first set was generated from a network model that simulates traffic flow under the assumption of continued MP operations while the second set was generated under the assumption of MP branch line abandonment. For each set of traffic data, two types of truck movements were identified. The first involves farm to local elevator movements of grain by farm trucks (SU-2AX) over a combination of county, municipal and state roads. The second involves local elevator to terminal elevator (intercity) movements of grain by commercial trucks (CO-5AX) over the same combination of roads. For each origin-destination grain movement by truck, the shortest combination of road sections was identified and total truck trips were calculated. These were done for the two sets of data.

A series of steps were then used to transform the two sets of grain traffic flow data, truck routes and truck trip

calculations into estimates of additional truck damage on Kansas highways resulting from rail branch line abandonment. Firstly, the effective equivalent single-axle load (ESAL) road life of each highway section was estimated using the Highway Performance Monitoring System (HPMS) pavement damage functions. Road section data were obtained from KDOT's Bureau of Transportation Planning and from County Engineer's Offices in south central Kansas. Secondly, pavement damage (in ESALs) was estimated for each highway section using the American Association of State Highway Officials (AASHO) traffic equivalency formulas for single and tandem axles. Data on loaded and empty axle weights for the SU-2AX and CO-5AX trucks were obtained from KDOT's Bureau of Transportation Planning. Thirdly, pavement rehabilitation costs per ESAL-mile for each road type were obtained by dividing per-mile pavement repair cost by the effective ESAL life. Lastly, truck-accountable road damage costs for each highway section were calculated using pavement consumption estimates in conjunction with cost per ESAL-mile calculations.

Using the procedure, it was found that abandoning the three MP branch lines in south central Kansas would result in an estimated additional annual truck damage to Kansas rural highways amounting to \$ 138,274 for farm-to-elevator movement of grain. Increased damage to Kansas roads was attributed to farmers trucking their wheat over longer distances to local elevators with rail connections. Incremental road damage cost due to rail abandonment was estimated to be \$55,961 per year for intercity

grain traffic. Increased (intercity) road damage cost was attributed to traffic diversion from rails to trucks as wheat was moved from local elevators (which lost MP service) to the various terminal elevators. However, incremental (truck-accountable) road damage costs as a result of branch line abandonments could have been much higher had not a significant amount of grain traffic continued to be moved by rail, as grain was diverted from local elevators which lost MP service to nearby local elevators with connections to Atchison, Topeka and Santa Fe (ATSF) and/or Southern Pacific (SP). Also, some of the additional truck traffic generated between local and terminal elevators, as a result of branch line abandonment, moved on road sections specifically designed to handle heavy loads. These highway routes include some major arterial sections along U.S. Highway 50 (southwest of Hutchinson) and U.S. Highway 54 (west of Wichita).

Additional road damage cost resulting from rail abandonment when calculated on the basis of per bushel-mile of grain moved yielded the following results. The cost of rail abandonment (the additional damage to rural roads resulting from rail abandonment) was estimated to be 0.90 cent per bushel-mile for farm-to-elevator movements of wheat and 0.17 cent per bushel-mile for intercity movements. The corresponding costs of shipping grain by truck for farm and intercity movements were estimated at 0.97 and 0.27 cent per bushel-mile respectively.

In conclusion, this analysis demonstrates the usefulness of this procedure for estimating additional truck damage to Kansas

roads due to rail branch line abandonment. Its use will enable planners and policymakers to determine the impact of proposed abandonments and hence provide an additional decision tool for public policy.

united transportation union

DONALD F. LINDSEY, JR.
DIRECTOR/CHAIRMAN

KANSAS STATE LEGISLATIVE BOARD

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STATEMENT OF DONALD F. LINDSEY, JR., DIRECTOR KANSAS STATE LEGISLATIVE BOARD UNITED TRANSPORTATION UNION IN SUPPORT OF H.B. 2959

PRESENTED TO SENATE TRANSPORTATION AND UTILITIES COMMITTEE THE HONORABLE BILL MORRIS, CHAIRMAN

Mr. Chairman and Members of the Committee, I am Don Lindsey, Director of the Kansas State Legislative Board, United Transportation Union. I am a duly elected officer, authorized to speak on behalf of our some 6,000 active and retired members and their families who reside in the State of Kansas. I appear in support of H.B. 2959.

On January 18, 1990, Secretary of Transportation, Horace B. Edwards, published a Notice of Hearing on Proposed Administrative Regulations in the Kansas Register, Vol. 9, No. 3. Had this notice been overlooked, triple trailers would not only be allowed on Kansas Highways but the gross weight would have been increased from 80,000 lbs. to 110,000 lbs. All this on the whim of an appointed public official accountable to only the Governor, if, even to him.

Since this plan was made known to the general public and H.B. 2959 was introduced, the Secretary has postponed any further action at this time. The UTU feels strongly that no individual or agency should be allowed to make a special interest decision of this magnitude without approval of the legislative branch.

H.B. 2959 removes the issuance of special permits allowing the operation of triple trailer combinations from the Secretary of Transportation or any local authority. H.B. 2959 places that decision making process in the hands of the legislature. The UTU believes that the citizens of Kansas deserve the courtesy of having their elected officials decide how their highways will be used.

I would like to point out several observations the UTU has regarding the Secretary's proposed rule making changes:

ATT. 4
T&U
3/21/90

- 1.) Spokesmen for the trucking industry say these proposed changes would apply west of Topeka, only on I-70. Yet, nowhere in the 20 plus pages of the regulations and impact statements is anything mentioned other than the state highway system. When I asked an attorney in the Office of Chief Counsel, Kansas Department of Transportation, if these proposed rule changes could conceivably allow triple trailers on any highway in Kansas he informed me I should read the proposed regulation as written. He also stated, while probably not likely, the Secretary could issue a permit for any segment of highway in Kansas. This could include two lane highways.
- 2.) If triples are allowed on I-70, west of Topeka, what would stop the Secretary from issuing a permit allowing them on I-35, south from Kansas City to Emporia? If this happens, a substantial loss in revenue from the turnpike operation, would occur. The question then arises, "How will this loss of revenue be made up?"
- 3.) Since only 4 of the 50 states allow triples by administrative rule making, according to information furnished by the Motor Carrier's Association, the UTU seriously questions if this makes the other 92% of the states wrong for not allowing triples by administrative rule making.
- 4.) In researching the effects heavy trucks have on highways, I did not find one study that said heavy trucks are good for highways. While there are, agreeably, varying degrees of damage, the fact remains heavy trucks take a toll on our highway system.

The UTU acknowledges the need for the trucking industry and appreciates its role. However, to continually ask and in some instances mandate the citizens of Kansas to subsidize this industry is wrong.

Last but probably most important is if the trucking industry and the Secretary expected to live up to the proposed rule changes, they would never have suggested them. I refer to K.A.R. 36-1-28 (i) and I quote, "SVC's shall not be dispatched during adverse weather conditions, such as those caused by high winds, snow, ice, sleet, hail, fog, mist, rain, dust, smog, or smoke. (highlighting mine). If adverse weather or road conditions are encountered, the driver of the SVC shall proceed to the next available exit and wait for conditions to improve." Assuming that a driver did live up to this provision, when one considers Kansas weather, it could take him a week to get across the state. This certainly would not be considered competitive by the trucking industry.

In closing, I would like to share with the committee a quote which appeared in a recent edition of the Topeka paper, "You can't come up with an idea so bad that somebody won't think it's a good one". Passage of H.B. 2959 will keep any Secretary present or future from embracing another bad idea.

COST COMPARISON
OF
CURRENT KANSAS TURNPIKE CHARGES
- VS -
SEC. EDWARDS PROPOSED CHARGES FOR
TRIPLES

Kansas Turnpike Charges:

Mileage from Eastern Terminal to South Haven, one way - 231 miles

One way charge on Class 7 combination, \$39.25

Based on 50 round trips, cost would be as follows:

Total mileage -----	23,100
Total cost -----	\$ 3,925.00
Cost of Operation per mile -----	\$.169

Secretary's Proposed Plan

Mileage from Topeka to Colorado border, one way - 364 miles

Proposed yearly charge - \$120.00

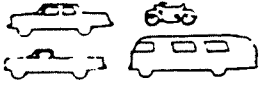
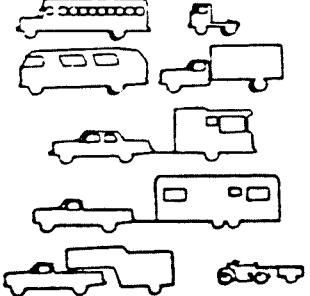
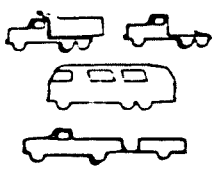
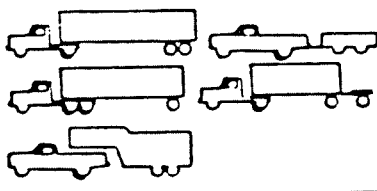
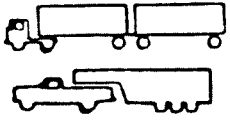
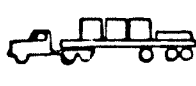
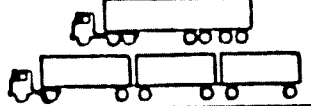
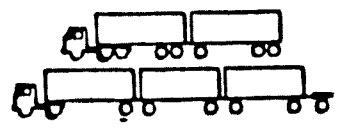
Based on 50 round trips, cost would be as follows:

Total mileage -----	36,400
Total cost -----	\$120.00
Cost of Operation per mile -----	\$.003

