Approved: February 6, 2001

MINUTES OF THE HOUSE TRANSPORTATION.

The meeting was called to order by Chairperson Gary Hazylett at 1:40 p.m. on February 1, 2001 in Room 519-S of the Capitol.

All members were present except:

Committee staff present:
Bruce Kinzie, Revisor
Hank Avila, Research
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:
Ed Lothamer, Brundage-Bone Concrete Pumping
Ken Gudenkauf, Assistant Bureau Chief, Bureau of Traffic, Kansas Department of Transportation
Sheila Walker, Director, Division of Vehicles, Department of Revenue

Others attending:
See attached sheet

HB 2144 - truck mounted concrete pump with boom, exemption from registration

Chairman Hayzlett opened hearings on **HB 2144.** Ed Lothamer, Brundage-Bone Concrete Pumping, was the first conferee, speaking in support of the bill. He explained the modifications for this truck to accomodate a boom and stated the truck uses the roadways only as a means to get from job site to job site and in many instances the pump is on the job site for months or even years. He also presented pictures explaining the construction of the truck and boom and how these are used on the job site. (Attachment 1)

Mr. Lothamer then responded to questions from the committee.

The Chair called on Ken Gudenkauf, Assistant Bureau Chief of the Bureau of Traffic Engineering, KDOT, who spoke in opposition of the bill. He told the committee that each exemption from registration, as called for in **HB 2144,** reduces the revenue to the State Highway Fund. He concluded, that although the fiscal impact to the Fund would be minor, there is now a very fine line between success and failure of the Comprehensive Transportation Program,and therefore they must oppose any further erosion of the projected revenues. (Attachment 2)

Mr. Gudenkauf answered questions from the committee.

Sheila Walker, Director of Vehicles, Department of Revenue, was the next conferee. She reminded the committee that in order to move from one location to another, the concrete pump and placing boom truck was still subject to any applicable oversize or overweight permits. She did offer an amendment which describes a self-propelled crane "where the crane operator on a job site works from a housing or module on the crane and is not standing beside the rig, and the crane is not constructed for the transportation of property, except the property that is required for the crane itself" and would also strike from the bill references to when they could operate. She presented pictures showing the types of cranes alluded to in the amendment. (Attachment 3)

The Chair called on Bruce Kinzie, Revisor, to explain the amendment.

Following questions by the committee, Chairman Hayzlett closed the hearings on **HB 2144.**

Representative Pauls made a motion to accept this balloon, giving the definition of a crane, seconded by Representative Long.

Representative McKinney made a substitute motion, referring to a balloon, adding to subsection (d) "the provisions of this subsection shall not apply to ready-mix-concrete trucks". This was seconded by Representative Crow and the motion carried.

Representative Pauls made a motion to accept both balloons, seconded by Representative Ballou and the motion carried. Representatives Howell, Ballou and Powers wished their "no" vote recorded.

Representative Dreher made a motion to pass **HB 2144** favorably, as amended, seconded by Representative Osborne and the motion carried.

HB 2045 - railroad grade crossings on county and township highways

Chairman Hayzlett opened the floor for discussion and final action on **HB 2045.** Bruce Kinzie, Revisor, explained an amendment to the bill which was requested, and would reinsert "public highway" on Line 15, add "or street" to line 16 and on line 31 insert "the crossing shall comply with the AASHTO design manual titled "A Policy on Geometric Design of Highways and Streets".

Representative Vickery made a motion to accept the amendment as presented, seconded by Representative Powell and the motion carried.

Representative Beggs made a motion to pass **HB 2045** favorably, as amended, seconded by Representative Levinson and the motion carried.

Chairman Hayzlett adjourned the meeting at 2:20 p.m. The next meeting of the House Transportation Committee will be Tuesday, February 6, Room 519-S at the Capitol.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: February 1, 2001

NAME	REPRESENTING
EDWARD D. LOTHAMER	CONCRETE PLACEMENT, INC.
Mary Shivers	KDOT
Ken Grdenkauf	KDOT
Woody Moses	Ks. Ready Mixed Conc. Assn.
Andy Shaw	Kearney Law Office
Sheila Walker	KDOR - DMV
al Heston	KDOR - DMV
Tom Whitaker	KS MOTOR CARRIERS ASSN.

