

Approved 2-19-91 Date \_\_\_\_\_

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

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

9:02 a.m./p.m. on February 6, 1991 in room 254-E of the Capitol.

~~All members were present except~~ Members present:

Senators Morris, Doyen, Brady, Hayden, Kanan, F. Kerr, Martin, Rock, Sallee and Thiessen.

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:

- Tom Whitaker, Kansas Motor Carriers Association
- Bill Fuller, Kansas Farm Bureau
- Rich McKee, Executive Secretary, Feedlot Division, Kansas Livestock Assn.
- Marti Gonzales, Department of Revenue
- Teri Graham, Federal Highway Administration, Topeka

Hearing on SB 71 - Commerical Drivers License Act, exempt vehicles.

Tom Whitaker said they support the unified effort to establish a commercial drivers' license system and this bill was introduced to further fine-tune the act relating to farm vehicles. They were asking for an exemption on an oil field pulling unit consisting of mobile machinery mounted on a truck. They also requested exemption for farmers pulling anhydrous nurse tanks. A copy of his statement is attached. (Attachment 1).

Bill Fuller said they support SB 71 and they believe it was never the intent of the regulators to restrict transportation of anhydrous ammonia by farmers from local dealers to their farms or hauling fuel in their pickup tanks to farm machinery in the field. A copy of his statement is attached. (Attachment 2).

Rich McKee said that due to an administrative ruling issued last August by the Department of Revenue, cattle, swine and sheep feedlots were inadvertently stripped of their commercial drivers license exemption. They were requesting an exemption for feedlot vehicles. They think feedlot vehicles should be qualified as farm vehicles and they are asking for an administrative clarification. A copy of his statement is attached. (Attachment 3).

Marti Gonzales, Department of Revenue, said she had faxed a letter to Washington requesting clarification on some of these issues. A copy of her letter to Bill Mahorney, FHWA, dated February 4, 1991 is attached. (Attachment 4). She said she would get the information to the committee as soon as she receives it.

Teri Graham said he had talked to officials in Washington this morning and they concurred that this was not a bonified farm exemption. It is a commercial vehicle and will not meet the exemption. The feedlot exemption would be in violation of the Act. The other amendments would be allright.

A motion was made by Sen. Sallee and was seconded by Sen. Doyen to approve the Minutes of February 5, 1991. Motion carried.

Meeting was adjourned at 9:40 a.m.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 2-6-91 Place 254-E Time 9:02

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Bill Fuller

Manhattan

Kansas Farm Bureau

JOE DICK

Dir MOTOR VEHICLES

John W Smith

Topeka

DMV

Jandra Dexter

Topeka

VEHICLES / Revenue

Marti Gonzales

Topeka

KDOR

Dean Steward

Topeka

KDOT

TERI GRAHAM

TOPEKA

FEDERAL HIGHWAY ADMIN

How Allen

Topeka

KDOC

Tom Whitaker

Topeka

Ks Motor Carriers Ass'n

Rich McKee

Topeka

Ks Livestock Ass'n

Terry Maple

" "

Ks. Hwy Patrol

Chris Wilson

Topeka

Ks Grain & Feed Ass'n



STATEMENT

by the

KANSAS MOTOR CARRIERS ASSOCIATION

- - - - -

Concerning Senate Bill No. 71 relating to technical amendments to the Kansas Uniform Commercial Drivers' License Act.

- - - - -

Presented to the Senate Transportation & Utilities Committee, Senator Bill Morris, Chairman; Statehouse, Topeka, Wednesday, February 6, 1991.

- - - - -

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Tom Whitaker, Governmental Relations Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here today representing our 1,550 member-firms and the highway transportation industry in support of Senate Bill No. 71.

KMCA strongly supports a unified effort by the federal government, the states and the industry to establish a commercial drivers' license system that assures that unqualified persons cannot obtain a commercial drivers' license, and that unsafe commercial drivers who are engaging in unsafe driving practices can be identified through their license record and have their driving privilege suspended or revoked.

Senate Bill No. 71 was introduced to further fine-tune the Kansas Commercial Drivers' License Act. The state has informed our industry that they will begin issuing CDLs on April 2, 1991. Expediting this legislation will ensure that the amendments are enacted prior to the April 2 issuance date.