TOLL RATES

Effective

July 3, 1986

KANSAS TURNPIKE AUTHORITY VEHICLE CLASSIFICATION CHART		CLASS	EXTRA AXLES
CLASS	Vehicle Type	Examples	EXTRA AXLES
1	2 AXLE VEHICLES WITH NOT MORE THAN 4 TIRES		No
2	2 AXLES, 6 TIRES OR CLASS 1 VEHICLES WITH TRAILER(S)		Yes
3	ALL OTHER 3 AXLE VEHICLES OR COMBINATIONS		No
4	ALL OTHER 4 AXLE VEHICLES OR COMBINATIONS		No
5	ALL OTHER 5 AXLE VEHICLES OR COMBINATIONS		No
6	ALL OTHER 6 AXLE VEHICLES OR COMBINATIONS		No
7	ALL OTHER 7 AXLE VEHICLES OR COMBINATIONS		No
8	ALL OTHER 8 OR MORE AXLE VEHICLES OR COMBINATIONS OR SPECIAL PERMIT VEHICLES		Yes

Interchange No. & Mileage	Class 7 7 Axles																	
		SOUTH HAVEN	WELLINGTON	MULVANE	SOUTH WICHITA	WICHITA K-15	EAST WICHITA	ANDOVER	EL DORADO	EL DORADO NO.	CASSODAY	EMPORIA	ADMIRE	SOUTH TOPEKA	EAST TOPEKA	WEST LAWRENCE	EAST LAWRENCE	BONNER SPRINGS
4	SOUTH HAVEN																	
19	WELLINGTON	3.00																
33	MULVANE	5.25	3.00															
42	SOUTH WICHITA	6.50	4.00	2.00														
45	WICHITA K-15	7.00	4.50	2.25	0.90													
50	EAST WICHITA	7.25	5.50	3.25	2.00	1.60												
57	ANDOVER	9.00	7.00	5.25	3.75	3.25	3.00											
71	EL DORADO	12.00	9.25	7.50	6.25	6.00	5.25	3.50										
76	EL DORADO NORTH	13.75	11.00	8.25	7.50	7.25	7.00	4.75	1.70									
92	CASSODAY	18.00	15.50	13.75	12.50	12.25	11.25	9.25	6.25	4.75								
127	EMPORIA	25.25	22.50	20.25	19.00	18.50	18.25	17.25	15.75	14.25	10.00							
147	ADMIRE	28.50	26.50	23.75	22.00	21.75	21.50	21.00	20.00	18.75	15.00	5.75						
177	SOUTH TOPEKA	35.50	33.00	30.25	28.50	28.00	27.75	27.25	27.00	25.50	21.50	12.25	7.25					
182	EAST TOPEKA	36.50	33.50	30.75	29.00	28.75	28.50	28.00	27.50	26.00	22.00	12.75	7.75	1.40				
202	WEST LAWRENCE	37.00	34.50	32.00	30.50	30.00	30.00	29.25	28.50	27.25	24.00	14.00	9.00	5.00	4.50			
204	EAST LAWRENCE	37.25	35.00	32.25	30.75	30.50	30.00	29.50	28.75	27.75	24.25	14.50	9.25	5.50	4.50	1.05		
224	BONNER SPRINGS	38.50	36.50	33.75	32.00	32.00	31.50	31.00	30.00	29.00	25.75	16.25	10.50	6.25	5.75	3.00	2.50	
231	EASTERN TERMINAL	39.25	37.25	35.00	33.75	33.50	33.25	32.25	31.00	30.00	27.00	17.50	12.75	8.50	7.75	4.50	4.25	2.25

Interchange No. & Mileage	Class 8 8 Axles																	
		SOUTH HAVEN	WELLINGTON	MULVANE	SOUTH WICHITA	WICHITA K-15	EAST WICHITA	ANDOVER	EL DORADO	EL DORADO NO.	CASSODAY	EMPORIA	ADMIRE	SOUTH TOPEKA	EAST TOPEKA	WEST LAWRENCE	EAST LAWRENCE	BONNER SPRINGS
4	SOUTH HAVEN																	
19	WELLINGTON	3.50																
33	MULVANE	6.25	3.50															
42	SOUTH WICHITA	7.75	4.75	2.50														
45	WICHITA K-15	8.25	5.50	2.75	1.10													
60	EAST WICHITA	8.50	6.50	4.00	2.50	1.95												
57	ANDOVER	10.75	8.25	6.25	4.50	3.75	3.50											
71	EL DORADO	14.25	11.00	8.75	7.50	7.25	6.25	4.25										
76	EL DORADO NORTH	16.25	13.00	10.00	8.75	8.50	8.25	5.75	2.00									
92	CASSODAY	21.25	18.50	16.25	15.00	14.75	13.25	11.25	7.50	5.75								
127	EMPORIA	30.00	26.75	24.00	22.50	22.00	21.75	20.75	18.75	17.00	11.75							
147	ADMIRE	33.75	31.50	28.25	26.25	25.75	25.50	25.00	24.00	22.25	17.75	6.75						
177	SOUTH TOPEKA	42.25	39.25	36.00	33.75	33.50	33.00	32.50	32.00	30.50	25.50	14.50	8.50					
182	EAST TOPEKA	43.25	40.00	36.50	34.50	34.00	33.75	33.50	32.75	31.00	26.25	15.25	9.25	1.85				
202	WEST LAWRENCE	44.00	41.00	38.00	36.25	35.75	35.50	35.00	33.75	32.50	28.50	18.75	10.75	8.00	5.25			
204	EAST LAWRENCE	44.25	41.50	38.25	36.50	36.25	35.75	35.00	34.00	33.00	28.75	17.25	11.00	8.50	5.50	1.25		
224	BONNER SPRINGS	46.00	43.25	40.25	38.25	38.00	37.50	36.75	35.75	34.50	30.75	19.25	12.50	7.50	6.75	3.50	3.00	
231	EASTERN TERMINAL	46.75	44.25	41.75	40.25	40.00	39.50	38.50	37.00	35.75	32.25	20.75	15.25	10.25	9.25	5.50	5.00	2.50

SB 453, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1991, for the state library, Kansas arts commission, Kansas state school for the visually handicapped, Kansas state school for the deaf, state historical society, council on vocational education, and Kansas public broadcasting commission; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 454, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1991, for Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, state board of regents and Kansas college of technology; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

House Concurrent Resolutions

HCR 5032, by Special Committee on Federal and State Affairs/Governmental Organization, Re Proposal No. 24 and Special Committee on Legislative, Judicial and Congressional Apportionment, Re Proposal No. 40: A proposition to amend section 3 of article 6 of the constitution of the state of Kansas, relating to state board of education member districts.

HCR 5033, by Representatives R.H. Miller and Barkis: A concurrent resolution relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

HCR 5034, by Representatives R.H. Miller and Barkis: A concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

HCR 5035, A concurrent resolution endorsing the concept of employee stock ownership plans.

House Resolutions

HR 6001, by Representative Helgerson: A resolution requesting the Department of Social and Rehabilitation Services to delay the effective date of proposed cuts in expenditures and deletions in certain services and benefits until after a coordinated effort to resolve financing of such services and benefits can be undertaken with the Legislature during the 1990 Regular Session.

HR 6002, by Representative Bowden: A resolution congratulating and commending the Cheney High School Girls' track team and its coach, Vernon Ferguson, on winning the 1989 Class 2A State Track and Field Title in Kansas.

HR 6003, by Representatives R.H. Miller and Barkis: A resolution relating to the organization of the House of Representatives.

HR 6004, by Representatives R.H. Miller and Barkis: A resolution relating to the assignment of seats of the House of Representatives.

HR 6005, by Representatives Larkin, Bryant and Rezac: A resolution opposing the expansion of the Fort Riley Military Reservation.

Senate Concurrent Resolutions

SCR 1627, by Special Committee on Federal and State Affairs/Governmental Organization, Re Proposal No. 24: A concurrent resolution requesting the Legislative Coordinating Council to establish a special committee to develop a legislative code of ethics and to review the laws of Kansas that pertain to state governmental ethics.

SCR 1628, by Special Committee on Federal and State Affairs/Governmental Organization, Re Proposal No. 24: A proposition to amend sections 2 and 8 of article 2 of the constitution of the state of Kansas, relating to the legislative branch of state government.

Senate Resolutions

SR 1801, by Senators Burke and Johnston: A resolution relating to the organization of the Senate.

Doc. No. 008742

State of Kansas

Department of Transportation

Notice of Hearing on Proposed

Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Monday, February 19, in Room 734 South of the Docking State Office Building, 915 Harrison, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Bureau of Traffic Engineering.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Kent S. Jackson, Office of Chief Counsel, Kansas Department of Transportation, Docking State Office Building, Topeka 66612-1568.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows.

K.A.R. 36-1-1, General policy on the issuance of special permits: Amendments to this regulation allow special vehicle combination permits for certain divisible loads as set forth in 36-1-28 through 36-1-33. This change allows trucking firms that comply with the appropriate safety requirements to use triple trailers on the state highway system. Triple trailers are already allowed on the Kansas Turnpike.

K.A.R. 36-1-28, Special vehicle combinations demonstration program: This regulation establishes the procedures for obtaining a special vehicle combination permit. A "special vehicle combination" (SVC) is a truck tractor semi-trailer-trailer-trailer combination of vehicles. A trailer may consist of a converter dolly and a semitrailer. Fees for SVC permits are as follows:

Single Trip SVC Permit	— \$ 5.00/Towing Unit
Monthly SVC Permit	— \$ 12.00/Towing Unit
Annual SVC Permit	— \$120.00/Towing Unit

K.A.R. 36-1-29, Violations: This regulation establishes consequences for violations of laws and regulations applicable to SVCs.

K.A.R. 36-1-30, Cancellation of Permit, Hearing: This regulation establishes a procedure for requesting a hearing following cancellation of a SVC permit.

K.A.R. 36-1-31, Equipment: This regulation establishes equipment and safety requirements for SVC operation.

K.A.R. 36-1-32, Operational Procedure: This regulation establishes operational procedures for SVC operation.

K.A.R. 36-1-33, Insurance: This regulation establishes insurance requirements for SVC operation.

Copies of the regulations and their economic impact statements may be obtained from Kent Jackson at the address given above.

