

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

The meeting was called to order by Chairman Ben Vidricksen at 9:05 a.m. on March 16, 1998 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Marian Holeman, Committee Secretary

Conferees appearing before the committee: Duane Johnson, Antique Car Owner
Betty McBride, KDOV
Ken Gudenkauf, KDOT
Brendan Worth, Legislative Intern
Bill Fuller, Ks Farm Bureau
Tom Whitaker, Ks Motor Carriers Assn.

Others attending: See attached list

HB 2678: Re possession of distinctive license.

Duane Johnson explained the background, history, and aim of this bill. Originally, it was to allow the owner of an antique vehicle to use an old Kansas license plate from the same year as the vehicle for the official registration plate of the vehicle. The amendment to put this into effect is now in House Sub for SB 139 (Attachment 1). Word went out that when this was amended into the other bill it took away the onus for more debate, therefore the other two scheduled conferees will not appear.

Betty McBride, Director, Division of Vehicles, advised her Department has major problems with this bill. It is not a simple issue. There will be at least a \$50,000 fiscal note involved. Their current system will not recognize the antique tags. The system will have to be changed. Law enforcement will have difficulty recognizing a legitimate tag. Antique registration is a one time thing so they don't have any idea how many antique vehicles are there. It can be done, but it will require changing the way vehicles are being registered. Have no problem with putting the antique tag on the front of the vehicle and putting the regular registered tag on the back. It is against current law to have any kind of tag on the front of a vehicle.

Staff Revisor advised that originally HB 2678 was meant to deal with distinctive military tags. It would have allowed the family to keep the tag as a memento when the military honoree was deceased. The tag could not be used because the military person was the owner. Current law requires the tag be returned to the state.

HB 2782: Transporting bales of hay, special permits for excess width.

Ken Gudenkauf, Assistant Bureau Chief of Traffic Engineering, Kansas Department of Transportation, appeared in support of HB 2782. The proposed bill will bring the state into compliance with federal laws and regulations (Attachment 2). Question raised regarding how this might affect bales of cotton. Staff will check on this. Another question related to definition of "national network of highways." Staff advised all U.S. Highways are a part of this network. Permits could be obtained through Mr. Gudenkauf's agency or the Department of Revenue. An annual permit would cost \$125.00 and a single trip permit would cost \$5.00 and lasts for one week.

Brendan Wirth, Representative Schwartz's intern, testified in support of the bill explaining problems with current law and the need for change (Attachment 3). He proposed an amendment to reduce the farmer's fee to an annual fee of \$25.00 rather than \$125.00. There is a precedent for this in the already existing \$10.00 six month exemption for custom cutters.

Bill Fuller, Associate Director Public Affairs Division Kansas Farm Bureau, explained the benefits of this bill

CONTINUATION SHEET

MINUTES OF THE COMMITTEE ON TRANSPORTATION AND TOURISM, Room 254-E,
Statehouse, at 9:05 a.m. on March 16, 1998.

to the farmers and ranchers in the state (Attachment 4). They were not aware of the proposed amendment. They don't oppose it nor are they requesting any special provisions. They just encourage support of this bill.

Tom Whitaker, Kansas Motor Carriers Association, advised he had not planned to appear on the bill. His Association supported the bill as it was passed by the House. However, the amendment causes some concern. It is a fairness issue. The reduced annual fee and allowing over-width divisible loads which no one else could haul are the problems. They would still support the bill without the amendment. (No written testimony).

Representative Sharon Schwartz advised she had prepared to speak in support of the bill as well as the amendment. She addressed the hardship issues related to farmers moving hay, both on the cost and the divisible loads. (No written testimony).

Discussed the divisible load issue. The Motor Carriers Association is not advocating changing current law. They object to others being able to operate on any highway clear across the state of Kansas on a \$25.00 permit. No action taken on HB 2782. It will be rescheduled as soon as possible when some of the problems have been worked out. Other types of bales are also involved. Any compromise should include all types of agriculture products that could be involved in this process.

HB 2621: Walnut Valley Greenway.

Discussed the hospital signage issue previously suggested in connection with this bill. Secretary Carlson advised members as to the signage related to federal and state hospitals. Those interested in the matter decided not to pursue it further. Senator Goodwin moved to recommend HB 2621 favorable for passage. Senator Karr seconded the motion. Motion carried. Senator Goodwin will carry the bill.