ATT. 1  
T&U  
2-6-91



The first amendment, found on page 2, lines 17 and 18, would require a driver of an oil field pulling unit to obtain a commercial drivers' license. An oil field pulling unit consists of mobile machinery mounted on a truck with a manufacturers gross vehicle weight rating in excess of 26,000 pounds, requiring a commercial drivers' license.

The amendment on page 3, lines 1 and 2, deletes the requirement that the operator of a farm vehicle obtain a commercial drivers' license if such driver transports hazardous materials required to be placarded. The federal regulations governing the transportation of hazardous materials supercede Kansas law when the hazardous material being transported is defined and listed as a hazardous substance. Anhydrous ammonia is listed as a hazardous substance and quantities in excess of 1,000 pounds require placarding. Currently, Kansas law would require a farmer to obtain a commercial drivers' license if he pulled, with a pickup truck, a "nurse tank" containing anhydrous ammonia.

KMCA has contacted the U.S. Department of Transportation and the Kansas Department of Revenue concerning this provision of our CDL law. USDOT has informed KMCA that removal of the language, "not used to transport hazardous materials which requires the vehicle to be placarded," would solve this problem. Farmers pulling anhydrous nurse tanks would not be required to get a CDL after the effective date of this Act.



The bill proposes an effective date of publication in the Kansas Register.

Our industry strongly supports the Commercial Drivers' License and asks your favorable consideration of Senate Bill No. 71.

Thank you, Mr. Chairman and members of the Committee, for the opportunity to bring this matter to your attention. We will be pleased to respond to any question you may have.

# # # # #





# PUBLIC POLICY STATEMENT

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Re: S.B. 71 - Amending the Commercial Drivers License Act

February 6, 1991

Topeka, Kansas

Presented By:  
Bill Fuller, Assistant Director  
Public Affairs Division  
Kansas Farm Bureau

Chairman Morris and members of the Committee:

My name is Bill Fuller. I am the Assistant Director of the Public Affairs Division for Kansas Farm Bureau. We appreciate this opportunity to testify in support of S.B. 71 on behalf of the farmers and ranchers who are members of the 105 County Farm Bureaus in Kansas.

Few issues have caused our members more concern than the implementation and various interpretations associated with the commercial drivers license. We applaud the Federal Highway Administration's action that granted the farmer exemption which is currently a part of the regulations. While not all farming activities are exempt, exemptions are granted drivers of farm vehicles if the vehicle is:

1. Controlled and operated by a farmer;
2. Used to transport agriculture products or machinery to and from a farm;
3. Not used in for-hire or contract-carrier operations;
4. Driven no further than 150 miles from the farm; and
5. Not used to transport hazardous materials that require the vehicle to be placarded.

Currently farmers who transport anhydrous nurse tanks to the farm or carry fuel tanks that have a capacity of more than 118 gallons are considered to be hauling hazardous materials and are required to have a commercial drivers license. S.B. 71 repeals the section concerning farm vehicles transporting hazardous material. We strongly support this proposal. We do not believe it was ever the intent of regulators to restrict transportation of anhydrous ammonia by farmers from local dealers to their farms or hauling

ATT. 2  
T&U  
2-6-91

fuel in their pickup tanks to farm machinery in the field. Both are normal farming activities. We do not believe either activity should require a farmer to acquire a commercial drivers license.

We certainly appreciate the cooperation and support of various organizations and agencies on S.B. 71. We encourage this committee to give S.B. 71 a favorable recommendation for passage. Thank you for allowing us to express the support of farmers and ranchers on this legislation. We would attempt to respond to any questions.



6031 S.W. 37th Street • Topeka, Kansas 66614-5128 • Telephone: (913) 273-5115  
FAX: (913) 273-3399

Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

**STATEMENT OF THE  
KANSAS LIVESTOCK ASSOCIATION  
TO THE COMMITTEE ON  
TRANSPORTATION AND UTILITIES  
WITH RESPECT TO SB 71  
COMMERCIAL DRIVERS LICENSE ACT**

*Presented by*

*Rich McKee*

*Executive Secretary, Feedlot Division*

*February 6, 1991*

*Mr. Chairman and members of the committee, I am Rich McKee, representing the Kansas Livestock Association. KLA speaks for a broad range of over 10,500 livestock and crop producers. Their operations can be found in virtually every geographic corner of the state.*

