

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Rep. Gary Hayzlett at 1:40 p.m. on February 17, 2000 in Room 423-S of the Capitol.

All members were present except:

Representative Vaughn Flora, excused  
Representative Andrew Howell, excused  
Rep. Doug Johnston, excused  
Rep. Bruce Larkin, excused  
Rep. Dennis McKinney, excused  
Rep. Ted Powers, excused

Committee Staff present:

Bruce Kinzie, Revisor of Statutes  
Hank Avila, Research Department  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

John Federico, Federico Consulting

Others attending:

See attached list

**HB 2745 - highway advertising control act, definitions**

Chairman Hayzlett called for discussion and final action on **HB 2745**. After further study, the members of the committee, who were concerned about the impact this bill would have on their districts, were in agreement with the bill. Representative Pauls made a motion to pass **HB 2745** favorably, seconded by Representative Dreher and the motion carried.

**HB 2768 - motor carriers, state corporation commission**

Chairman Hayzlett called for discussion and final action on **HB 2768**. Having voted on the prevailing side Representative Thimesch made a motion to remove **HB 2768** from the table, seconded by Representative Grant and the motion carried.

The Chair called on Bruce Kinzie, Revisor, to review the changes that had been made in the bill. Following discussion Representative Grant made a motion to remove Section 12 from **HB 2768**, seconded by Representative Thimesch and the motion carried.

Representative Thimesch made a motion to pass **HB 2768** favorably, as amended, seconded by Representative Grant and the motion carried.

**HB 2642 - drivers' licenses, providing false information on persons' mental or physical condition**

The Chair called for discussion and final action on **HB 2642**. He called on John Federico, Federico Consulting, to present his request for a change to the Kansas statutes with respect to allowable lengths of motor homes. (Attachment 1) Following discussion, Representative Grant offered a substitute motion to amend **HB 2642** by substituting a new bill to be designated as "Substitute for **HB 2642**" concerning the maximum length of certain vehicles; amending K.S.A. 1999 Supp 8-1904 and repealing the existing section. This was seconded by Representative Kline and the motion carried.

Chairman Hayzlett adjourned the meeting at 2:15 p.m. p.m.

The next meeting of the House Transportation Committee is scheduled for Monday, February 21, 2000 in Room 519-S.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-17-00

NAME	REPRESENTING
Tom Whitaker	Ks Motor Carriers Assn.
Joe Krahn	KDOT
Scott Brunner	DOB
Patrick Hurley	Economic Lifelines
John Federico	RVIA



## MEMORANDUM

**To:** Chairman Gary Hayzlett  
All Members of the House Transportation Committee

**From:** John Federico

**Date:** February 17, 2000

**Re:** Changes to Kansas Statute; Length of Motor Homes

On behalf of the Recreational Vehicle Industry Association, I would respectfully request a change to the Kansas statutes with respect to allowable lengths of motor homes. Current law restricts the length to 42 feet, 6 inches. We are requesting that statutes reflect a change to allow motor homes up to 45 feet. Attached is supporting documentation. Thank you for your consideration of this matter.