CONCRETE PLACEMENT
INC.
DIVISION OF BRUNDAGE-BONE CONCRETE PUMPING

1-29-01

Testimony on Mobile Hydraulic Boom Concrete Pumping Units

A Truck mounted Concrete Pump with Hydraulic Boom is usually mounted on a carrier which is modified to accept this unit so that the weight of the finished pumping unit will be properly set up for the weight distribution of the Concrete Pumping Boom unit. The frame of the unit is double walled and made deeper to accommodate the stress put on the frame by the operation of the boom of the unit. The sub frame is also fish plated to the chassis and welded to provide the necessary structural integrity for this operation. Two rear cross frames are removed and 12-18 mounting plates are added. Integral with the chassis, a Concrete Pumping Unit is added and a transfer case is installed and the drive lines are altered to accommodate this modification. Outriggers are added in the front and rear of the chassis to eliminate vibration and increase stability during the operation of the boom. This makes it very difficult to dismount this unit, and a great deal of modification would be required to make this into a truck chassis that could haul something. The Truck Mounted Boom type Concrete Pump has no product that it hauls to or from job sites, which makes it significantly different from a Concrete Mixer attached to a truck that is used to transport concrete to and from jobs. The Concrete Pump performs a construction operation, is permanently welded to the chassis, and the operation of the equipment is unrelated to the highway transportation function of the vehicle. The chassis has been specifically modified to serve as a mobile mount and power source for the pumping equipment and boom operation, and the chassis would require substantial modification before it could be used as a component of a cargo carrying highway vehicle. The Concrete Pump uses the roadways only as a means to get from job site to job site In many instances the Concrete Pump is on a job site for months or even years, and in some cases it goes from job site to jobsite in a single day. The unit also uses the roads to get to and from a place of storage or a place for repair work. I believe that a Concrete Pump is definitely a vehicle which falls under K.S.A. 2000 Supp. 8-128 which defines equipment that need not be registered. The Concrete Pumping equipment is also something which we believe falls into the category of yearly permitted equipment. In regards to this we feel that since we are used, almost exclusively, to place concrete on the Bridges of Kansas, that are new construction or replacement construction, we should be granted continuos movement" to accommodate the schedules that are needed to pour this type of construction. The heat of the summer requires the contractors of this type of construction to start pouring concrete in the early morning hours. A typical start time would be 1:00 AM to take advantage of the cool down of night and the coolest hours before dawn. Therefore we would like to ask for continuos movement for equipment that falls under the State definition of yearly permitted equipment. The Concrete Pump with a hydraulic boom is most closely associated with mobile cranes which are included in K.S.A. 2000 Supp. 8-128, and we feel that the amendment is proper due to the definition of a Crane which is not spelled out in Kansas Law, but Websters dictionary says it is "a machine for lifting or moving heavy weights, using a moveable projecting arm or a horizontal traveling beam ". The truck mounted Concrete Pump with a hydraulic boom fits this description almost perfectly, as it uses a moveable projecting arm to lift a heavy weight, in this case Concrete which weighs approximately 4,000 lbs. per cubic yard.

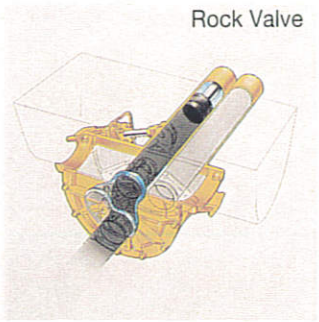
Edward Lothamer

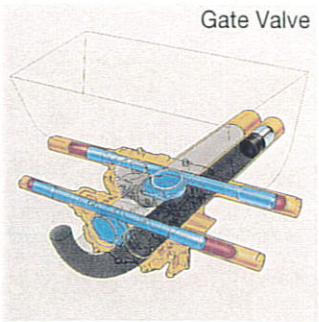
House Transportation Committee
February 1, 2001
Attachment 1

CONCRETE PUMPING EQUIPMENT, SERVICE & SUPPLIES
19945 W. 157th STREET • OLATHE, KS 66062 • PHONE (913) 390-9233 • FAX (913) 393-2873

SCHWING boom pumps are the leading choice of contractors operating in North America. . .