Horace B. Edwards
Secretary of Transportation

Doc. No. 008740

**CALIFORNIA DEPARTMENT OF TRANSPORTATION STUDY ON
LCV
(LONGER COMBINATION VEHICLES)**

In 1982 The Service Transportation Systems Act required the Federal Highway's Administration to report to Congress on the benefits and costs of the national inter city truck route network for longer combination vehicles.

The California Department of Transportation volunteered to FHWA to conduct an actual over the road operational test of three longer combination vehicles. This presentation highlights the events of those tests.

You will see the longer combination vehicles, which we also refer to as "LCV's" traveling on the freeway and negotiating freeway interchanges. You will observe the LCV's in urban traffic, including arterials and intersections. The combinations of mobility was tested at rest areas and weigh stations. Tests were conducted to test the efficiency of the vehicles in sudden braking situations; and off tracking tests were conducted to check the additional space that these trucks require in turns. We also tested the LCV's for noise generation, fuel economy, acceleration, movement and mobility on two lane roads. The test route covered approximately 1,200 miles of the California street, road and highway system; stretching from the San Francisco Bay area down to the San Joaquin Valley and into Los Angeles and back up into the valley again. Each combination was operated over the same allowing observation of operation under a variety of conditions and a comparison between combinations under the same conditions.

Three tests were conducted over a period of three weeks with the long vehicle combinations. The first being with the combination called the "triples". The triples consist of a tractor, a 28' semi-trailer and two 28' trailers; with an overall length of 100.2' using a cab over engine tractor and a length of 107.4' using a three axle conventional tractor.

The second week of testing was with a Rocky Mountain doubles combination, consisting of a three axle conventional tractor, pulling a 48' semi-trailer and a 28' trailer. This combination had an overall length of 93.2 feet. The longest truck combination tested was the Turnpike doubles. It has a 48' semi-trailer and a 48' trailer and an overall length of 115', using a conventional three axle tractor.

Caltrans offered to conduct the on the road operational tests because the state has all the diverse conditions through which long vehicle combinations could potentially operate. The test was intended to show the actual operational characteristics of each combination and also to show under what conditions the operation might be restricted and why it might be restricted. All combinations were tested on generally the same freeway to freeway and freeway to local interchanges. To observe the performance of each and to compare the performances of each.

The Rocky Mountain doubles encountered some problems when maneuvering through some interchanges. The Turnpike doubles also experienced the same problem. Such actions would result in accelerated deterioration of shoulder edges and increase the chances of striking road side objects. Both the Rocky Mountain doubles and the Turnpike doubles consistently crossed over and climbed the curb on many of the older interchanges of the designated system.

It was not unusual for one tire of each rear dual to ride the top of the curb with the other tire being suspended in the air. This situation would create significant pressure on both the tires and curbs; creating the potential for very rapid curb deterioration and tire blow-out. The Turnpike doubles had significant problems on the existing interchanges and would effect substantial pavement edge maintenance or new faculties design standards, far exceeding those existing today.

This test was conducted to see how the combinations would operate on the open road with only minimal interference from other traffic. The Viking driver was instructed to drive normally. All level open road tests were run at 55 to 60 mph. The operation of the triple trailers over the open road produced some of the more notable results of the test. There were extended periods of constant whip and sway. The sway effect produced a constant four-to-six inch total sideways displacement movement of the middle portion of the trailer combination. The trailer combination had a sideways or serpentine appearance with maximum movement occurring between the second and third trailers. There were generally little apparent sideways movement of the rear of the third trailer. The serpentine action was particularly noticeable on I-580 and I-5. This 125 mile stretch of freeway consist of a modern design standard four lane freeway, rolling or flat terrain in totally rural areas. There was no noticeable wind, minimal traffic and no apparent physical deficiencies of the roadway. The loaded trailers were in a constant serpentine movement during the run of this entire segment. There were times when there were no sway movement of the trailers. However, it is estimated that some sway occurred for over 75% of the total mileage of the test. At times the whip and sway motion approached the 8" to 12" sideways motion for extended periods of time. There were also isolated incidents when the sway greatly exceeded one foot and approached the 3' to 4' range. There was considerable speculation about what could be done to eliminate the problem with little success but it was agreed that it was important enough to be investigated thoroughly.

The Turnpike doubles and to some extent the Rocky Mountain doubles had some difficulty entering and exiting the Viking yard in Modesto. The facility is on Crows Landing Road, a four-lane arterial with a striped dual left turn lane and a curbed 30' wide entrance and exit. On a right turn exit from this yard, the Turnpike double encroached about 4' into the dual left-turn lane. This required stopping the traffic on Crows Landing Road so the vehicle could make the turn. It is doubtful that the combination could make this move safely without considerable waiting for a traffic opening.

All combinations were tested at generally the same intersections. As with the freeway interchanges, you will see each combination negotiating the same three urban intersections. Generally, the triples had the fewest problems at urban intersections encroaching the opposing lane about 2 feet.

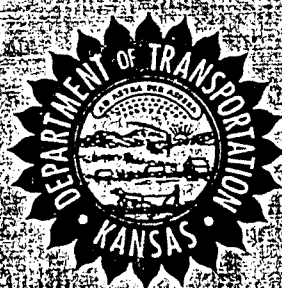
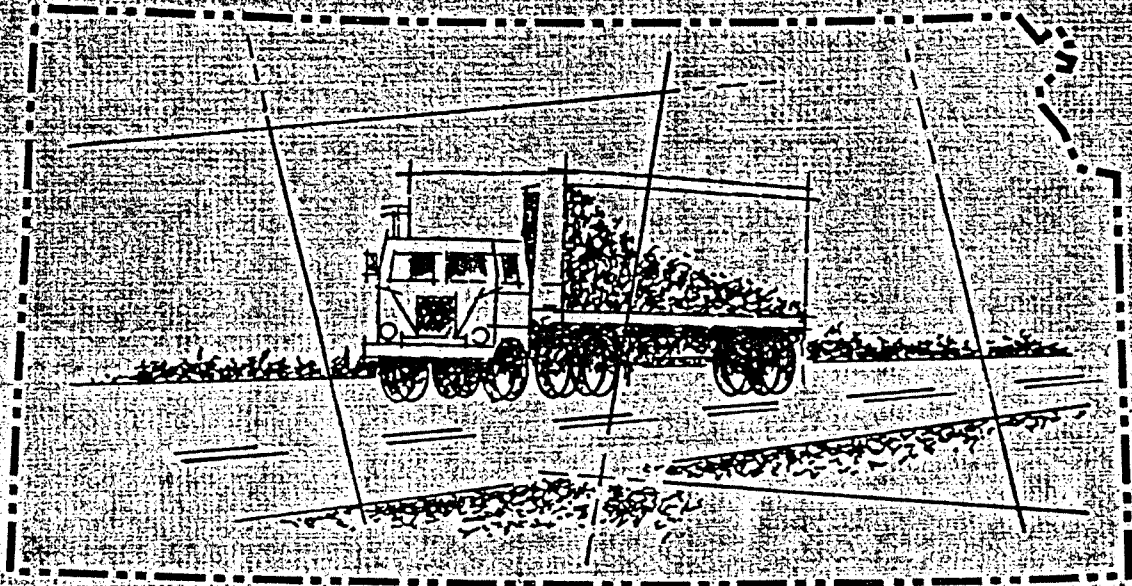
At many intersections and especially for the Turnpike doubles, left turns were not made from the left turn pockets. The reasons were that the left turn pockets were not long enough for the test vehicle to get into straight. There was usually another vehicle in the pocket which further reduced the amount of space and the driver generally needed all the room he had available. Generally, the non single intersections were closed off until the test vehicle had cleared it. While this tactic was not used for maneuverability, it was needed because there was generally not a sufficient gap in traffic from the other directions to allow the vehicle to turn through the intersection. Turnpike doubles required two full lanes. This encroachment would usually result in waiting for the truck or the other traffic. The possibility also exists for potential damage to curbs, signs and signals at intersections; or traffic being caught between the long combination and other fixed objects. We also found that differences do exist between the three combinations tested. That is, there are different handling or maneuverability characteristics for each.

The more prominent problems with the triples which could prevent their universal operation was the constant whip and sway, which could create problems in dense traffic conditions. The Rocky Mountain doubles encountered many of the road problems associated with the triples but they did have a difficult time maneuvering through existing interchanges and intersections. They proved less maneuverable than the largest combinations currently legal in California. This could result in greatly increased pavement edge damage, roadside equipment damage and a hazard to adjacent traffic.

The Turnpike doubles also proved very stable on the open road but were even less maneuverable than the Rocky Mountain doubles. They could not successfully negotiate some interchanges within the confines of the roadway. This again would result in pavement and sign damage even more severe than with the other combinations. The handling of maneuvering problems were even more magnified off the freeways in the urban areas. It is probable that special provisions may be needed for long vehicle combinations or thought should be given to special operation conditions and limitations.

In conclusion, these tests indicated the need for diligent governing procedures with respect to allowing longer combination vehicles on the designated freeway system. The vast majority of the system was designed to accommodate a vehicle now two generations old. Further increases in truck combination size must be carefully evaluated with respect to the safety of the motoring public and possible damage to the highway system. It was the intent of these tests to point out the operational characteristics and limitations of the longer combination vehicles in today's traffic conditions.

COST ALLOCATION 1985 STUDY



EXECUTIVE SUMMARY

A Highway Cost Allocation Study is a study of tax equity. Specifically, the Kansas Highway Cost Allocation Study addresses the equity of state-collected revenues as they relate to the cost responsibility for the State highway system. As such, state-collected revenues distributed to local governments were not included as revenues. Neither are Federal-Aid funds included as revenues because those funds have already been allocated in the 1982 Federal Highway Cost Allocation Study.