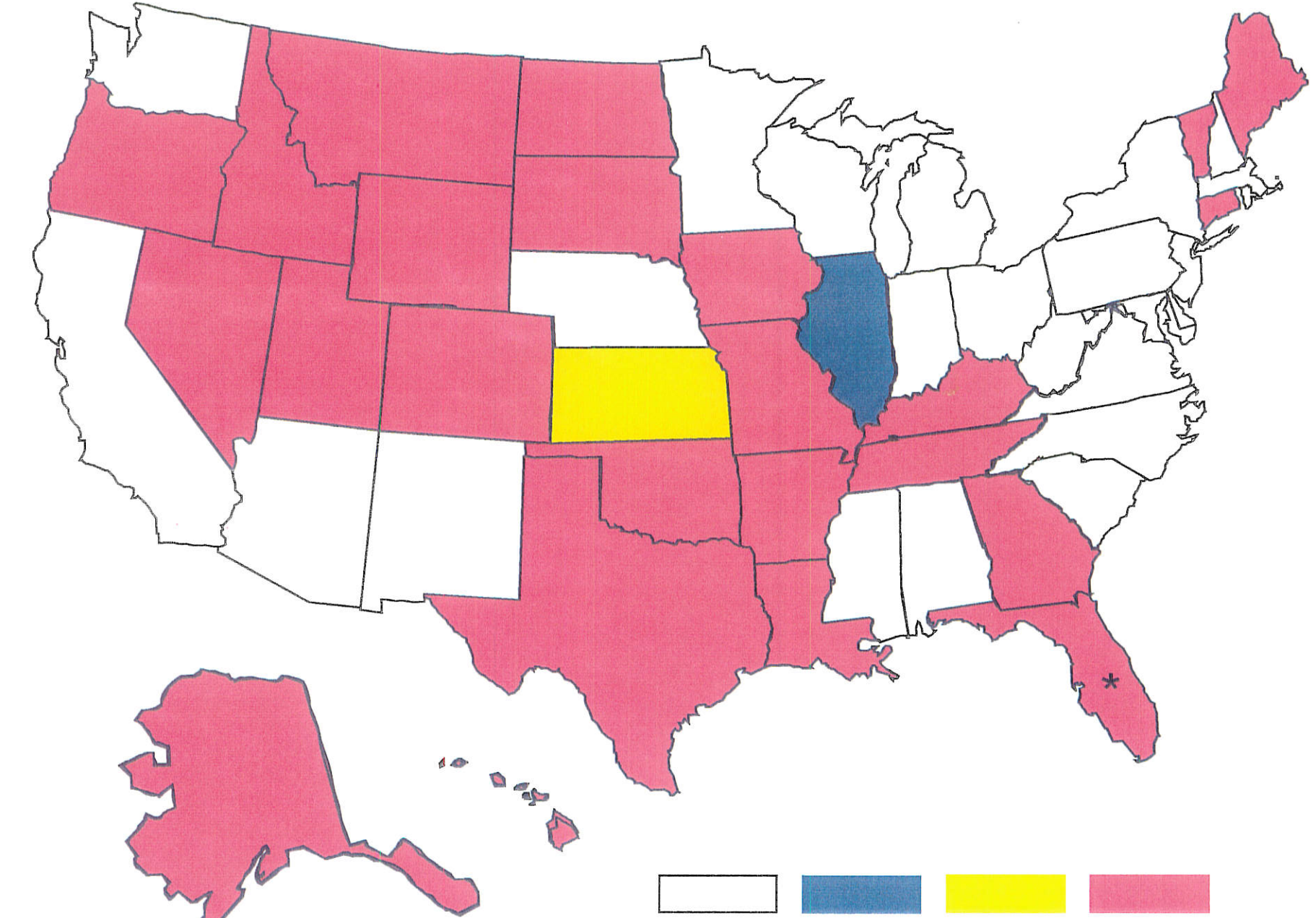
House Transportation Committee  
February 17, 2000  
Attachment 1