*Due to an administrative ruling issued by the Department of Revenue last August, cattle, swine and sheep feedlots were inadvertently stripped of their commercial drivers license exemption. Simply put, the Department ruled that feedlots are no longer eligible for farm tags under K.S.A. 1989 Supp. 8-143(2).*

*K.S.A. 1990 Supp. 8-2,127 defines a farm vehicle for the purpose of the exemption from the commercial drivers license. One of the requirements is the vehicle must be registered as a farm truck or truck tractor. While the vehicles in question meet all the other definitional language of a farm vehicle spelled out in the statute, due to the Department's ruling on farm tags, the exemption is lost.*

*The Kansas Livestock Association respectfully requests an amendment to SB 71 that clarifies livestock feedlot operations remain entitled to the exemption granted by the 1989 legislature. Thank you.*

ATT. 3  
T&U  
2-6-91



3-2

1 the person to demonstrate ability to operate any motor vehicle or  
2 combination of vehicles, if such certificate was issued not more than  
3 three years prior to the person's application for a driver's license.

4 (c) Any person who is the holder of a valid driver's license which  
5 entitles the person to drive class A motor vehicles may also drive  
6 class B and C motor vehicles. Any person who is the holder of a  
7 valid driver's license which entitles the person to drive class B motor  
8 vehicles may also drive class C motor vehicles.

9 (d) The secretary of revenue shall adopt rules and regulations  
10 establishing qualifications for the safe operation of the various types,  
11 sizes and combinations of vehicles in each class of motor vehicles  
12 established in subsection (a). Such rules and regulations shall include  
13 the adoption of at least the minimum qualifications for commercial  
14 drivers' licenses contained in the commercial motor vehicle safety  
15 act of 1986.

16 (e) Any reference in the motor vehicle drivers' license act to a  
17 class or classes of motor vehicles is a reference to the classes of  
18 motor vehicles established in subsection (a), and any reference in  
19 the motor vehicle drivers' license act to a classified driver's license  
20 or a class of driver's license means a driver's license which restricts  
21 the holder thereof to driving one or more of such classes of motor  
22 vehicles.

23 (f) The secretary of revenue may enter into a contract with any  
24 person, who meets the qualifications imposed on persons regularly  
25 employed by the division as drivers' license examiners, to accept  
26 applications for drivers' licenses and to administer the examinations  
27 required for the issuance of drivers' licenses.

28 (g) Notwithstanding the provisions of subsection (a), any person  
29 employed as an automotive mechanic who possesses a valid class C  
30 driver's license may drive any class A or class B motor vehicle on  
31 the highways for the purpose of determining the proper performance  
32 of the vehicle, except that this does not include commercial class  
33 A, B or C vehicles.

34 Sec. 2. K.S.A. 1990 Supp. 8-2,127 is hereby amended to read  
35 as follows: 8-2,127. Vehicles that are exempt from this act include:

36 (a) Farm vehicles, defined as follows:

37 (1) Registered as a farm truck or truck tractor under K.S.A. 8-  
38 143, and amendments thereto; \_\_\_\_\_

39 (2) used to transport either agricultural products, farm machinery,  
40 farm supplies, or both, to or from a farm; \_\_\_\_\_

41 (3) not used in the operations of a common or contract motor  
42 carrier; and \_\_\_\_\_

43 (4) used within 150 miles of the person's farm; and \_\_\_\_\_

or, operated by a feedlot as defined by K.S.A. 47-1501;

or feedlot as defined by K.S.A. 47-1501;

or feedlot as defined by K.S.A. 47-1501





KANSAS DEPARTMENT OF REVENUE

*Office of the Secretary*  
Robert B. Docking State Office Building  
Topeka, Kansas 66612-1588

February 4, 1991

Bill Mahorney  
FHWA  
Office of Motor Carrier Standards  
400 Seventh St., SW  
Washington, D.C. 20590

Dear Bill:

I have had an inquiry from the Kansas Livestock Association regarding the applicability of CDL requirements to a certain type of vehicle used by their industry, a mixer/feeder truck (see attached photo). They specifically wanted to know if these commercial feed yard vehicles could qualify for the farmer exemption. It is my determination that if the vehicle has a GVWR of 26,001 lbs. or more and:

1. Stays within the boundaries of the feed yard and never enters or crosses the roadway, CDL requirements do not apply.
2. Does enter or cross the roadway, to qualify for the farmer exemption under Kansas law, the vehicle must first be registered as a farm truck under K.S.A. 8-143. If you recall, Kansas law has attempted to close the loop-hole on the definition of a farm/farmer by tying the farm exemption to registration as a farm vehicle.