Two proven valve types





Only Schwing offers two proven valves for most models. Both valves pump a variety of mixes with exceptional reliability and low wear. Your Schwing representative will assist you in deciding which valve is best suited to your application.

KVM 52

- 170-foot, 4 section boom
- available with 1200 HDR pump kit
- 157.5 feet horizontal reach
- 360° slewing range
- Five inch pipe line

The reach of our 4-section 52 meter boom allows versatility for single set-up and efficient placement on highrise and flatwork. This extra long boom is mounted on a three steering axle chassis for maneuverability.

KVM 42

- 138-foot, 4 section boom
- available with 1200 HDR pump kit
- 125 feet horizontal reach
- 400° slewing range
- Five inch pipe line
- Fully articulating roll & fold design

Here's the 4-section long boom with all-around performance for fast, easy placement for bridge decks, slabs, and buildings. Operator conveniences abound on the 42-meter which has an outstanding history of acceptance throughout the United States.

KVM 36

- 118-foot, 4 section boom
- available with 1200 HDR pump kit
- 105 feet horizontal reach
- 400° slewing range
- Five inch pipe line
- Fully articulating roll & fold design

Full 4-section boom flexibility with reach to accomplish many pour requirements. The 36-meter mounts on a three axle chassis for cost efficiency while providing an excellent cost/performance value.

SCHWING AMERICA INC.

S 45 SX

Truck-mounted concrete pump with 4-section placing boom

The most successful long boom in North America

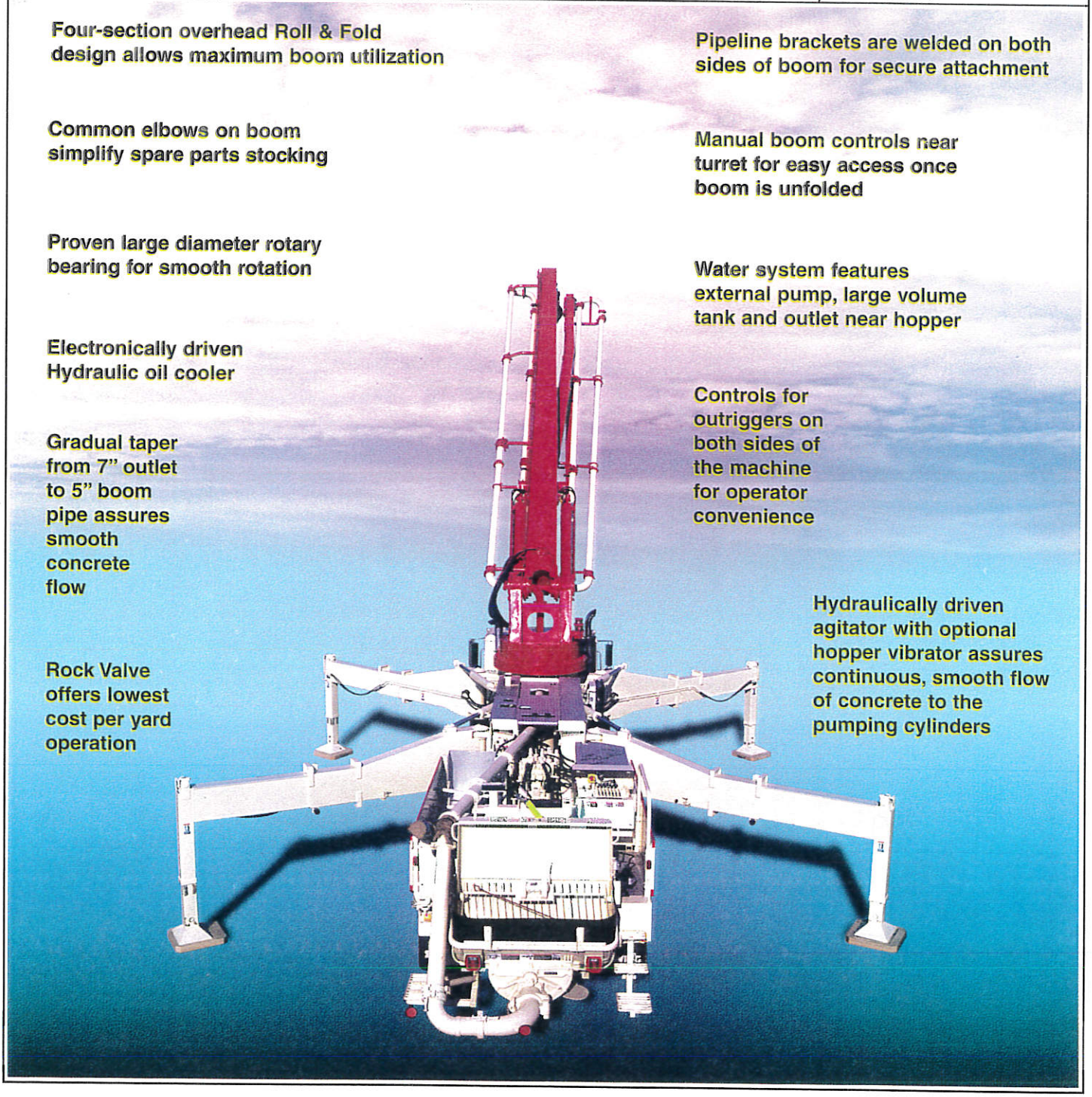
Here is the concrete pump that started the long boom revolution in North America. Use the 42-meter 4-section boom on flat-work, buildings or bridges and save so much time because a single set-up reaches 125-feet out or 138-feet up. Also get that second job of the day covered with fast fold-up of outriggers and maneuverability of the twin steer truck chassis. Don't miss out on jobs because of boom length.