The Kansas Highway Cost Allocation Study was requested by the Kansas Legislature. Legislative interest in cost allocation began during the 1979 legislative session when the House Ways and Means Committee proposed that the Secretary of Transportation prepare a report on highway deterioration caused by heavy vehicles in the six highway districts. The 1980 and 1981 interim transportation committees held hearings and discussions on highway cost allocation studies. At that time Secretary Kemp informed the committees that the Kansas Department of Transportation would conduct a study but requested that time be given for consideration of the results of the Federal Highway Cost Allocation Study, specifically the methodologies recommended for use by the States. The Federal Cost Allocation Study was completed May 1982. The State Highway Cost Allocation Guide was completed October 1984. Those documents provided considerable guidance and data for the Kansas Highway Cost Allocation Study.

The Kansas Study allocated the projected construction, maintenance, and administrative expenditures for the four year study period of 1985-1988. The expenditures were allocated to 38 classes of vehicles which included automobiles, motorcycles, buses, pickups and vans, light single unit trucks, heavy single unit trucks, and truck tractors with trailers. These general types were subdivided into registration weight groups and numbers of axles. Revenues were restricted to taxes and fees distributed to the State Highway and State Freeway Funds. The projected revenues for the four year study period of 1985-1988 were attributed to the same 38 classes of vehicles used for expenditure allocation.

Revenues and expenditures were compared for each of the 38 classes of vehicles. The comparison is a ratio of percentages of revenues to percentages of expenditures. A ratio below 1.00 indicates that a vehicle class is underpaying. A ratio above 1.00 indicates that a vehicle class is overpaying. The ratios for passenger vehicles and trucks are 1.12 and 0.82 respectively. Passenger vehicles are overpaying by 12% and trucks are underpaying by 18%. However, there are inequities within passenger cars and trucks. The small autos are subsidized by large autos and pickups and vans. The light truck class (2 axle and 6 tires) overpay by 6% but the lighter trucks subsidize the heavier trucks. The heavy single unit 3 axle truck class underpay by 33%. The truck tractor twin trailer registered above 75,000 pounds underpays by 55% whereas a 5 axle truck tractor single trailer also registered above 75,000 pounds underpays by 11%. The following general conclusions summarize the study:

1. Passenger vehicles subsidize trucks.
2. Pickups, vans and standard autos subsidize small autos.
3. Light single unit trucks (2 axles with 6 tires) subsidize heavier trucks.
4. Heavy single unit trucks (3 axles) underpay by 33%.
5. Heavy combination 5 axle truck-single trailers subsidize 5 axle truck twin trailers.

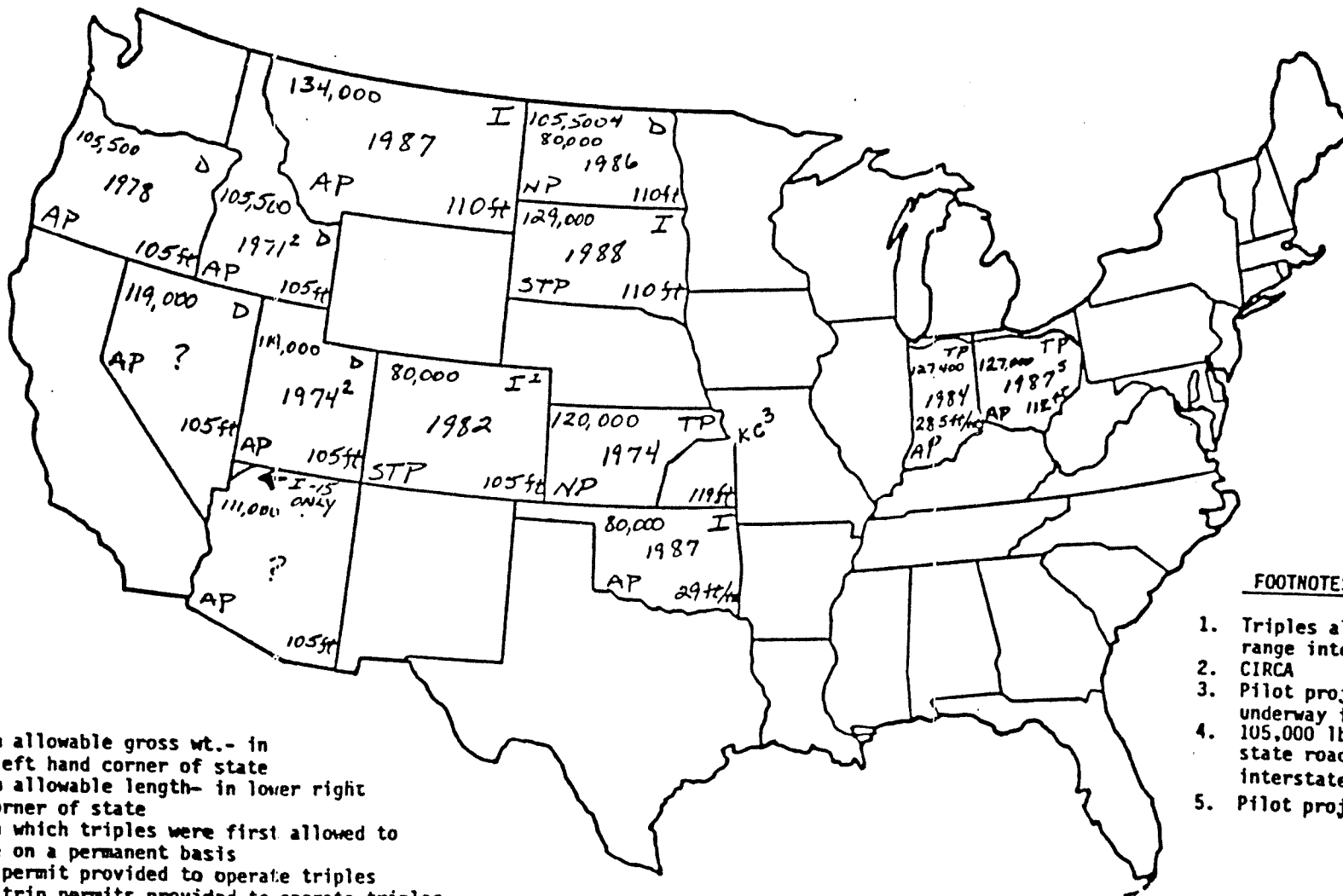
TABLE 2
ESAL VALUES BY VEHICLE CATEGORY

DESCRIPTION	CATEGORY	FLEXIBLE PAVEMENT ESAL SN=4, p=2.5	RIGID PAVEMENT ESAL D=9", p=2.5
STD AUTO	1	0.00012	0.00010
SM-AUTO	2	0.00010	0.00010
MOTORCYCLE	3	0.00001	0.00001
INTERCITY BUS	4	0.39880	0.54670
TRANSIT BUS	5	0.27030	0.29630
SCHOOL BUS	6	0.58870	0.79540
SU-4TIRED <6	7	0.00090	0.00080
SU-4TIRED 6 to 10	8	0.00860	0.00170
SU-4TIRED >10	9	0.02140	0.00534
SU-6TIRED <19.5	10	0.04340	0.01879
SU-6TIRED 19.6 - 26	11	0.23790	0.17780
SU-6TIRED >26	12	0.31930	0.22774
SU-3AX <26	13	0.30970	0.44230
SU-3AX 26 - 33	14	0.64150	0.99670
SU-3AX 33 - 40	15	0.57490	0.62170
SU-3AX 40 - 50	16	0.70212	0.82535
SU-3AX >50	17	0.67230	0.96150
COMB-3AX <26	18	0.14460	0.11937
COMB-3AX 26 - 50	19	0.38060	0.35019
COMB-3AX >50	20	0.40300	0.30948
COMB-2S2 <50	21	0.18690	0.17400
COMB-2S2 50 - 60	22	0.57929	0.66881
COMB-2S2 >60	23	0.79862	0.63884
COMB-4AX <50	24	0.23510	0.17717
COMB-4AX 50 - 60	25	0.63380	1.41490
COMB-4AX >60	26	0.55005	0.70409
COMB-3S2 <50	27	0.56400	0.87120
COMB-3S2 50 - 70	28	1.00934	1.05392
COMB-3S2 70 - 75	29	1.01456	1.21389
COMB-3S2 >75	30	1.03362	1.51770
COMB-5AX <50	31	0.35272	0.51490
COMB-5AX 50 - 70	32	0.18598	0.23757
COMB-5AX 70 - 75	33	1.07247	1.35511
→ COMB-5AX >75 <i>18 wheeler</i>	34	1.17920	1.37270
COMB-6AX <50	35	0.87710	1.25720
COMB-6AX 50 - 70	36	0.60120	0.79510
COMB-6AX 70 - 75	37	1.59660	1.13040
COMB-6AX >75	38	1.40460	1.12640

Divide circled bottom no. by top no. and that is No. of cars to equal one truck

TRIPLE TRAILER OPERATIONS SIZE, WEIGHT & OPERATING AUTHORITY REGULATIONS

4-13



LEGEND

- Wt.- Maximum allowable gross wt.- in upper left hand corner of state
- Length- Maximum allowable length- in lower right hand corner of state
- Date- Year in which triples were first allowed to operate on a permanent basis
- AP- Annual permit provided to operate triples
- STP- Single trip permits provided to operate triples
- NP- No special permit required for triples operations
- I- Triples allowed on Interstate Highways only- some states have reasonable access provisions
- D- Triples allowed on designated highway which includes Interstates plus some other highways
- T- Triples allowed on Turnpikes only

FOOTNOTES

1. Triples allowed on front range interstates only
2. CIRCA
3. Pilot project for triples underway in Kansas City area
4. 105,000 lbs. on non interstate roads; 80,000 lbs. on interstates
5. Pilot project

*Early 1989 -
Furnished by
Jim Todd & others*

POINT/COUNTER POINT

On February 6, 1990, Mary Turkington, Executive Director of the Kansas Motor Carrier's Association, furnished each legislator a letter and a triple trailer information fact sheet. While I have the greatest respect for Mary, I do question some of the Motor Carrier's Association statements.

Motor Carrier's Statement: The Secretary of Transportation proposed rule changes are a two year pilot project.

Response: The Secretary's Notice of Hearing appearing in the Kansas Register, Vol. 9, No. 3, January 18, 1990, states, "These regulations are proposed for adoption on a permanent basis."