As Kansas law is presently written, these vehicles would not qualify for the farmer exemption because they are no longer eligible for registration as a farm vehicle. A determination was made last summer by our Legal Services Bureau that addressed this issue (see attached).

In conversation over the phone to the Kansas Livestock Association, I was questioned if we would oppose legislation that specifically included livestock operations as being included under the farm exemption. I replied that the Department would oppose such legislation because I felt it would be opposed by FHWA and would place us in non-compliance. I felt it would be in direct contradiction of the exemption because these commercial feed-lot vehicles would not be owned/operated by a farmer and would be used in for-hire contract carrier operations. They said they had spoken with several other states that had implemented the farm exemption and had specifically included livestock operations in that exemption. Without researching this, I could not respond on the accuracy of that statement, but could not understand how a state which included commercial livestock operations under the farm exemption would be in compliance.

Additionally, I was questioned on if a vehicle is registered as an implement of husbandry, are these vehicles subject to CDL requirements (in Kansas vehicles classified as an implement of husbandry are not subject to vehicle registration). My response was that



according to the FHWA (CDL Bulletin #7, January 1991), if the vehicle meets the definition of a CMV, and is operated on public road/highways, the driver would need a CDL regardless of a state's individual vehicle registration requirements.

I would like an opinion from your office on the accuracy of my statements, and agreement/disagreement with my conclusions.

Sincerely,

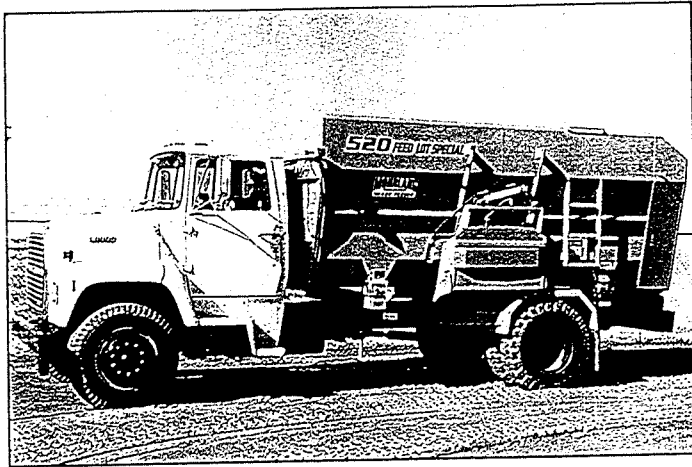


Marti Gonzales  
CDL Coordinator

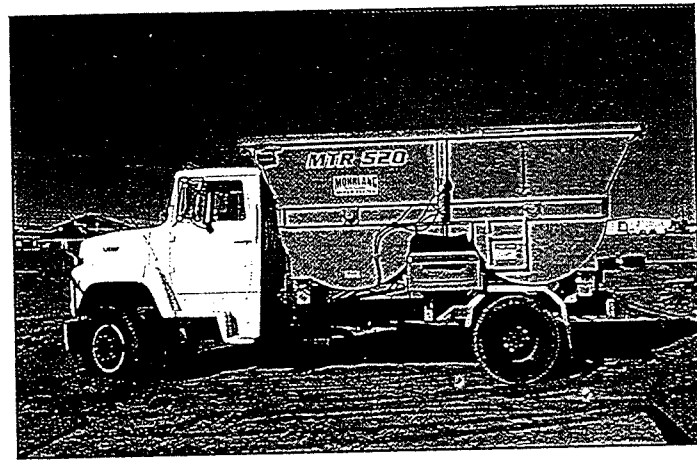
cc: Terry Graham, FHWA  
Mark Burghart, Chief Counsel  
John Smith  
Sandra Dexter



# MOHRLANG



520 FEED LOT SPECIAL



MTR-520

Who builds a mixer-feeder that:

- mixes as well as a Mohrlang?
- is **stronger** than a Mohrlang?
- mixes **quicker** than a Mohrlang?
- is more **reliable** than a Mohrlang?
- **lasts longer** than a Mohrlang?