Add the best-proven concrete pump in North America to your fleet.

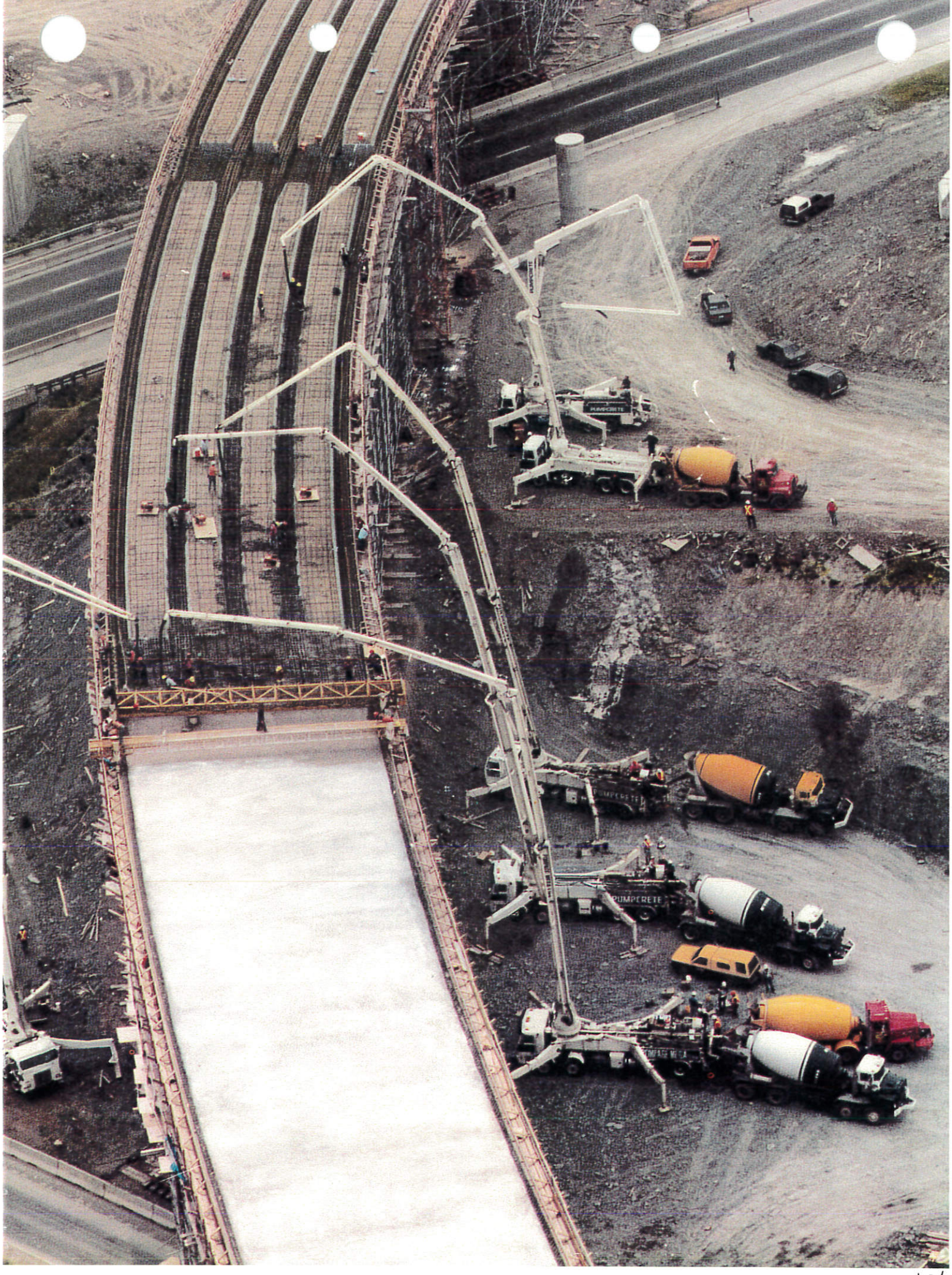
Generation 3

Schwing proudly offers the concrete pump that will define reliability for the next millennium. Engineering refinements thoroughly tested in the field bring increased performance and smoothness to the pumping process with lower noise levels, higher volume and higher profits for pump owners. Choose from three available pump kits that provide consistent pumping performance aided by reliable, all-hydraulic operation and the legendary Schwing Rock Valve. Not only do you receive world-class performance but also the lowest cost per yard expenses when you operate with the Generation 3 concrete pump.

Parts, service and an experienced sales staff add so much to the value of your concrete pump. Only Schwing combines multiple parts stocking locations throughout North America and the most knowledgeable dealer network. Along with our 300,000 square foot manufacturing plant in Minnesota this makes Schwing the unbeatable choice for your long-term future. Look no further - Schwing engineers your success with the latest technology in concrete pumping.



I-35 and I-435 Intersection, Overland Park, KS, 800 yard dual bridge placement using three KVM42 and one KVM36 138 ft. and 118 ft. boom trucks.


PUMPCRETE
PUMPCRETE
PUMPCRETE

STATE OF KANSAS

KANSAS DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY OF TRANSPORTATION
Docking State Office Building
915 SW Harrison Street, Rm.730
Topeka, Kansas 66612-1568
Ph. (785) 296-3461 FAX (785) 296-1095
TTY (785) 296-3585

