

Approved \_\_\_\_\_

3-17-92

Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Herman G. Dillon at  
Chairperson

1:37 4/4 p.m. on March 2, 1992 in room 519-S of the Capitol.

All members were present except:

Representative Delbert Gross - Excused  
Representative Mark Parkinson - Excused  
Representative Ed Mckechnie - Excused

Committee staff present:

Hank Avila - Legislative Research  
Tom Severn - Legislative Research  
Bruce Kinzie - Revisor of Statutes  
Jo Copeland - Committee Secretary

Conferees appearing before the committee:

Warren Sick - Chief of the Bureau of Traffic Engineering - Kansas  
Department of Transportation

**Hearing on House Bill 3157- Designation of emergency vehicles.**

Chairman Dillon called on Warren Sick who testified in support of House Bill 3157. He noted that currently the Secretary of Transportation is responsible for granting authorization for the use of privately-owned vehicles as emergency vehicles. This bill will transfer the authority of issuing emergency vehicle designations for privately-owned vehicles to the board of county commissioners. (Attachment 1)

Concludes hearing on House Bill 3157.

**Hearing on House Bill 3133 - Width of loads; special permits.**

Chairman Dillon called on Warren Sick who testified in support of House Bill 3133. He stated the purpose of this legislation is to modify the requirement for "oversize load" signs in accordance with recommendations of the American Association of State Highway and Transportation Officials (AASHTO); to address safety considerations about the operation of custom combine equipment; to remove or clarify regulatory or outdated language; and to enable the Department of Transportation to establish an annual permit fee for oilfield servicing rigs. (Attachment 2)

Concludes hearings on House Bill 3133.

**Final Action on House Bill 2982 - Exempting certain private carriers from regulation.**

Representative Campbell moved to adopt proposed amendment on House Bill 2982. (Attachment 3) Representative Pauls seconded. Motion failed.

Representative McClure moved to pass House Bill 2982 favorable. Representative Shallenburger seconded. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:37 ~~a.m.~~/p.m. on March 2, 1992

**Final Action on House Bill 2986 -Accessible parking for persons with disabilities.**

Representative Shore moved to adopt proposed amendment on House Bill 2986. (Attachment 4) Representative Smith seconded. Motion carried.

Representative Shore moved to pass House Bill 2986 as amended. Representative McClure seconded. Motion carried.

Meeting adjourned at 2:26 P.M.



TESTIMONY BEFORE  
HOUSE TRANSPORTATION COMMITTEE  
REGARDING H.B. 3157

CONCERNING TRANSFER OF AUTHORITY TO DESIGNATE PRIVATELY OWNED  
VEHICLES AS EMERGENCY VEHICLES FROM THE SECRETARY OF  
TRANSPORTATION TO THE BOARD OF COUNTY COMMISSIONERS

Mr. Chairman and members of the committee, I am Warren Sick, Chief of the Bureau of Traffic Engineering. On behalf of the Kansas Department of Transportation, I am here today to provide testimony in support of the proposed legislation.

The Secretary of Transportation is currently responsible for granting authorization for the use of privately-owned vehicles as emergency vehicles. Normally, these vehicles are used by volunteer fire fighters, privately owned ambulance services and similar entities. Presently, the applicant is required to obtain the signature of the county sheriff before a permit is granted for a vehicle.

The Department of Transportation does not monitor the vehicles after the authorization is granted. Some law enforcement officials have expressed concerns to our agency about unauthorized designated emergency vehicles. Some of the concerns addressed are:

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Numerous vehicles respond directly to the emergency causing problems with access for fire trucks, first responder vehicles or regular law enforcement vehicles.

The privately owned emergency vehicles respond from several directions creating unsafe conditions.

Some applicants use this designation to drive at unsafe speeds and intentionally avoid obeying traffic control devices or to operate as a law enforcement officer.

A sufficient number of emergency responders exist for a specific area.

Some applicants use the authorization more as a service function rather than responding to emergencies.

Passage of this legislation will transfer the authority of issuing emergency vehicle designations for privately-owned vehicles to the board of county commissioners, so the activity can be properly monitored and enforced under one local jurisdiction.

This concludes my testimony. I will be glad to try and respond to any questions that you may have.

TESTIMONY BEFORE  
HOUSE TRANSPORTATION COMMITTEE  
REGARDING H.B. 3133

CONCERNING STATUTE MODIFICATIONS GOVERNING OVERSIZE/OVERWEIGHT  
VEHICLES AND LOADS

Mr. Chairman and members of the committee, I am Warren Sick, Chief of the Bureau of Traffic Engineering. On behalf of the Kansas Department of Transportation, I am here today to provide testimony in support of the proposed legislation.

The purpose of this legislation is to modify the requirements for "oversize load" signs in accordance with recommendations of the American Association of State Highway and Transportation Officials (AASHTO), to address safety considerations about the operation of custom combine equipment, to remove or clarify regulatory or outdated language, and to enable the Department of Transportation to establish an annual permit fee for oilfield servicing rigs.