# NOBODY





KANSAS DEPARTMENT OF REVENUE

Office of the Secretary  
Robert B Docking State Office Building  
915 SW Harrison St  
Topeka Kansas 66612-1588

AUG 13 1990

August 9, 1990

Major David Hornbaker  
Kansas Highway Patrol  
122 S.W. Seventh Street

Topcka, Kansas 66603-3847

RE: Farm Registration

Dear Mr. Hornbaker:

This is in response to your June 22 letter regarding the abuse of farm registration on trucks owned and operated by commercial feedlots in Kansas. In a letter from Lieutenant Melvin Wedermyer, he explained that many commercial feedlots were operating their trucks while displaying farm tags. K.S.A. 1989 Supp. 8-143(2) allows an owner of a truck, weighing more than 12,000 pounds, who is engaged in farming and uses the truck to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm, to obtain a farm registration tag. The issue involved is whether commercial feedlot operators are engaged in farming as provided by statute.

Although K.S.A. 1989 Supp. 8-143 has not been the subject of litigation to determine what constitutes "engaged in farming," there are other cases which have addressed the question of whether a commercial feedlot constitutes "farming." See T-Bone Feeders, Inc. v. Martin, 236 Kan. 641, 693 P.2d 1187 (1985); Weed v. Monfort Feed Lots, Inc. 402 P.2d 177 (1965). These cases support the position that commercial feedlots are not eligible for farm tags under K.S.A. 1989 Supp. 8-143(2).

If you have any further questions, please contact Harold Turntine, Director of Vehicles Office.

Sincerely,

Eugene Lueger  
Attorney

EL:dg

cc: Thomas Skinner



and regulations prescribing a procedure for the issuance of permits by the division of vehicles whereby owners of local trucks or truck tractors may operate any such vehicle, empty, beyond the radius hereinbefore prescribed, when such operation is solely for the purpose of having such vehicle repaired, painted or serviced or for adding additional equipment thereto. The annual license fee for a local truck or truck tractor, except as otherwise provided herein, shall be as follows:

For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. ....	\$60
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. ....	100
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. ....	130
For a gross weight of more than 24,000 lbs. and not more than 30,000 lbs. ....	175
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs. ....	210
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs. ....	240
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs. ....	310
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs. ....	410
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. ....	470
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. ....	570
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs. ....	750
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs. ....	880
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs. ....	1,000

A truck or truck tractor registered for a gross weight of more than 12,000 pounds, which is owned by a person engaged in farming and which truck or truck tractor is used by such owner to transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such farm truck or truck tractor, shall be classified as a farm truck or truck tractor and the annual license fee for such farm truck shall be as follows:

For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. ....	\$35
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. ....	40
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. ....	50
For a gross weight of more than 24,000 lbs. and not more than 54,000 lbs. ....	70
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. ....	180

For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. ....	360
For a gross weight of more than 66,000 lbs. ....	600

A vehicle licensed as a farm truck or truck tractor may be used by the owner thereof to transport, for charity and without compensation of any kind, commodities for religious or educational institutions. A truck which is licensed as a farm truck may also be used for the transportation of sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides. Any applicant for registration of any farm truck or farm truck tractor used in combination with a trailer or semitrailer shall register the farm truck or farm truck tractor for a gross weight which shall include the empty weight of the truck or truck tractor or of the combination of any truck or truck tractor and any type of trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same. The applicant for registration of any farm truck or farm truck tractor used to transport a gross weight of more than 54,000 pounds shall durably letter on the side of the motor vehicle the words "farm vehicle—not for hire." If an applicant for registration of any farm truck or farm truck tractor operates such vehicle for any use or purpose not authorized for a farm truck or farm truck tractor, such applicant shall pay an additional fee equal to the fee required for the registration of all trucks or truck tractors not registered as local, 6,000-mile or farm truck or farm truck tractor motor vehicles, less the amount of the fee paid at time of registration. Nothing in this or the preceding paragraph shall authorize a gross weight of a vehicle or combination of vehicles on the national system of interstate and defense highways greater than permitted by laws of the United States congress.

