

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND TOURISM

The meeting was called to order by Chairman Ben Vidricksen at 11:35 a.m. on April 2, 1998 at the rail on the third floor of the Capitol.

All members were present except: Senator Jordan

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

Conferees appearing before the committee:

Others attending: See attached list

HCR 5054: Urging U. S. Congress to designate U.S. 59 Highway as a demonstration project. Support modernization of by so designating it.

The resolution concerns modernization of 20 miles of US 59 highway from Lawrence to Ottawa where, within the past five years, there have been 468 accidents involving personal injury. The state is financially unable to remedy this situation within the near future. Senator Karr moved to recommend the resolution favorable for passage. Senator Goodwin seconded the motion. Motion carried. Senator Hensley will carry the bill.

HB 3014: Transportation of hazardous materials: federal exemptions.

Farm Bureau supports this bill relating to intrastate transportation of hazardous materials especially as federal regulations relate to agricultural products and flammable liquid petroleum distillates to be transported by farmers in nonspecification bulk packagings (Attachment 1). In order to comply with Federal Regulations states have until October 1, 1998 to adopt exemptions specified in the bill. Senator Huelskamp moved to recommend HB 3014 favorable for passage. Senator Gilstrap seconded the motion. Motion carried.

Meeting adjourned at 11:50 a.m.

Next meeting will be April 2, 1998 upon first afternoon adjournment.



Kansas Farm Bureau

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March 31, 1998

TO: Chairman Vidricksen and members of the
Senate Committee on Transportation and Tourism

FROM: Bill R. Fuller, Associate Director
Leslie Kaufman, Assistant Director
KFB Public Affairs Division

**RE: General Background Information on HB 3014
Farm Bureau Support for HB 3014**

Below is a brief description of what HB 3014 would accomplish and why we believe it is important to the farmers of Kansas. We have also included a short statement outlining Kansas Farm Bureau's support for the measure. If you have any questions regarding the bill, background information or position statement, please contact Bill Fuller or Leslie Kaufman. Our Topeka phone number is 234-4535 and our cellular number is 633-1536.

General Background Information on HB 3014

Kansas Farm Bureau was able to secure the introduction of HB 3014, which allows a farmer exemption from certain federal hazardous materials (hazmat) transportation regulations, in response to federal regulation HM-200. HM-200 is the U.S. Dept. of Transportation's reference number for regulation of hazardous materials in intrastate commerce. By definition hazardous materials includes many compounds necessary for successful agriculture production such as fertilizers, pesticides, agriculture chemicals and fuels.

USDOT is required to regulate intrastate hazmat movement. The regulations do provide some exemptions for materials of trade and bulk packaging. Additionally, a provision exists for a state to enact a "farmer exemption" for hazmat movement from one field of a farm to another by local (non-interstate) roadways. States must act before October 1998 to provide their farmers with the exception and farmers must continue to comply with state transportation requirements. Although HB 3014 language references the federal code provision rather than stating "from one field of a farm to another", it would enact such an exemption in Kansas.



*Senate Transportation + Tourism
April 2, 1998 - 2.m. meeting
Attachment #1*

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USDOT provided the exceptions following significant response by small business and agriculture over the burden of complying with the initial proposed HM-200 regulations. Commenters claimed it would cost an estimated \$2000 to \$3500 annually for each farm to comply with the full regulations.

Farm Bureau Support for HB 3014

As stated earlier, Farm Bureau was instrumental in getting HB 3014 introduced. We strongly support relieving Kansas farmers from heavy federal regulation. When regulation must occur, we prefer local/state oversight rather than federal regulation. HB 3014 provides for this.

By enacting HB 3014, farmers will be relieved from meeting certain federal requirements governing intrastate shipment of hazardous material, such as placarding and maintaining shipping papers. The exemption is limited. It applies to hazmat movement from one field to another over local roads. HB 3014 does not exempt the farmer from other state transportation regulations.

Farm Bureau considers this a common sense provision, which greatly benefits Kansas farmers in their day-to-day operations. We respectfully request your support for favorable passage of HB 3014. Thank you.

cc: Marian Holeman, Committee Secretary
Bruce Kinzie, Revisor's Office