E. Dean Carlson
Secretary of Transportation

Bill Graves
Governor

TESTIMONY BEFORE THE HOUSE TRANSPORTATION COMMITTEE

REGARDING HOUSE BILL 2144 RELATING TO VEHICLE REGISTRATION, EXEMPTING TRUCK MOUNTED CONCRETE PUMP WITH BOOM

FEBRUARY 1, 2001

Mr. Chairman and Members of the Committee:

I am Ken Gudenkauf, Assistant Bureau Chief of the Bureau of Traffic Engineering. On behalf of the Department of Transportation, I am here to provide testimony to the committee regarding House Bill 2144. The proposed legislation amends K.S.A. 8-128 to exempt from registration, each truck permanently mounted with a hydraulic concrete pump and placing boom. With the registration exemption, these trucks must still comply with all other requirements of the law relating to motor vehicles.

Each exemption of this nature results in a reduction of revenue to the State Highway Fund. These specific vehicles are registered as trucks making it difficult to determine the exact number of vehicles involved, but the proposed exemption is estimated to result in a loss of revenue of $800 per vehicle per year.

Although the fiscal impact to the State Highway Fund would appear to be minor, our concern is with any additional exemptions. Any new exemption seems to encourage another, and any further reduction in funding sources for the Comprehensive Transportation Program is a concern to us.

Because there is now a very fine line between success and failure of the Comprehensive Transportation Program, we must oppose any further erosion of projected revenues and, therefore, oppose House Bill 2144.