Motor Carrier's Statement: Triples are better for pavements than doubles since they have a lower average weight per axle compared to doubles.

Response: This is, in our opinion, somewhat misleading. According to a study of the Utah Department of Transportation Research and Development Unit, done in September 1975, to evaluate triple trailers in Utah, they stated, "triple trailers do shorten pavement life in comparison with single trailers but no more than doubles."

Motor Carrier's Statement: Triples have a tighter turning radius for a 48' van being pulled by a trailer.

Response: They fail to mention that almost all tractor trailer combinations encroach into the opposing lane of traffic at urban intersections while turning. In the California Department of Transportation study of longer combination vehicles, a turnpike double making a right turn encroached about 4' into the on-coming lane and the triple combination encroached into the opposing lane approximately 2'. The fact is almost all trucks encroach into the opposing lane at urban intersections causing an unsafe condition.

During the last legislative session, the Kansas Motor Carrier's testified their members supported the governor's 2.1 billion dollar highway plan. They supported it even though their taxes, registration fees and fuel costs would increase. They also testified, that they felt it was their responsibility to help pay for this massive undertaking. Now, we are told by this same group, they need these proposed rule changes to be competitive and cut their costs.

Two ways these costs will be cut is by moving 6 trailers across Kansas with 2 tractors rather than 3; this could conceivably lead to 1/3 less registration fees being collected. They say they will cut their fuel costs 45%. The same fuel they testified in favor of increasing the price of at the pump with additional taxes. While there is nothing unethical about trying to cut ones' cost of doing business, I find it unconscionable that the same group which encouraged and supported increases in our state sales tax, registration fees and the issuance of millions of dollars worth of bonds, now find it necessary to attempt to circumvent these costs themselves.

Lengthen Trains, Not Trailers

By MARIA REHNER

An unsettling international flap over long tractor trailers that is pitting U.S. trailer manufacturers against Ontario legislators begs the question of whether increased rail use might not be the best solution to a number of North American transportation problems.

The flap began in November 1989, when the Ontario provincial minister of transport announced that trailer lengths beyond 48 feet finally would be allowed in Ontario, as trucking companies there have long desired. Enabling legislation that will allow combination trailer lengths of up to 82 feet is scheduled to be in force by summer 1990.

But once he made this announcement, the minister was besieged by Canadian trailer manufacturers who alleged huge financial losses as orders for less lengthy equipment were canceled in anticipation of the longer equipment. The minister then succumbed to the manufacturers' pressure and announced that by March, special permits would be issued that would allow trucking companies to order the longer trailers. In the process, the minister also stipulated that the permits would be restricted to Canadian-manufactured equipment.

Thus U.S. equipment manufacturers, with an available inventory, will not be permitted to participate in this market. With apparently no qualms, the Ontario government stated that the Canadian-made requirement was inserted by the provincial cabinet to protect Ontario manufacturers.

Not surprisingly, a formal complaint has been filed by the U.S. government demanding that the province of Ontario allow U.S. trailer manufacturers equal rights to sell 53-foot trailers and 82-foot combinations in Ontario.

Unfortunately, transportation was excluded from the scope of the U.S.-Canada Free Trade Agreement. Nonetheless, this action appears to fly in the face of the spirit of free trade, which is otherwise expected to pervade Canadian-U.S. relations as the act is implemented. The U.S. Department of Transportation has not been amused and is considering retaliatory measures.

But such international conflict raises an issue more critical than free trade: Will longer truck trailers in Canadian provinces — or in more U.S. states, for that matter — prove cost effective when evaluated against the continued deterioration of the continent's transportation infrastructure?

In the eastern United States and central Canada, traffic congestion is such that serious consideration is being given to the creation of special transit ways exclusively for truck traffic. Longer tractor trailers are becoming a greater highway safety hazard. Both the Federal Highway Administration and the National Research Council conducted studies that concluded that twin trailer combinations and extended length equipment are involved in significantly more accidents. It is alleged that larger truck-trailer combinations are more prone to roll over, more prone to encroach on outside lanes and are more difficult to maneuver

through interchanges. Although these studies may not be conclusive, they are less-than-ringing endorsements of extended length equipment.

There are also environmental considerations. Tractor trailers do not move on North American streets and highways in a vacuum. They share these thoroughfares with other vehicles, all of which are contributing to air pollution. Ultimately, it is the environment that is being held hostage to the proliferation of all sizes of motor vehicles. Many believe that technology could shortly be made available to produce cleaner burning engines. For years, we have heard of methanol and ethanol as alternative fuels; surely such alternatives will soon be possible. But cleaner air comes with a cost, and the profit margins in the trucking industry in the last few years have been exceedingly low. The industry will argue quite cogently that its investment in the environment has reached its outer limit.

The answer to these problems may lay in off-highway transportation, which could not only reduce emissions but also provide time to acquire the financing for the rehabilitation of highway and bridge infrastructure. Perhaps North America should rediscover the railway. No one would dispute the fact that highway transportation is more convenient than rail, but our highways are crumbling.

Railway transport also would provide an economic alternative to these concerns. The U.S. rail industry, which has been restructuring since 1980, appears to be well on its way to financial health. Rail return

on equity in the last 12 months in the United States was a median 12.7%.

Buried within the median figures are some stellar performers: Consolidated Rail Corp. recently announced a plan to make a \$1 billion tender offer for its stock and will establish a stock-ownership plan for non-union employees. The Norfolk Southern, reported to have had the highest net income of all U.S. Class 1 railways in the last 12 months, also has been an innovator in railway technology. It now has to its credit Roadrailer — the dual purpose 48-foot trailer that runs both on rails and the highway.

These are no mean feats for the bankrupt railroads created by U.S. federal legislation some 15 years ago. As highways deteriorate and concerns about motor carrier safety and the environment become more pressing, what could be a more appropriate contribution to transportation technology than a piece of equipment that can travel off the highway, in a unit train of 60 cars or more? Pulled by two locomotives, such long trains would emit substantially lower levels of sulfur monoxide and carbon monoxide than would the number of motor vehicles required to carry the cargo of a Roadrailer.

If highway transport is truly ensnared in all the problems that are cropping up today, shouldn't we revert to limiting trailer lengths to 48 feet and seriously consider the alternatives that rail offers?

Maria Rehner, an attorney licensed in both Ontario and Massachusetts, practices transportation and environmental law in Toronto.

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

Presented to the Senate Transportation & Utilities
Committee, Senator Bill Morris, Chairman; Statehouse,
Topeka, Wednesday, March 21, 1990.

Supporting the compromise proposed to
H.B. 2959 concerning the issuance of
special permits for the operation on
specified highways of triple trailer
combination units.

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 today with representatives of the highway transportation industry to support the proposed compromise with which the trucking industry and the railroad industry have agreed concerning H.B. 2959.

The compromise would allow the Secretary of Transportation to issue special permits for the operation of longer combination vehicles in three areas:

(1) Those longer combination vehicles currently operating on the Kansas Turnpike would be granted access both as to length and weight limits by special permits within a 20-mile radius of the east toll gate exit to respective motor freight terminals; and within a 10-mile radius from other Turnpike toll gates to respective motor freight terminals. This clarification would permit current operations on the Turnpike to continue.

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(2) The operation of triple trailer combination units hauling a maximum of 110,000 lbs., would be authorized by special permit from Goodland, Kansas, to and from the Colorado border on 4-lane interstate I-70 with a five-mile access to freight terminals at Goodland.

(3) The operation of triple trailer combination units hauling a maximum of 110,000 lbs. would be authorized by special permit from a motor freight terminal located at Baxter Springs, Kansas, using U.S. highway 69 alternate to and from the Kansas-Oklahoma line.

Restrictions imposed by the amendment would govern the conditions under which such special permits could be issued.

While these provisions offer minimal opportunities for the highway transportation industry to remain competitive with such triple operations authorized in other states, our industry has agreed to support this proposal. Our industry would want you to fully understand that the opportunity for highway transportation to grow safely and successfully in Kansas will require us to revisit this issue in 1991 with respect to the operation of triple trailer units on other 4-lane interstate routes in Kansas.

I want to speak briefly to the integrity of our industry's efforts to meet a competitive situation which developed following the adjournment of the 1989 session of the Kansas Legislature.

Following the adjournment of the 1989 session of the Kansas Legislature, Colorado completed a rulemaking authorizing operation of triple trailer combinations at a gross weight of 110,000 lbs. As my letter of February 6, to the Legislature pointed out, Colorado has allowed operation of triple combinations since 1981 at 80,000 lbs.

Until that state increased its permissible gross weight limit to 110,000 lbs. in May, 1989, it was not feasible for companies to operate triple combinations. This development created an immediate competitive problem involving freight movements into and through Colorado. Retention of Kansas jobs and the economy of Kansas towns are involved.

I personally asked the Kansas Secretary of Transportation for the industry meeting which subsequently was scheduled for May 24, 1989, to determine whether a solution to this problem existed under current statutory authority. Our legal research indicated that statutory basis already existed through the state's special permit provisions to issue special permits for these longer combination vehicles. The Secretary, on advice of his legal staff, requested that a specific rulemaking procedure be initiated to develop specific, controlled conditions under which a two-year demonstration project could be considered to measure the safety performance, equipment requirements, driver qualifications, economic impact and related operational procedures governing such triple combinations. Input from the public clearly was to be a part of such a rulemaking.

During the intervening months, substantial effort has been invested by the KDOT staff and by the industry to develop a comprehensive, workable set of proposed regulations. Proper notice of a public hearing was published in the KANSAS REGISTER to receive public comments on the proposed rules and regulations.

This industry did not attempt to circumvent the legislative process in any way. The complexities of developing adequate, workable rules and regulations and the need for a closely-controlled environment all were addressed in the rulemaking procedure.