815 SW Topeka Blvd Second Floor Topeka, KS 66612-1608

## Benefits/Impact of Updating Length Law to Permit 45 Foot Motorhomes

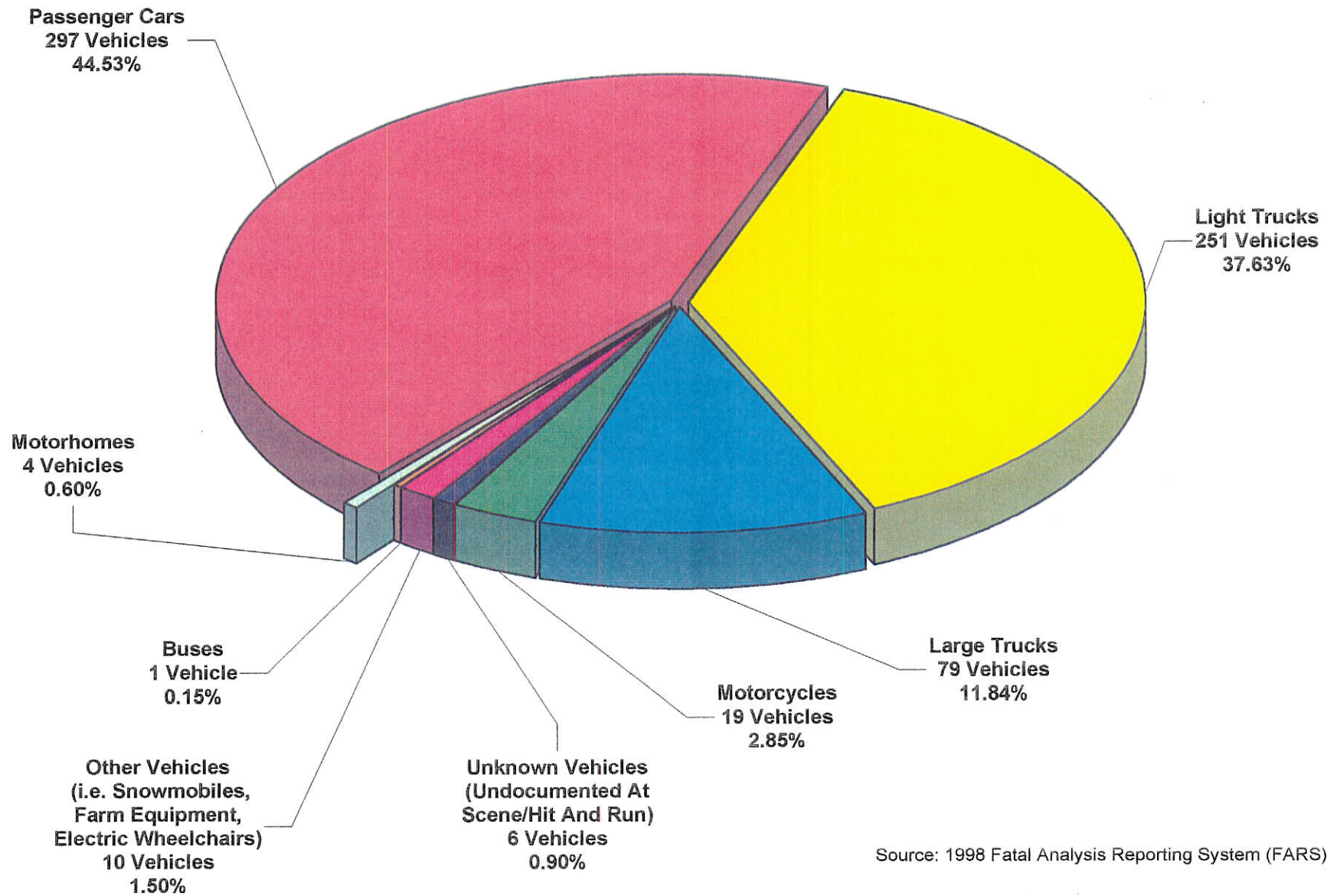
1. Twenty six states already permit over 40 foot motorhomes to travel in their state. Since one of the purposes in buying a motorhome is to travel throughout the 50 states, it is important for the states to set uniform length limits.
2. Tourism businesses will suffer economic losses when owners of 45' motorhomes avoid the hassle and decide to not travel in states having a 40' length limit.
3. Significant economic benefit can be derived by a state when RV shows and other events, in which owners of these larger motorhomes participate in or attend, are held in their state. The Family Motor Coach Association estimates that their annual convention brings, yearly, 20,000 members and up to 40 million dollars to the state hosting the event.
4. Loss of sales tax revenue will result in those states not permitting 45' motorhomes to be driven/sold within their borders. The purchase price of a 45' motorhome is substantial, often between \$300,000 and \$750,000.
5. Motorhome drivers have an excellent safety record. No accident statistics have been uncovered that indicate 45' motorhomes pose a greater accident hazard than 40' motorhomes.
6. Owners of large motorhomes usually belong to RV enthusiast clubs and are committed to the RV lifestyle. This includes participating in RV rallies where workshops are offered on safe driving and motorhome maintenance.
7. Persons who own and operate large motorhomes are not "first-time" buyers. They are experienced drivers.
8. Permitting 45' motorhomes will not result in a large number of over 40' motorhomes on the state's roads because of the very high price of these units.