The meeting adjourned at 10:10 a.m.

The next meeting is scheduled for March 17, 1998.

SENATE TRANSPORTATION AND TOURISM
COMMITTEE GUEST LIST

DATE: MARCH 16, 1998

NAME	REPRESENTING
Bill Watts	KDOT
Dean Carlson	KDOT
Nancy Boajna	KDOT
Rick Scheibe	KDOR
Betty M... ..	KDOR
Ken Gudenkau	KDOT
Robert	KGC
Paul Stinson	
Marilyn Sauber	
James Sauber	
NANCY LYNN SALMANS	
Dorrie Johnson	Topex
Bill Fuller	Kansas Farm Bureau
Tom Whitaker	Ks Motor Carriers Assn
Bryce Wing	Conferee
Carl Wing	CONFREE
Representative	District 106

Senate Transportation and Tourism Committee

Senator Ben Vidricksen, Chair

March 16, 1998

House Bill No. 2678

Information from Duane Johnson, an enthusiast of antique cars and Kansas license plates:

Thank you for the opportunity to speak to HB 2678.

Antique car enthusiasts have been interested in this bill because before it was amendment in the House, it was to allow the owner of an antique vehicle to use a vintage Kansas license plate that is the same year as the model of the antique vehicle for the official registration plate of the vehicle.

The amendment that will put this authorization into effect is now contained in House Substitute for Senate Bill No. 139.

Antique vehicle enthusiasts appreciate the help of Senator Vidricksen in preserving this antique vehicle model year license plate registration authorization.

In research on this issue, we found that 24 states allow this manner of antique vehicle registration, two additional states have the consideration before their Legislature, and another state, Delaware, allows license plates as old as 1947 to still be used for the registration of any current automobile.

This authorization in Kansas will be an enhancement to all of the hobbies related to antique vehicles. In small measure, it even will be an enhancement to the appreciation of license plates as a colorful memento in the history of the state.

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 3-16-98
ATTACHMENT: #1



**KANSAS DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY OF TRANSPORTATION**

E. Dean Carlson
SECRETARY OF TRANSPORTATION

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Bill Graves
GOVERNOR

**TESTIMONY BEFORE THE
SENATE COMMITTEE ON TRANSPORTATION AND TOURISM**

House Bill 2782

March 16, 1998

Mr. Chairman and Committee Members:

I am Ken Gudenkauf, Assistant Bureau Chief of Traffic Engineering, at the Kansas Department of Transportation. I am here to provide testimony to the committee regarding House Bill 2782. This bill revises present statutes to remove the restriction of the movement of vehicles loaded with large bales of hay on the interstate highways and also requires over-width permits for movement of these loads on any federal highway.

The movement of vehicles loaded with bales of hay is authorized and governed by K.S.A. 8-1902 (d) for maximum width of 12 feet and K.S.A. 8-1904 (a) for maximum height of 14' 6". These loads are currently not authorized for use on interstate highways and are not allowed to travel from one-half hour after sunset to one-half hour before sunrise. Each load that exceeds 8' 6" in width is required to have an oversize load sign and red flags on all four corners.

In order to use any federal highway for movement of vehicles loaded with bales of hay that exceed 8' 6" width, the state statute needs to be revised to require the vehicle to have an over-width permit while still complying with weight limits established in K.S.A. 8-1908, K.S.A. 8-1909, and K.S.A. 8-1909a.

It is extremely important that any authorization to issue permits for use of divisible loads on interstate highways comply with federal law and regulations. If the Federal Highway Administration determines that the state is not adequately enforcing state size and weight laws on Federal-aid highways, sanction procedures can be

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implemented to reduce apportioned highway funds by ten percent. If state laws applicable to the interstate highways are not consistent with weight limits established by federal law, sanction procedures can be implemented to withhold all National Highway System funds to be apportioned to the state. Noncompliance could therefore result in sanctions of over \$20 million and \$45 million, respectively.

The proposed bill will bring us into compliance with current federal laws and regulations.