I also want to make it indelibly clear that our industry's request to operate triple combinations on interstate routes had no linkage whatsoever to our industry's support for the comprehensive highway program adopted in 1989. I would ask your respect not only for our industry's integrity but for my personal integrity on that matter. Our industry accommodated substantial tax increases but fought hard for that highway program because we believed in the need for an adequate highway system in Kansas. Anyone who would suggest otherwise simply is not telling the truth.

The issue of controlled operation of triple trailer combination units is an issue involving Kansas jobs, Kansas employers, Kansas shippers and the Kansas economy. It is an issue involving the message we send to companies with substantial facilities already located in Kansas who want to grow -- safely and successfully.

Included in the folder of information provided for you are statements from professional Kansas drivers verifying millions of miles of safe operation of these vehicles.

There are dramatic employment figures that talk about existing jobs, existing payroll -- and the need for these companies to have the opportunity, through increased productivity, to grow in Kansas!

There are copies of testimony that time did not permit to be repeated here today that companies presented to the House Transportation committee demonstrating the economic gains Kansas can have for the asking through expansion of this transportation opportunity.

There are summaries of research already completed that help to document the forceful argument for operation -- controlled operation -- of these units.

And there is important testimony from Goodyear Tire & Rubber Company which is a leading Kansas employer with some 2,150 existing jobs and a payroll of some \$81 million in addition to the \$20 million this company spends in local purchases of material and supplies within a 100-mile radius of Topeka, which supports the use of triple trailer combinations.

I hope you will find time particularly to read the Goodyear testimony.

It is for all of these reasons, Mr. Chairman and members of the Committee, that we ask your support of this Kansas economic development issue. We do support the compromise -- not because we believe it is a total answer -- but because we believe it is at least a proper beginning of a solution to an urgent competitive problem that involves Kansas people, Kansas jobs, Kansas communities -- and the growth of the Kansas economy.

We will be pleased to respond to questions at the completion of our testimony.

####

Before the
Kansas Senate Transportation and Utilities Committee

Testimony of

Warren Hoemann

Yellow Freight System, Inc
Overland Park, Kansas

House Bill 2959

March 21, 1990

ATT. 6
T&U
3/21/90

House Bill 2959

My name is Warren Hoemann. I am Director of State Government Relations for Yellow Freight System of Overland Park. I am here in support of the proposed amendment to House Bill 2959.

Yellow Freight is a nationwide carrier of LTL (less-than-truckload) general commodities -- shipments averaging 800 - 1,000 pound each, usually consumer products moving to stores and distribution centers. We operate through a network of 640 local terminals, freight consolidation points, called "breakbulks", and driver relays, and serve over 30,000 communities directly. Here in Kansas, we have our corporate headquarters plus 15 terminals. We employ over 2,200 people in Kansas with a direct payroll over \$74 million. A detailed breakdown is in your packet.

You also have in your packet a colored map that shows where triples are currently authorized. Eleven states, three Turnpikes and four Canadian provinces allow triples -- all under special permits and strict rules and regulations. Here in Kansas, triples have operated on the Turnpike for 30 years. **In 1989, the Kansas Turnpike Authority reported zero triples accidents among all the carriers operating there.** A 1988 letter from the Turnpike Authority is included in your packet telling of the excellent experience the Turnpike has had with triples.

WHY A RULEMAKING WAS PROPOSED

The colored map shows that Colorado and Oklahoma, neighbors to Kansas, also allow triples. Colorado also began with a test and then went to permanent authorization. Oklahoma followed a similar pattern. While these states have tested or allowed triples since 1981 and 1986, respectively, neither offered sufficient gross weight to make triples economically feasible -- until last year.

In late 1988 Colorado began a rulemaking to increase the available gross weight on triples from 80,000 pounds to 110,000 pounds. That rulemaking became final in May, 1989, after the Kansas legislature had adjourned.

Two things are useful to note about the Colorado rulemaking. First, Colorado's special permit statute reads word-for-word the same as the special permit statute in Kansas. In fact, Utah, Nevada, Idaho and Oregon all initiated their triples programs (over 20 years ago) by administrative rulemaking. The Utah and Nevada statutes are also identical to Colorado's and Kansas'. And the same language was approved by the federal government for special permit operations way back in 1975.

Second, the Colorado rulemaking was not opposed, by the railroads or by labor. In fact, the Colorado legislature has just expanded the triples network in that state, again without opposition from rail or labor.

At the same time, Oklahoma began a rulemaking to increase its available gross weight from 90,000 pounds to a proposed 105,500 pounds. That has not yet gone into effect because of differing legal opinions. But triples continue to operate in Oklahoma at 90,000 pounds gross weight.

These developments in Colorado and Oklahoma put Yellow Freight at a competitive disadvantage with carriers whose facilities were located in those states. Specifically, Yellow Freight has a driver relay in Goodland, 17 miles this side of the Colorado line. In Goodland we have a \$1.3 million payroll. One of our competitors has its relay in Burlington, Colorado, 15 miles the other side of the line. That competitor can operate triples to and from Denver on that leg of I-70; we cannot because we are in Kansas. This costs Yellow several hundred thousand dollars a year.

Similarly, we have a breakbulk facility in Baxter Springs, one mile from the Oklahoma line. If Oklahoma does increase its weight, Yellow Freight will again face a competitive disadvantage. At stake in Baxter Springs is the competitiveness of an \$11 million payroll.

After the Colorado rulemaking became final, we approached the Kansas DOT to see if there was any administrative relief possible. We did not want to be penalized for being in Kansas. With us was KMCA, representatives from Goodland and Baxter Springs, and ANR Freight System, which was interested in Goodland as a driver relay.

After much legal research and engineering review, the response from KDOT was that the statutory basis existed for the issuance of the special permits -- and, as we have seen, legal precedence existed in Colorado, Utah and Nevada -- but that a rulemaking was necessary to specifically address triples. This would only be done under a tightly-controlled test, which could be discontinued at any time. Again, this practice had been followed by several other states who had conducted tests first, under rulemaking procedures, before permanently authorizing triples.

Let me make two things perfectly clear at this point: One, there were no deals made with KDOT or anyone else in return for Yellow Freight's support for the highway bill. In fact, we emphasized to KDOT that we in no way wanted to jeopardize the highway program and would understand if the triples test could not proceed.

Two, we did not seek triples to save taxes or because of the increased cost of the Kansas highway program. We sought triples to protect Kansas jobs from the competitive imbalance presented by the other states. We believe triples would bring increased highway tax revenues to Kansas.

THE PROPOSED AMENDMENT

Today we have a proposed amendment that places the future of triples in legislative hands and sets clear guidelines on the content of triples' rules and regulations. Yellow Freight supports this amendment as a good and necessary first step toward protecting Kansas jobs and improving Kansas productivity. We will return to the Legislature seeking additional Interstate highway segments next session.

I wish to specifically note that the proposed amendment does not create new powers in the Secretary of KDOT. The ability to issue divisible load special permits already exists. This amendment merely expresses legislative intent that the permits may be issued and then carefully controls how and where such permit operations may take place.

SAFETY

A 1979 U.S. DOT report states "On the whole it would appear from the literature available and conversations with state officials that the experience of states that allow triple trailer combinations to operate has been positive." (U.S. DOT; Outsize Vehicle Study, Sept. 19, 1979).

Here are Yellow Freight's own figures. We operate triples in 12 states. Through 1989, Yellow operated triples over 24 million miles in the last two years with but two reportable accidents. That is the equivalent of you driving your personal car 20,000 miles a year for 600 years without an accident.

If triples have such a fine safety record, you may ask, what about the infamous California test? You have in your packet two letters from Viking Freight System, the contractor for that test. Both letters point out that the test was conducted under unnatural circumstances and the driver found he was nervous "on stage".

The California test is put in its proper context by the most recent national study of longer combination vehicles, such as triples. This study was produced for the American Trucking Associations Foundation, but it was performed by the same contractors using the same sources

and methodologies they are employing today in research for the Federal Highway Administration.

Here is their overview: **14 states report positive experiences with special permit systems. 12 states report positive accident records or tests. 1 state (California) reports an unfavorable test. No states report unfavorable accident experience.**

I will close on the issue of safety with another exhibit from that recent report. These are actual quotes from states on triples.

"Idaho has experienced a reduction in accidents through use of triple trailers. The reduction is attributed in part to national firms assigning their top drivers to the triples." Doug Kraemer, Idaho DOT

A 1987 New Mexico report says: "All available accident data indicated triple trailers are being operated as safely as more conventional vehicles."

Nevada -- Roger Laird, Nevada DOT says: "If there were a safety issue, insurance companies would charge higher rates. That higher rates are not charged indicates that safety is less an issue than might be initially considered."

Utah -- Norm Lindgren, Utah DOT, "Utah has an excellent safety record involving triples. We have had no serious accidents during the twenty years of operation. The screening and training of drivers operating the LCVs is a key to the excellent record."

In Kansas, we proposed the same rules and regulations, the same stringent equipment requirements and driver training, the same restrictions against operation in inclement weather and the same limitation to Interstate highways that are found in other states. The proposed amendment guarantees that such restrictions will be imposed in Kansas. There is no reason a similar excellent safety record would not be obtained here.

PAVEMENTS AND BRIDGES

In your packet is a diagram of a set of doubles (two 28-foot trailers) and a set of triples as proposed in Kansas. You will see that, even at the 110,000 pounds maximum weight proposed for triples, the average axle weight for the triples is some 800 pounds less than for the doubles at the legal 80,000 pounds maximum. Axle weights, not gross weights, affect pavements. Triples are better for pavements than doubles.

Bridges are affected by how the gross weight is spread over the length of a truck combination. The spreading of that weight is one of the functions of the federal bridge formula that controls operations on the Interstate highways. At 110,000 pounds, triples are well below the weight the federal bridge formula would allow. Bridges are fully protected.

These two conclusions also indicate that triples do not necessitate increased highway taxes. The special permit fee established in the proposed amendment would be over and above all the other taxes paid by the triples operators. The fee is intended to cover all the costs of state administration of the triples program. The level of the fee is greater than what Oklahoma and Colorado assess for special permits on triples.