# Maximum Motorhome Lengths by State



\* Florida allows Private Motor Coach (built on bus chassis) length up to 50'

# 1998 Kansas Vehicle Fatal Accident Statistics by Vehicle Body Type

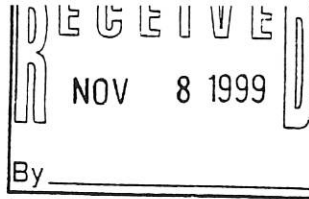


Source: 1998 Fatal Analysis Reporting System (FARS) Data



U.S. Department  
of Transportation

**Federal Highway  
Administration**



400 Seventh St., S.W.  
Washington, D.C. 20590

NOV 4 1999

Refer to: HOFM-1

Mr. Craig A. Kirby  
Vice President and General Counsel  
Recreation Vehicle Industry Association  
1896 Preston White Drive  
P.O. Box 2999  
Reston, VA 20195-0999

Dear Mr. Kirby:

Thank you for your November 1 letter in which you asked for Federal Highway Administration (FHWA) confirmation of the authority of States to determine the maximum allowable length of motorhomes used as private passenger vehicles or for commercial purposes.

Federal length regulations are described in 49 U.S.C. 31111 and implemented by 23 CFR 658. The only provision that involves a single unit vehicle is §31111(b)(1)(A), [23 CFR 658.13(d)] which prohibits any State from establishing a length limitation of less than 45-feet on a bus operating on the National Network (NN). The statutory language establishes the minimum length of bus that must be allowed, while each State retains the authority to establish the maximum limit for these vehicles.

No other single unit vehicles, including motorhomes for personal or commercial use, are subject to Federal length requirements of any kind.

I hope this information is useful to you.

Sincerely yours,

Gary E. Maring  
Director, Office of Freight Management  
and Operations

November 1, 1999

Via facsimile: (202) 366-3302

Mr. Gary Maring, Director  
Office of Freight Management Operations  
FHWA-HOFM  
Room 3401  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Mr. Maring:

The Recreation Vehicle Industry Association (RVIA), a national trade association representing the manufacturers of motorhomes and their related component suppliers, requests that the Federal Highway Administration (FHWA) confirm our firm conviction that there are no Federal laws or regulations establishing the maximum length of motorhomes used as private passenger vehicles or for commercial purposes and that any length limitations on such vehicles are set by the individual states.

RVIA believes and asks FHWA to confirm that neither Congress nor FHWA has established a maximum length limit for motorhomes used as private passenger motor vehicles. Title 23, CFR, Section 658.5, Definitions, clearly states that federal length statutes and rules apply only to "commercial vehicles" or vehicles which are designed or regularly used for carrying freight or more than ten passengers. Personal use motorhomes meet neither criteria. Therefore, "personal use" motorhomes are not "commercial vehicles" for purposes of federal length laws and rules.

However, there are a few circumstances when a motorhome might be classified as a commercial vehicle for purposes of FHWA size rules; i.e. when it is being driven from a manufacturing facility to a dealership (where its first point of sale will take place) or when it is driven to a show where it is being displayed and/or offered for sale to the retail public. RVIA believes, and asks FHWA to confirm, that in these circumstances, motorhomes would be classified as "straight trucks" and considered "commercial vehicles." However, RVIA notes that Congress and FHWA have chosen not to set maximum length limits for straight trucks or motorhomes (See Title 49, U.S. Code, Section 31111, Length Limitations and 23 CFR, Chapter 1, Section 658.13, Length). Absent such a decision, it is RVIA's contention that each state has the authority to establish such limits.

RVIA respectfully requests that you confirm in writing that there are no Federal laws or regulations regarding the maximum length of a motorhome when it is being used as a private passenger vehicle or for commercial purposes and that each state has the right to establish maximum length limits for these vehicles without fear of jeopardizing their federal highway funds or other Federal sanctions.



Mr. Gary Maring  
November 1, 1999  
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Should you have any questions or need clarification, please do not hesitate to contact me at (703) 620-6003 x312. A response by November 9, 1999, would be greatly appreciated. Our facsimile number is (703) 620-5071.

Sincerely,

Craig A. Kirby  
Vice President and General Counsel

cc: Tom Klimek  
Via facsimile: (202) 366-7909