Cheyenne Alfalfa Farms

David Wirth *owner*
NE 150 AVE
Ellinwood, KS 67526
(316) 587-3795
Fax (316) 587-3515
Testimony: HB 2782

Mr. Chairman and Committee Members:

I am Brenden Wirth, an intern from Kansas State University for Rep. Schwartz. I grew up on an alfalfa farm where trucks and transportation are of vital importance. Having turned 18 and by obtaining a class A farm permit I myself have transported hay bales from various parts of the state back to our farm. I have had to take two-lane highways in an effort to keep from taking interstate highways. This poses a risk that is avoidable and in which HB 2782 would eliminate. As Stated by KDOT on January 29th 1998 on the briefing this committee found that.

“The movement of vehicles loaded with bales of hay is authorized and governed by K.S.A. 8-1902 (d) for maximum width of 12 feet and K.S.A.8-1904 (a) for maximum height of 14’ 6””. These loads are not authorized for use on interstate and are not allowed to travel from one-half hour after sunset to one-half hour before sunrise. Each load that exceeds 8’ 6” in width is required to have an oversize load sign and red flags on all 4 corners.”

HB 2782 would keep all restrictions and safety measures except the authorization of travel on interstates and federally funded highways in which a permit would be required like all transportation of wide loads.

This bill is of great importance to the hay industry in Kansas. As we compete with other states such as Nebraska, Colorado and Missouri that allow interstate travel. We are required to come up with more costly methods and sometimes elimination of transportation. I would appreciate your support and would be happy to answer any questions that the committee might have.

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ATTACHMENT: # 3



PUBLIC POLICY STATEMENT

SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

RE: HB 2782 – Allowing over-width trucks loaded with large bales of hay to operate on the interstate highways in Kansas.

**March 16, 1998
Topeka, Kansas**

**Presented by:
Bill Fuller, Associate Director
Public Affairs Division
Kansas Farm Bureau**

Chairman Vidricksen and members of the Senate Committee on Transportation and Tourism, my name is Bill Fuller. I am the Associate Director of the Public Affairs Division for Kansas Farm Bureau.

HB 2782 allows over-width trucks loaded with large bales of hay to operate on the interstate highways in Kansas.

We appreciate this opportunity to express support for HB 2782. Implementation of this legislation will benefit a number of the farm and ranch members of Kansas Farm Bureau.

Currently, farmers and others transporting large bales must travel on two-lane highways. This generally takes more time, often requires more miles of travel and is sometimes inconvenient. More

important, requiring travel on these narrow secondary highways that often have little or no shoulder, is a significant safety concern.

The bill requires an over-width permit, an oversized load sign and red flags on all four corners of the load. Compliance with a maximum width of 12 feet and a maximum height of 14 feet 6 inches is required. The truck loaded with hay must comply with weight limits and not be overweight. We are not here asking for changes in these provisions. In fact, Kansas Farm Bureau policy adopted by members includes this statement: *"Our purpose is not to carry larger gross weights."*

Attached to our statement is a letter from a Farm Bureau member who outlines how the current law impacts the hauling of his hay, his concerns about safety and his support for the bill.

We respectfully encourage the Committee's approval and advancement of HB 2782 to the full Senate.

Thank you!

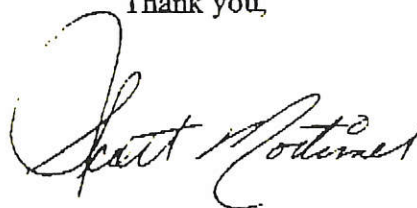
March 14, 1998

To: Senate Transportation Committee

I am writing this letter in regard to House Bill 2782. I farm in North Central Kansas, near Delphos. I am a fairly large producer of alfalfa hay, putting up around 400 acres annually. Some of this hay is produced in large round bales. I sell to McPherson County Feeders, which is west and south of Lindsborg, Kansas. I can legally haul large round bales as far as I-70 highway. Then, I must detour and travel through Salina, taking old 81 Highway to Ninth Street, then take Broadway on through Salina to old 81 Highway, again. Over-wide loads are not safe in downtown Salina, and the only other optional route would be to take State Street to Burma Road and south. I take this route most of the time. Senator Vidricksen can testify that this road is terribly narrow. I have met school buses on both of these routes. It scares me terribly to think about hitting a bus load of kids on these narrow roads with a wide load of hay.

Round bales are one of the few products not allowed on the Interstate Highway, and I have seen wider loads that are more dangerous. I think that it is very important that this bill passes. The Interstate is a safer place than the narrow, two lane roads we currently have to travel.

Thank you,



Scott Mortimer
1135 Windmill Road
Delphos, Kansas 67436