TRIPLES DO NOT COMPETE WITH RAILROADS

I would have no qualms offering triples to you if they were directly competitive with railroads. We believe competition is healthy.

But the fact is triples will not move one pound of freight off the rails. I've prepared a summary sheet on rail competition, rail jobs and rail pensions. Each point is documented from sources outside the trucking industry.

In brief, the railroads' own figures indicate that in 1986 only 0.007% of rail tonnage was LTL freight. While LTL freight may be seen as a "growth opportunity" by the rails, even a hundredfold increase would still constitute less than 1% of their tonnage.

On the other hand, railroads do offer piggyback service for transporting trailers. But unionized LTL carriers like Yellow are forbidden by the Teamster contract from utilizing piggyback when equipment and drivers are available to put the trailers on the highway. Yellow cannot divert trailers from piggyback that we contractually cannot offer to the rails in the first place.

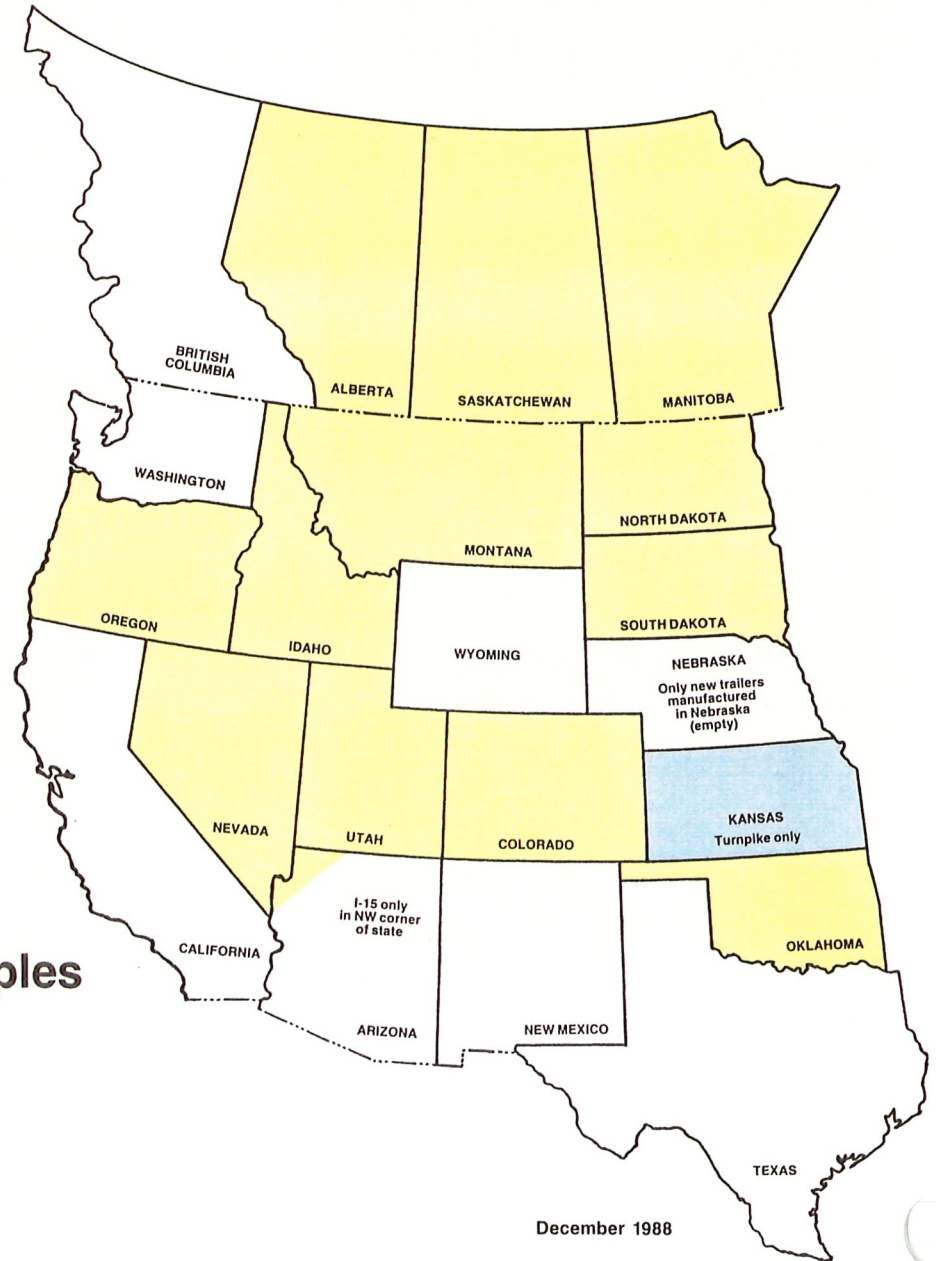
Why, then, do the railroads oppose triples? The AAR paper cited says why. The rails fear twin 48-foot semitrailers (Turnpike Doubles) which, at gross weight "up to 134,000 pounds", would give more productivity to truckload carriers. Triples are seen by the rails as a foot in the door.

Yellow has no interest in twin 48's. The rulemaking would not have allowed them. That is someone else's business, just as triples are not the rails' business.

Yellow Freight asks your support of the proposed amendment to HB 2959. We believe it is a good first step. It helps protect Kansas jobs while maintaining highway safety. Those are goals everyone can support.

Thank you.

Western States and Provinces Allowing Triple Trailers



 States and Provinces Allowing Triples

ALSO  INDIANA Turnpike and  QUEBEC and  OHIO Turnpike Test

December 1988

9-9

SHERMAN COUNTY

DRAFT RESOLUTION
90-5

WHEREAS Yellow Freight, Inc. has a freight terminal in Sherman County, and

WHEREAS the Yellow Freight terminal is a major part of this County's economic and employment base, and

WHEREAS the operation of triple trailer combinations are important to Yellow Freight's operations in Sherman County, and

WHEREAS Yellow Freight feels that the added productivity of triple trailers is essential to their competitiveness.

WHEREAS the sound safety performance of these combinations, based on some 30 years of Kansas Turnpike experience, is well documented, and

WHEREAS House Bill 2959 which severely limits the use of triple trailers on Kansas highways has passed the House and has been referred to the Senate, and

WHEREAS Sherman County wishes the Kansas State Legislature to be aware of it's feeling in this matter, and

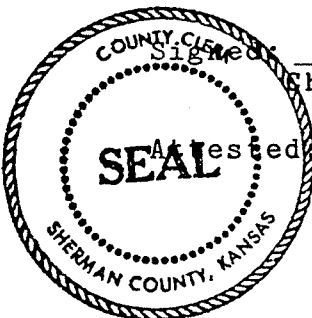
WHEREAS Colorado allows triple trailers on their interstate system, and

WHEREAS Yellow Freight desires to access Colorado interstate highways with triple trailers from the Sherman County terminal, and

WHEREAS the jobs and economic stimulus provided by Yellow Freight in Sherman County are important;

NOW THEREFORE BE IT RESOLVED THAT Sherman County supports the operation of triple trailers on the twenty miles of Interstate from Goodland to the Colorado state line.

Passed this 19th day of March, 1990 by the County Commissioners of Sherman County.



RB Jensen
Chairman

Janet R. Rumpel
County Clerk

ATT. 7
T&U
3/21/90

City Of Baxter Springs

• Jack E. Dinger, Mayor

• Darla Snook, City Clerk

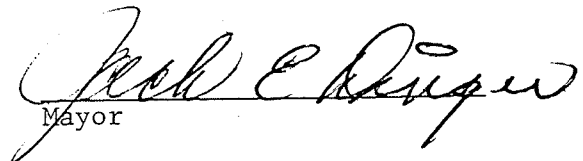
"First Cow Town In Kansas"

ELEVENTH AND PARK
PHONE 316-856-2114
POST OFFICE BOX 577
BAXTER SPRINGS, KANSAS 66713

My name is Jack Dinger. I am Mayor of Baxter Springs, Kansas. I am here in support of the proposed amendment to House Bill 2959. I am not an expert on triples, but in my position as Mayor I have become somewhat of an expert on Yellow Freight System. Yellow Freight has been in Baxter Springs since 1930, when US Highway 69 was the major truck route between Kansas City and Dallas. In the 1960's, construction of Interstate 44 bypassed Baxter Springs and put our city in a less attractive position for trucking employment. Fortunately, Baxter Springs and Yellow Freight have maintained a strong commitment to each other and this Legislature has accommodated our need to remain a viable transportation center.

The amendment offered today to House Bill 2959 would again help maintain the position of Baxter Springs by allowing Yellow Freight to take advantage of the productivity of triples in our neighboring state of Oklahoma. As many of you are aware, the economy of Southeast Kansas needs all the help it can get. Yellow Freight's presence in Baxter Springs is one of the bright spots. Yellow Freight employs 380 people in Baxter Springs with a payroll of over \$11.7 million annually. The effect of that wage base in our community and region is significant. In addition, Baxter Springs realizes over \$32,000 in property taxes from Yellow Freight.

Adoption of the proposed amendment to HB 2959 is supported by Baxter Springs. Thank you.


Mayor

ATT. 8
T&U
3/21/90

CITY COUNCIL MEMBERS

• Huey York • Sam Douthit • Sheldon Taylor • Dean Derryberry • Richard Daniels • Walter Allen • Wayne Moore • Terry Martin

• Kent Lynch, City Attorney • Mike Hall, Public Works Director • Richard Graue, City Treasurer

SUMMARY

Committee Members, Mr Chairman,

I would ask that you please read the letter originally written to Senator Francisco before making a decision.

Stating for the record, I do oppose even the two limited authority areas. I view this as a foot in the door effort that will surface again in the very near future. Send the trucking industry a clear signal now by denying this authority.

It would be compromising principals of safety to say you don't believe it is safe to expose other Interstate cities, then bow to the special interest and allow it in the Goodland area.

In Kansas winter comes first and leaves last at Goodland. If you've never experienced a "WHITE OUT" take time to learn what it means, then consider passing 30 more feet of vehicle.