The suggested statutory changes would also provide the Secretary with the authority to promulgate rules and regulations relating to all oversize/overweight permit programs and withhold the issuance of a permit if a firm has not complied with the applicable rules and regulations. Removing some requirements from the statutes and placing them in regulations instead would make it simpler for Kansas to keep up with changes in the industry and

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standard practices that are agreed upon with other states. The changes regarding combine equipment would clarify safety considerations. Verbiage was added to allow custom combine operators to tow custom combine equipment on a trailer within legal dimensions or a trailer especially designed for the transportation of combine or combine equipment. Existing verbiage was revised to clarify with no change in existing operations. Verbiage was added that the move must be completed during daylight hours. Finally, the yearly permit to operate oilfield servicing rigs would accommodate concerns expressed by the oilfield industry about the inefficiencies associated with obtaining daily or monthly permits.

The Kansas Department of Transportation has developed a policy for the operation of oilfield servicing rigs. This policy was developed with the cooperation of the oil industry representatives and an annual permit was one of the goals of the new policy. An annual permit fee of \$125 for each certified oilfield servicing rig was discussed during the process.

In summary, the Department supports House Bill 3133. The Department feels that the passage of this legislation will improve the clarity, enhance the enforcement of oversize and overweight statutes, and provide more uniformity with adjoining states.

This concludes my testimony. I will be glad to try and respond to any questions that you may have.

66-1,109

Subsection S

A person operating a motor vehicle with a gross vehicle weight rating of 10,000 lbs. or less transporting to or from an arts or craft show, hand-crafted products produced for resale by the owner or operator of such motor vehicle.

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1 more employers of employees to and from the factories, plants,  
2 offices, institutions, construction sites or other places of like nature  
3 where such persons are employed or accustomed to work;

4 (l) motor vehicles used to transport water for domestic purposes  
5 or livestock consumption;

6 (m) transportation of sand, gravel, slag stone, limestone, crushed  
7 stone, cinders, calcium chloride, bituminous or concrete paving  
8 mixtures, blacktop, dirt or fill material to a construction site, highway  
9 maintenance or construction project or other storage facility and the  
10 operation of ready-mix concrete trucks in transportation of ready-  
11 mix concrete;

12 (n) the operation of a vehicle used exclusively for the transpor-  
13 tation of solid waste, as the same is defined by K.S.A. 65-3402, and  
14 amendments thereto, to any solid waste processing facility or solid  
15 waste disposal area, as the same is defined by K.S.A. 65-3402, and  
16 amendments thereto;

17 (o) the transporting of vehicles used solely in the custom com-  
18 bining business when being transported by persons engaged in such  
19 business;

20 (p) the operation of vehicles used for servicing, repairing or trans-  
21 porting of implements of husbandry, as defined in K.S.A. 8-1427,  
22 and amendments thereto, by a person actively engaged in the busi-  
23 ness of buying, selling or exchanging implements of husbandry, if  
24 such operation is within 100 miles of such person's established place  
25 of business in this state;

26 (q) transportation by taxi or bus companies operated exclusively  
27 within any city or within 25 miles of the point of its domicile in a  
28 city; and

29 (r) a vehicle being operated with a dealer license plate issued  
30 under K.S.A. 8-2406, and amendments thereto, and in compliance  
31 with K.S.A. 8-136, and amendments thereto, and vehicles being  
32 operated with a full-privilege license plate issued under K.S.A. 8-  
33 2425, and amendments thereto; and

34 ~~(s) a private motor carrier who operates a vehicle or a combi-  
35 nation of vehicles:~~

36 ~~(1) Having a gross vehicle weight rating or a gross combination  
37 weight rating of 10,000 pounds, or less; and~~

38 ~~(2) is not designed to transport more than 15 passengers, in-  
39 cluding the driver; or~~

40 ~~(3) is not used in the transportation of hazardous materials which  
41 requires the vehicle to be placarded.~~

42 As used in this subsection, "gross vehicle weight rating" means  
43 the value specified by the manufacturer as the maximum loaded

- 1 *weight of a single or a combination (articulated) vehicle. The gross*
- 2 *vehicle weight rating of a combination (articulated) vehicle commonly*
- 3 *referred to as the "gross combination weight rating" is the gross*
- 4 *vehicle weight rating of the power unit, plus the gross vehicle weight*
- 5 *rating of the towed unit or units.*
- 6     Sec. 2. K.S.A. 1991 Supp. 66-1,109 is hereby repealed.
- 7     Sec. 3. This act shall take effect and be in force from and after
- 8 its publication in the statute book.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Transportation

Recommends that House Bill No. 2986

"AN ACT relating to motor vehicles; concerning accessible parking for persons with disabilities; amending K.S.A. 8-142, 8-1,125, 8-1,127, 8-1,128, 8-1,129 and 8-1,130a and repealing the existing sections."

Be amended:

On page 6, in line 26, by striking "\$250" and inserting "\$100";

And the bill be passed as amended.

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Chairperson

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