

SENATE TRANSPORTATION & TOURISM COMMITTEE
GUEST LIST

DATE: MARCH 7, 2000

NAME	REPRESENTING
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Rick Scheibe	KDOR Vehicles
Dick Bauman	KDOT
Tom Whitaker	Ks Motor Carriers Assn
John Federico	RVIA



Testimony In Support of Sub HB2642

**John J. Federico; Federico Consulting
On Behalf of the Recreational Vehicle Industry Assn.**

Senate Transportation Committee

March 7, 2000

Thank you for the opportunity to offer brief testimony in support of Sub HB 2642. I appear before you today on behalf of the Recreational Vehicle Industry Association as part of their effort to bring "conformity" to existing state statutes.

Currently, Kansas law makes it illegal to sell or drive a motorhome longer than 42 and one half feet within Kansas. As you can see from the attached map, many other states allow lengths of up to 45 feet. This bill is part of a nationwide effort by the RVIA to bring "uniformity" to statutes related to allowable lengths of motorhomes.

The U.S. Department of Transportation ruled that individual states have the authority to set allowable lengths. In visits with the Kansas Department of Transportation, the Director of Motor Vehicles for the Kansas Department of Revenue, and the Kansas Motor Carriers Association, none offered objections to Sub HB2642.

Again, this bill simply attempts to bring conformity and uniformity to state statutes across the country. I ask your support for Sub HB 2642 and I will be happy to respond to any questions.

SENATE TRANSPORTATION & TOURISM
COMMITTEE -DATE: 3-07-00
ATTACHMENT: 1

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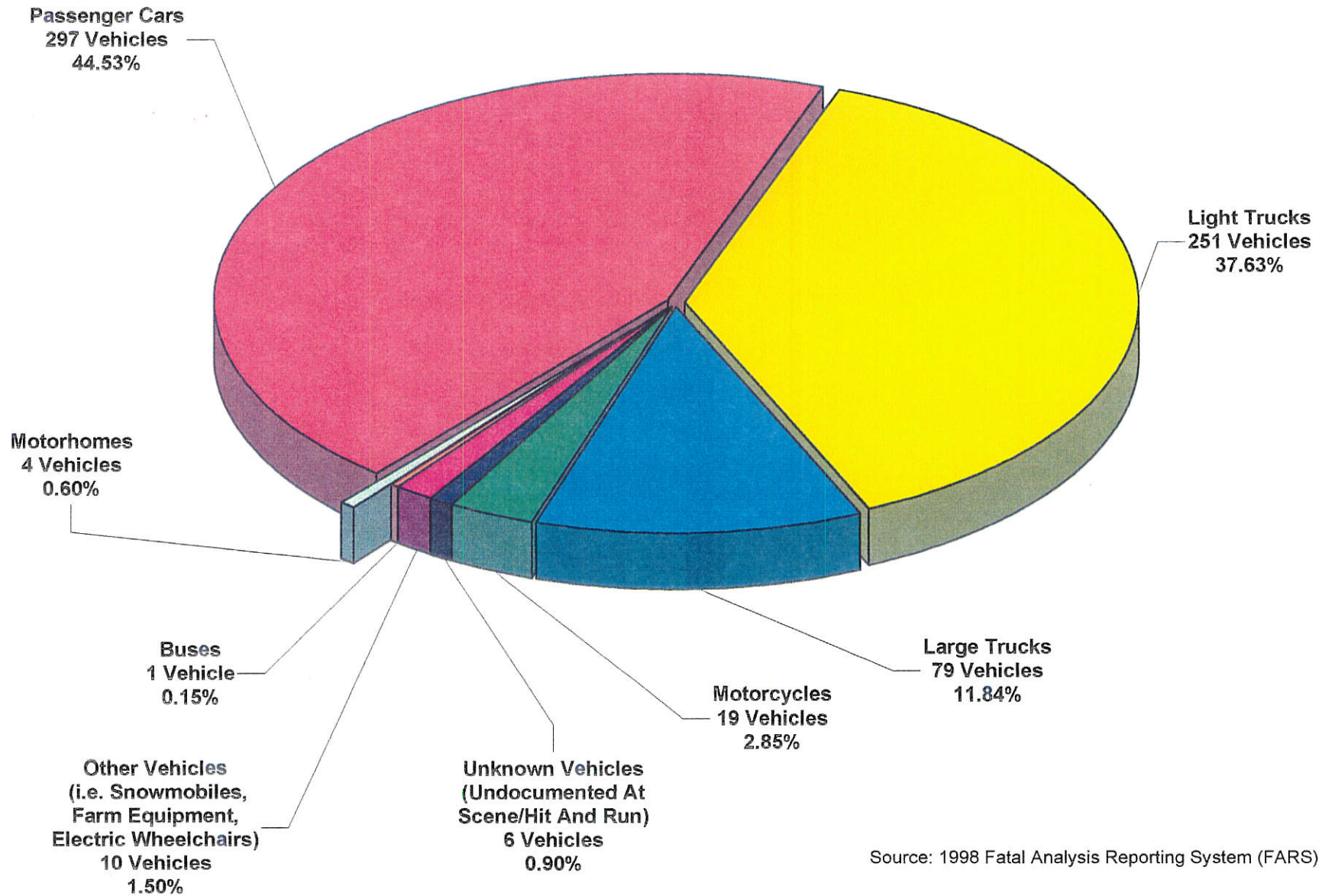
1-1

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.

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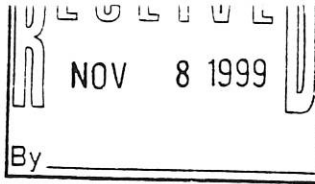
1998 Kansas Vehicle Fatal Accident Statistics by Vehicle Body Type



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 its 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
Page 2

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