For every 2 "TRAINS" 1 driver is eliminated. Jobs are lost not gained.

Respectfully Yours
Oscar E. Becker

ATT. 9
T&U
3/21/90

Senator Francisco,

I have been an employee of the ANR/Graves Truck Line the past 12 years. Prior to that I was a Feeder (roaddriver) for United Parcel Service for 7 years.

During this period of time it has been my responsibility to operate these multiple combinations of vehicles referred to as "TRAINS" This term applies very well, as these vehicles do not "HAUL" a load in the conventional manner, rather they "DRAG" the weight along behind them.

To further compound the inherent handling problems because of the manner in which the loads are hauled is the fact that little or no attention is given to the distribution of weight on these units. It is very common to have a trailing axle exceed the weight of a leading axle by several thousand pounds.

Drivers are placed in an impossible position when they don't know, or have control over, how the weight is riding on their equipment. In some circumstances when they are aware it is difficult to maintain lane position because the equipment creates so much side movement.

Drivers are put in a position that will jeopardize their employment safety and welfare, plus that of the motoring public, for a situation they have no control over.

In the event there is an accident the driver risk termination or suspension for "FAILURE TO MAINTAIN CONTROL OF THE VEHICLE", when in fact he had no responsibility for the primary factor that caused his accident.

Distribution of the weight is a critical factor if the driver is to effectively apply an type of skid control.

During the House Of Representatives hearings, lengthy testimony was given as to the safety of "TRAIN" operation. Sadly many of the people gave misleading or completely false testimony with respect to the accident record of this equipment. I know for a fact that both of the companies I have driven for, have had very serious accidents that did result to critical injury to others.

It is important to understand that the environment these vehicles have operated in for the past 30 years has been a very protected one. The Kansas Turnpike has provided ideal conditions for the useage of "TRAIN" operation with easy off/on access at service areas, and safe off road maintenance areas to hook and drop units if needed, or for equipment failures.

Probably the single most important factor with regard to safety is the manner in which the Turnpike is maintained during adverse weather. The KTA is always ahead of the weather as far as winter treatment is concerned. Other State and County departments across I-70 and I-35 are not as quick to respond, and don't do an adequate job of clearing the road in comparison.

I have for the past 12 years traveled Kansas extensively, and I can assure that the conditions that will close the Turnpike to multiple combination vehicles, verses what will close I-70 in western Kansas are two different things. The KTA takes early initiative to protect both private and commercial traffic. There can be no comparison made between what has happened in the past on the Turnpike and what will happen in the future on the Interstates.

After many years and several million dollars invested in building an efficient modern road system that will move traffic faster and more safely, special interest would like to place 115ft. long 110,000 lb. rolling road blocks right in the midst of this traffic. These vehicles do not accelerate, stop, or maneuver like any other traffic around them. They are very much out of place

Senator I would oppose authority to operate in the state entirely, with the exception to the Kansas Turnpike.

It would be compromising principals of safety to say it is not safe for the people at Hays or Colby, but it's alright for Goodland and surrounding area.

Republican Rep. Crumbaker from Brewster states that if disallowed the economy would suffer. Naturally he refers to the economy of his district, not the state as a whole.

Any time you move 3 trailers with 1 driver, opposed to 2 trailers with 1 driver, jobs are lost and not created. These jobs would be at intermediate points on I-70 and I-35 such as Topeka, Salina, and in Wichita.

The industry would have you believe this authority is essential to the survival of their truck lines. Strangely enough two of these carriers, Yellow and ABF, don't use the route presently available for triple operation which is a parallel with one of their major traffic lanes from Kansas City to Liberal.

Finally, there are truck lines that find it possible to operate at a profit without the use of triple trailers today as evidence Holmes Truck Line. They continue to expand, build new terminals, employ more people, and yet they don't operate triples. They don't even operate doubles, their freight moves on 53ft. long 96inch. wide single van trailers.

Respectfully yours,
Oscar E. Becker

I am Rex Peck from Salina KS. and have been an employ of Graves and ANR since Aug. 1952.

I would like to give my views pertaining to the legalization of triple bottoms on Kansas Highways.

ANR has stated that they monitor the loads and weather in regards to dispatching triples and I disagree.

An example is on Jan. 9, 1987 I left Kansas City terminal at 3:00 a.m. with three trailers in a heavy snow storm. Interstate 70 west out of KC was under construction. Because of misloaded front trailer(see attached scale ticket) I was unable to get much traction. I got stuck, called company for wrecker to pull me over the hill. Informed the company dispatcher that I couldn't get enough traction to pull the hills. I told dispatcher that I would continue on trip if I could drop rear trailer. Dispatcher said according to company manual I would take all three trailers or I would be fired. I couldn't continue with the three trailers so they fired me. The main problem with the unit was not enough weight on the driving axle of tractor.

On March 3, 1990 from Denver Colo. to Salina, Ks you will find another example (see attached scale ticket) of low weight on drivers which if weather turned bad could have been a real problem.

On the evening of March 14, 1990 I left Topeka, Ks with set of triples for Kansas City during moderate rain. Enroute to Kansas City there were numerous cars that came up behind me and would hesitate to pass because of heavy water spray off unit that would actually blind the drivers. The units are about 90 foot long so you see the drivers are without good visibility for quite a distance.

These are only three of the examples I have encountered in my 37 years with this company and I can assure you there have been many more incidents where serious problems could have occurred. I realize the Trucking Companies are struggling for survival, but I don't believe putting the truck drivers or the motoring public at risk is the answer.

I thank you for this opportunity to voice my opinion against
1
legalization triple bottoms.

ATT. 10
T&U
3/21/90

WEIGHED ON A FAIRBANKS SCALE

DATE 3/17/90 *110-42*
446535

242

CUSTOMERS NAME 394376

ADDRESS 571610

COMMODITY _____ | REMARKS _____

CARRIER _____

0	9	8	4	0	steering	LBS. GROSS	
1	0	0	8	0	drivers	LBS. TARE - DRIVER ON	OFF
1	1	7	4	0	front section	LBS. NET @	PER LB. PRICE
1	2	4	4	0	dollie		
0	9	1	0	0	Ream trailer	SHIPPER	

FAIRBANKS SCALE CAT. 083895

WEIGHER _____

600

119187

drivers 74 870

<i>3rd section</i>	<i>0</i>	<i>6</i>	<i>8</i>	<i>6</i>	<i>0</i>
<i>dollie</i>	<i>1</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
<i>2nd section</i>	<i>2</i>	<i>3</i>	<i>3</i>	<i>5</i>	<i>0</i>
<i>dollie</i>	<i>1</i>	<i>3</i>	<i>3</i>	<i>5</i>	<i>0</i>
<i>1st section</i>	<i>8</i>	<i>7</i>	<i>6</i>	<i>0</i>	<i>0</i>

MEMORANDUM

TO: The Honorable Bill Morris, Chairman
Senate Transportation and Utilities

FROM: Mark Wettig, Special Assistant to the
Secretary of Revenue

DATE: March 21, 1990

SUBJECT: House Bill 2658

I appreciate the opportunity to appear before you in support of legislation requested by the Department of Revenue. House Bill 2658 is the result of Department recommendations regarding the Implied Consent and DUI laws.

BACKGROUND

Several amendments have been made in recent years to K.S.A. 8-1001, et seq., and 8-1567 in an effort to combat drunk driving. This legislative proposal is an effort to clarify certain aspects of such prior legislation. The bill contains the following changes:

1. K.S.A. 8-255 is amended to state that the Division of Vehicles is authorized to revoke as well as suspend driving privileges. This simply makes K.S.A. 8-255 consistent with other statutes which require the division to revoke driving privileges in certain cases.
2. K.S.A. 8-255(c) and 8-1002(k) are both amended to make it clear that the administrative hearing officer in hearings involving a mandatory suspension, including that required under the implied consent law, must either affirm or dismiss the administrative action. In cases where the administrative action is discretionary, however, the hearing officer can exercise greater discretion in applying driver's license sanctions, depending upon the circumstances.

ATT. 11
T&U
3/21/90

3. K.S.A. 8-259 is amended to clarify that judicial review of administrative action is not allowed in those cases where the administrative action is based upon a court conviction for the offenses listed in K.S.A. 8-254 or for a DUI conviction. (Since appeal was available from the underlying conviction.) In all other cases judicial review is available and subject to the act for judicial review.

4. K.S.A. 8-1014(f) is amended to clarify that the division shall issue a restricted driver's license only when the driving privileges are restricted, not when suspended. This corrects unclear and contradictory wording previously in the statute.

5. K.S.A. 8-1474 is amended to eliminate a statutory reference that a suspension of a driver's license must be for a "specifically designated period" in recognition that several other statutes now require the division to suspend for an indefinite period for specific offenses.

6. K.S.A. 8-1567 is amended to allow evidence other than a breath or blood test taken within two hours to support a conviction for operating or attempting to operate a vehicle with an alcohol concentration of .10 or more. Other competent evidence (including expert testimony) could be used to arrive at a determination that the person operated or attempted to operate with an alcohol concentration of .10 or more. The present provision allowing prosecution based only upon a breath or blood test taken within 2 hours is also retained. Some district courts have refused to allow evidence other than a test taken within the two-hour period in a prosecution under the present "per se" statute. This change would simply allow other evidence, including alcohol concentration tests obtained more than two hours after operation or attempted operation of a vehicle, to be used to prove a person had an alcohol concentration of .10 or more at the time of operation or attempted operation.

7. K.S.A. 8-1567(m) is amended to comport with the change in K.S.A. 8-1014 last year which makes driver's license suspensions resulting from DUI convictions the responsibility of the Division of Vehicles rather than the convicting court.

8. K.S.A. 8-1567(q) is added to provide a definition of "alcohol concentration" in the DUI statute. The definition is identical to that set out in K.S.A. 8-1013. Some courts have refused to apply the 8-1013 definition to the DUI statute.

RECOMMENDATION

The Department urges the committee to support House Bill 2658.