

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Les Donovan at 8:30 a.m. on February 13, 2001 in Room 245-N of the Capitol.

All members were present except: Senator Goodwin
Senator Harrington

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

Conferees appearing before the committee: Senator Lee
Todd Johnson, KS Livestock Assn.

Others attending: See attached list.

SB 73: Re vehicles registration; certain farm vehicles

Senator Lee explained the need for the bill to clarify language in K.S.A. 8-143 regarding farm trailer registration exemptions wherein the original intent was to exempt trailers that just haul hay and forage as well as those that both pick up and haul hay and forage. **SB 73** would exempt both (Attachment 1).

Todd Johnson, Executive Secretary, Purebred Division, Kansas Livestock Association testified in support of **SB 73**. He explained the "picking up" language has been taken literally and that is the problem when trailers are not designed to "pick up" big bales. Pictures of the trailer in question are included in his testimony (Attachment 2).

Members discussed the proposed bill. Senator Salmans moved to pass the bill favorably. Senator Gooch seconded the motion. Motion carried.

The meeting adjourned at 8:55 a.m.

The next meeting is scheduled for February 15, 2001.

SENATE TRANSPORTATION COMMITTEE

GUEST LIST

DATE: February 13, 2001

NAME	REPRESENTING
Sandy Shaw	KMCA
Janis Lee	36 th Dist
Todd Johnson	KLA
Sheila Walker	KDOR-DMV
Don McMurry	KDOT
Ken Brudenkauf	KDOT
Deann Williams	KMCA
Gary Davenport	KMCA
Aaron Dunkel	DOR

SENATOR JANIS K. LEE
 ASSISTANT MINORITY LEADER
 STATE SENATOR, 36TH DISTRICT
 BARTON, ELLSWORTH, JEWELL,
 LINCOLN, MITCHELL, OSBORNE,
 PHILLIPS, REPUBLIC, RUSSELL
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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER: ASSESSMENT & TAXATION
 RANKING MINORITY MEMBER: NATURAL RESOURCES
 MEMBER: EDUCATION
 AGRICULTURE
 UTILITIES
 LEGISLATIVE EDUCATIONAL
 PLANNING
 REAPPORTIONMENT
 VICE-CHAIR: HEALTH CARE REFORM
 LEGISLATIVE OVERSIGHT
 LONG TERM CARE TASK FORCE

Chairman Donovan and Transportation Committee Members;

Thank you for holding this hearing on SB 73.

SB 73 was introduced because of a situation which has occurred in the north central and north west areas of Kansas.

The provisions of K.S.A. 8-143 currently provide for three trailer registration exemptions:

- (1) Farm trailers used in carrying 6,000 pounds or less of agricultural products;**
- (2) non self-propelled vehicles (trailers) used and designed for:

 - (a) Applying fertilizers and only incidentally moved upon the highways; or**
 - (b) picking up and transporting hay or forage from a field to storage, or from storage to a feedlot and only incidentally moved upon the highways****

The problem has occurred because a highway patrolman decided to interpret the statute literally. If a hay trailer picks up AND transports hay bales he does not give it a ticket. However, if a trailer only carries bales (but does not pick up the bales) he then gives it a ticket. This results in the owner of the trailer not only having to pay a ticket but also purchase a tag.

I have discussed the situation with Col. Brownlee and he agreed with me that this was a more literal translation than was being used anywhere else. However, he indicated that he did not want to override the highway patrol officer. He felt that it would be better if the legislature cleaned up the language so there could be no mistake that the exemption included both types of trailers as was intended in the original legislation.

Indeed, the intention of the K.S.A. 8-143 was to exempt trailers that just haul hay and forage as well as those that both pick up and haul hay and forage. SB 73 would clarify the issue by exempting both.

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 ATTACHMENT: 1

1-1

After discussions between Bruce and the Division of Vehicles, it was determined that it would be better to move the exemptions to K.S.A. 8-128, the general registration exemption statute. So that is what this bill does.

In SB 73 new paragraph (8), page 1, exempts farm trailers used and designed for transporting hay or forage from the field to storage or from storage to a feedlot and is only incidentally moved on the highways. Also, since the definition of farm trailers under K.S.A. 8-126 includes semitrailers, the bill excludes semitrailers from the exemption.