Except as hereinafter provided, the annual license fee for each local urban transit bus used in local urban transit operations exempted under the provisions of subsection (a) of K.S.A. 66-1,109, and amendments thereto, shall be based on the passenger seating capacity of the bus and shall be as follows:

8 or more, but less than 31 passengers .....	\$15
31 or more, but less than 40 passengers .....	30
More than 39 passengers .....	60

except that the annual license fee for each local urban transit bus which is owned by a met-

ropolitan transit authority to articles 25 and 28 of chapter 1 to article 31 of chapter 1, K.S.A. 1997 Statutes Annotated shall be as follows:

For licensing purposes a carrying capacity of less than 10 shall be subject to registration of the vehicle under section (1). Station wagon having a carrying capacity of 10 or more passengers shall be classified as a truck for the purposes of the truck classification and license fee therefor shall be as hereinafter provided:

(a) For any trailer, travel trailer or mobile home, travel trailer or mobile home license fee shall be as follows: for a vehicle with a gross weight of more than 10,000 pounds the annual fee shall be \$25; for any such vehicle with a gross weight not over 12,000 pounds the annual fee shall be \$25; for any such vehicle with a gross weight of more than 12,000 pounds but not over 2,000 pounds the annual fee shall be \$15; for any such vehicle with a gross weight of 2,000 pounds or less, at the owner's option, the license fee for such registration shall be \$15.

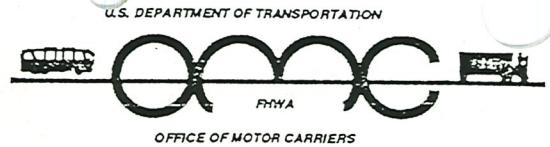
Any trailer, semitrailer or travel trailer owned by a person who is not a resident of this state and based in another state and properly registered and licensed in that state in accordance with the evidence of the owner's name and address based, may be operated in this state if it is properly registered or licensed in that state or is properly registered and licensed in this state and is entitled to operate in this state. This section shall not apply to any trailer or travel trailer owned by a nonresident of this state if the trailer or semitrailer is owned by a person who is proportionately registered in this state of vehicles under the provisions of K.S.A. 1,101 to 8-1,123, including amendments thereto, or under the provisions of any other law or proration agreement.

At the option of the owner of a trailer or pole trailer having a gross weight more than 12,000 pounds, the owner may elect multiyear registration for such trailer upon payment of the license fee. The fee for a five-year registration of a trailer shall be five times the annual license fee for such trailer. If the fee is increased during the

January 1991

#7

# CDL Bulletin



Please share this information with your staff and with  
State CDL coordinators in your area!!

## Commercial Driver's License Implementation

- ✦ The CDL program enjoyed extreme success in 1990. The effort and determination that was demonstrated by the licensing folks in 1989 "pioneer" States (California and Washington) was repeated throughout the year. During CY90, 29 States began issuing CDLs!! {Alabama, Arizona, Arkansas, Colorado, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Maryland, Michigan, Minnesota, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, and Wyoming}. Also, all 50 States and the District of Columbia passed enabling CDL legislation. Thanks go to all who have worked so hard to make this year a success. Let's be through by '92!!
- ✦ On November 5, Philip J. Roke joined the Standards Review Division. In addition to his other responsibilities, Phil will be the new Region 4 contact for CDL. Welcome Phil!!
- ✦ On November 19-21 the second US-Mexico CDL Reciprocity Subgroup meeting was held in Marco Island, Florida to facilitate a CDL reciprocity agreement with Mexico. In addition to providing an opportunity for both countries to become more knowledgeable about each other's driver testing and licensing programs, the meeting helped build a supportive working relationship between the US and Mexican representatives. Issues discussed at the meeting included: skills testing, knowledge testing and disqualification criteria for Mexico's commercial drivers. The level of commitment demonstrated by all parties gives great hope that our mutual goal of establishing a reciprocity agreement will soon become a reality!
- ✦ The Implementation Team will give a CDL class for FHWA Regional field staff in Washington, DC the week of February 11. It will cover CDL from "A to Z". Call Bob Redmond (202/366-4009) for details.
- ✦ Several inquiries have been received relating to unregistered or unlicensed vehicles and CDL. If the vehicle meets the definition of a CMV listed in Part 383.5 and 383.91, and is operated on public roads or highways, the driver would need to obtain a CDL. An individual State's registration and/or vehicle licensing procedures should not enter into a determination of whether or not a vehicle is a CMV.
- ✦ The Standards Review Division is currently drafting a technical amendment that will correct the definition of "tank vehicle" found in 383.5. We hope to have this technical amendment published in the *Federal Register* by mid 1991.

Happy New Year!!!