House Transportation Committee
February 1, 2001
Attachment 2

E OF KANSAS
Bill Graves, Governor

DEPARTMENT OF REVE[illegible]
Stephen S. Richards, Secretary

Sheila J. Walker, Director
Division of Vehicles
915 SW Harrison St.
Topeka, KS 66626-0001

(785) 296-3601
FAX (785) 291-3755
Hearing Impaired TTY (785) 296-3909
Internet Address: www.ink.org/public/kdor

Division of Vehicles

TESTIMONY

TO: House Transportation Committee Chair Gary Hayzlett
Members of the House Transportation Committee

FROM: Sheila J. Walker, Director of Vehicles Sheila J. Walker

DATE: February 1, 2001

RE: House Bill 2144

Chairman Hayzlett and members of the House Transportation Committee, my name is Sheila Walker, and I serve as Director of the Kansas Division of Vehicles. Thank you for the opportunity to provide testimony today on House Bill 2144.

The Division can readily administer this change in legislation that exempts "trucks permanently mounted with hydraulic concrete pumps and placing booms" from being registered. We appreciate the amendment that excludes "ready-mix concrete trucks" from the exemption. The narrower definition will be easier to enforce.

Of course, in order to move from one location to another, the concrete pump and placing boom truck will still be subject to any applicable oversize or overweight permits.

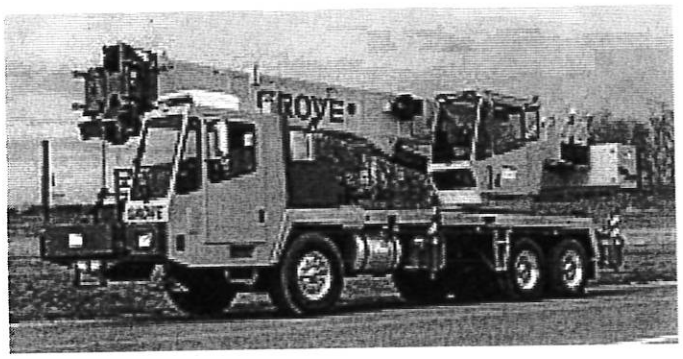
We respectfully ask the committee to consider amending this bill to also include a narrower definition of "self-propelled cranes." Our enclosed balloon describes a self-propelled crane "where the crane operator on a job site works from a housing or module on the crane and is not standing beside the rig, and the crane is not constructed for the transportation of property, except the property that is required for the crane itself."

We would appreciate passage of this amendment. Thank you for your consideration.

Definition of Self-Propelled Cranes

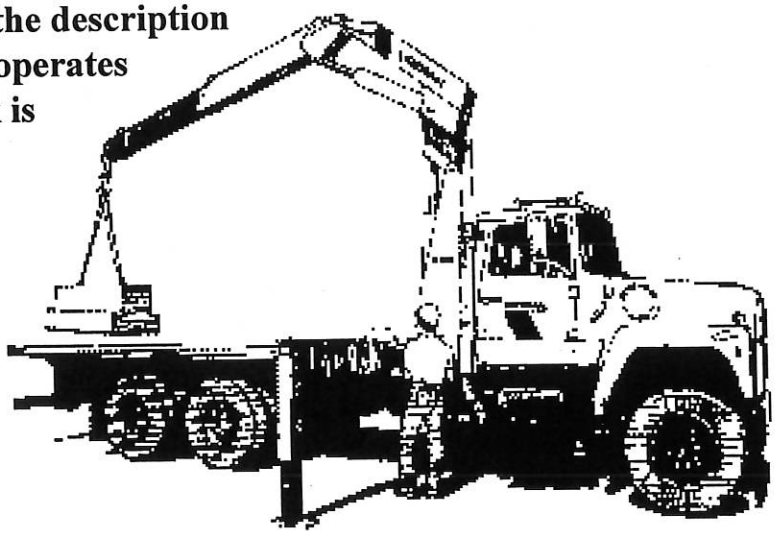
(Amendment to House Bill 2144)

The crane operator on a job site works from a housing or module on the crane and is not standing beside the rig, and the crane is not constructed for the transportation of property, except the property that is required for the crane itself.



This truck type fits the description above. The crane operator operates from a housing or module, and the truck is not constructed to haul a load.

This truck type does not fit the description above. The crane operator operates beside the rig, and the truck is constructed to haul a load.



(Prepared by the Kansas Division of Vehicles 2/1/01)