The Division of Vehicles believes that the exemption in K.S.A. 8-128 for implements of husbandry would cover the fertilizer vehicles (which were also exempted under K.S.A. 8-143) making it unnecessary for the bill to contain that particular provision.



Since 1894

To: The Senate Transportation Committee
Senator Les Donovan, Chairman

From: Todd Johnson, Executive Secretary, Purebred Division

Subject: **Support for SB 73 - Clarification of Registration for Farm Trailers**

Date: February 13, 2001

The Kansas Livestock Association supports exempting farm trailers from registration. We in turn support SB 73 which clarifies farm trailers used for transporting hay or forage are exempt from registration.

The reason for this bill stems from problems some of our members in north central and north west Kansas have had with law enforcement officials regarding hay trailers. While transporting hay, producers have been stopped and ticketed because their trailers are not registered. The reason officers have ticketed the producers is because they have interpreted K.S.A. 8-143, **literally**.

K.S.A. 8-143 provides for exemption of registration fees if trailers are used and designed for "picking up" and transporting hay or forage from a field to a storage area, or from a storage area to a feedlot, as long as they only incidentally operate on highways. The "picking up" language is what has been taken literally. The trailer in question is not designed to pick up bales, but instead simply transports them. They must be loaded by other means. If this trailer were designed to "self load," it would not be ticketed.

In SB 73 changes are made to K.S.A. 8-128, the general registration exemption statute, to clarify that trailers used for both picking up and transporting hay, are exempt from registration.

Attached to my testimony are pictures of the trailer in question. This type of trailer has been manufactured in Phillipsburg, Kansas, for 12 years and is sold into many counties and states. The trailer design is unique as it unloads itself, but again, is designed exclusively for transporting hay bales.

I thank you for your time this morning and hope you will consider favorably SB 73.

SENATE TRANSPORTATION
COMMITTEE -DATE: 2-13-01 -
ATTACHMENT: 2

2-1

Pride of the Prairie

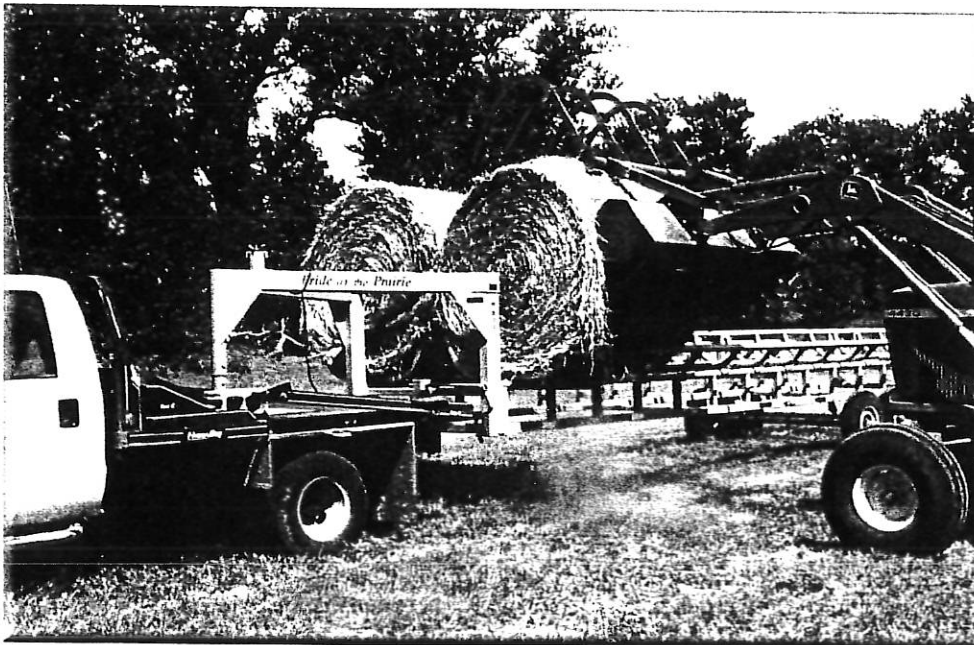
Made In U.S.A.

Self-Unloading Round Bale Trailers



Just a few of the benefits of the Pride of the Prairie bale trailers are:

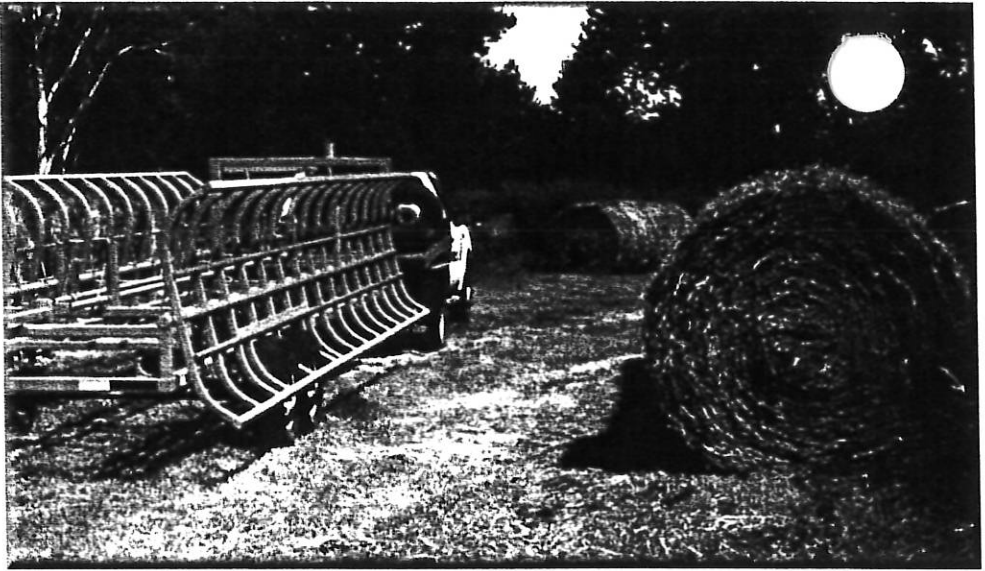
- A positive latching system that retains the bales for a safe haul
- Machine bowed tubing cradles are very strong, yet still light enough to lift by hand
- May be loaded from the side with a grapple or from the end with a bale spike
- Few moving parts means low maintenance
- Brakes and 10 ply Radial Tires are standard equipment
- Cradles release with little effort and dump all bales at once



Pride of the Prairie trailers are sturdy built with tubing construction throughout guaranteeing you many years of dependable service.

Standard Equipment:

- 2-7000# Axles(3 on 12 Bale)
- Brakes
- 4x4 Clearance on Gooseneck
- 10 Ply Radial Tires
- 8 Bolt Rims
- 2" Square Tubing Cradles
- Tail Lights/Turn Signals
- Legal empty width (8'5" on 10 & 12 Bale sizes)



Pride of the Prairie bale trailers are available in 3 sizes to fit your needs
(All sizes based on a 5' bale length):

6-Bale

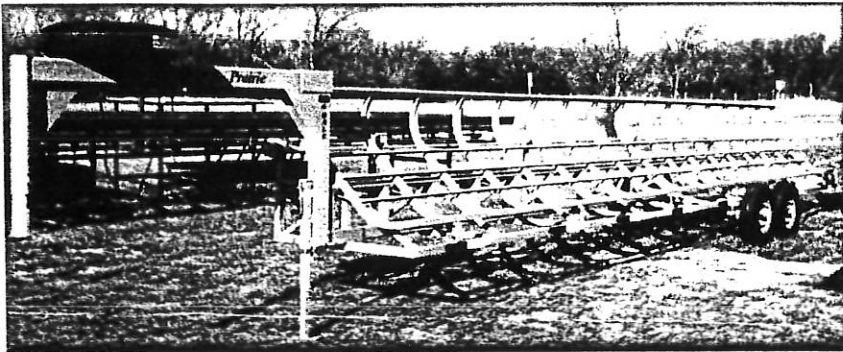
32' Cradle Length
4" x 6" x 3/8" Tubing GN
3" x 4" x 1/4" Main Frame
Tandem Axle

10-Bale

28' Cradle Length
4" x 6" x 1/4" Tubing GN
3" Tubing Main Frame
Tandem Axle

12-Bale

33 1/2' Cradle Length
4" x 6" x 1/4" Tubing GN
3" Tubing Main Frame
3 Axle (4 wheel brakes)



Contact:

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