

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on March 9, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator David Adkins- absent
Senator Edward Pugh - absent

Committee staff present:

Hank Avila, Legislative Research Department
Bruce Kinzie, Revisors of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Kansas Motor Carriers Assn.

Others attending:

See Attached List.

HB 2745: Fleet motor vehicles, permanent registration

Tom Whitaker, Executive Director, Kansas Motor Carriers Association, appeared in support of the bill, which will allow commercial motor vehicle fleets of 250 or more vehicles to register them electronically and receive permanent license plates. It is essentially the same provision enacted in 1998 for truck tractors and semitrailers. They seek the same relief for large fleets of 250 or more vehicles (Attachment 1). He advised that some big fleet owners do not sell any used vehicles, rather they crush them. In any other circumstance, the vehicle registration is electronically removed when the vehicle is no longer a part of the fleet.

No other conferees were present and the hearing was closed.

HB 2871: Motor carriers, traffic infractions

Mr. Whitaker also spoke in support of this bill which takes several truck and commercial vehicle traffic violations and turns them into traffic infractions rather than misdemeanors. It does not change the amount of the fine. It merely allows the violator to sign for the violation and pay the fine to the court. It eliminates the need for a personal court appearance on a specific date (Attachment 2). One judge in one judicial district has determined that appearance in court is required for violation of the laws listed on page 5 of the bill. This has created a problem, especially for the Turnpike.

No other conferees were present and the hearing was closed. Following brief discussion of both bills, Senator Goodwin moved to recommend HB 2745 and HB 2871 favorable for passage. Senator Schodorf seconded the motion. Motion carried

Members reviewed the scheduled hearings for the rest of this week and next week. Discussed lack of action on the van pool program and possible approaches to solving the problem.

The meeting adjourned at 9:15 a.m.

The next meeting is scheduled for March 10, 2004.

SENATE TRANSPORTATION COMMITTEE
GUEST LIST

DATE: March 9, 2004

NAME	REPRESENTING
Tom Whitaker	KS Motor Carriers Assoc
Ethan Erickson	DOB
Ronny	KS
Dean Albert	KOR
Ed May	HEN Low Files
Deann Williams	KS Motor Carriers Assoc

LEGISLATIVE TESTIMONY
by the
Kansas Motor Carriers Association

In Support of House Bill No. 2745

Presented to the Senate Transportation Committee
Senator Les Donovan, Chairman
Tuesday, March 9, 2004

**MR. CHAIRMAN AND MEMBERS OF THE
SENATE TRANSPORTATION COMMITTEE:**

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. We appear here today representing our more than 1,200 member companies in support of House Bill No. 2745.

HB 2745 will allow commercial motor vehicle fleets of 250 or more vehicles to register such vehicles electronically and receive permanent license plates. The vehicles involved must be registered between 12,000 pounds but not more than 26,000 pounds. Only vehicles that are state assessed for property tax purposes (for-hire motor carriers) or vehicles that are exempt from property tax are eligible for registration under this bill.

This legislation will simplify the registration of fleets, such as United Parcel Service, by eliminating the annual ritual of tracking down each vehicle and affixing a new decal. In addition, failure to pay the annual fleet registration fees will result in suspension of the entire fleet. KMCA has conferred with the Director of Vehicles on this issue.

This Committee provided the same permanent registration of truck tractors and semitrailers in 1998. The permanent registration has worked extremely well for the trucking industry. We believe HB 2745 will provide the same relief for large fleets of 250 or more vehicles.

Thank you for the opportunity to appear before you today. We would be pleased to respond to any questions you may have.

Kansas Motor Carriers Association
PO Box 1673
Topeka, KS 66601-1673
785-267-1641

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SENATE TRANSPORTATION COMMITTEE
DATE 03-09-04
ATTACHMENT: 1

LEGISLATIVE TESTIMONY
by the
Kansas Motor Carriers Association

Presented before the Senate Transportation Committee
Senator Les Donovan, Chairman
Tuesday, March 9, 2004

In Support of House Bill No. 2871

**MR. CHAIRMAN AND MEMBERS OF THE
SENATE TRANSPORTATION COMMITTEE:**

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association representing our more than 1,200 member companies. We appear here today in support of House Bill No. 2871.

HB 2871 eliminates the mandatory requirement for appearance in court for violation of certain laws governing the operation of truck and other commercial vehicles. The change is accomplished by changing the violations from misdemeanors to traffic infractions. The statutes cover overweight violations and violations of the Kansas Corporation Commission's safety rules and regulations.

Let me make it very clear, the Kansas Motor Carriers Association does not condone the violation of any law concerning the operation of commercial vehicles. This change in Kansas law is necessary because one judge in one judicial district has determined, and we believe correctly, that appearance in court is required for violation of the laws listed on page 5 of HB 2871. Truckers must return to the location for appearance or have a lawyer appear on their behalf. We are attempting to stop this from spreading to other judicial districts.

HB 2871 does not change the amount of the fine for any of these violations. It merely allows the violator the ability to sign for the violation and pay the fine to the court. Failure to pay the fine would cause the person's drivers' license to be suspended. For holders of a Commercial Drivers' License, notice of the suspension would be posted on the Commercial Drivers' License Information System (CDLIS), a nationwide computer system for operators of commercial vehicles.

KMCA believes that approval of HB 2871 will allow commerce to flow smoothly from state to state. We ask for your favorable consideration of HB 2871. We thank you for the opportunity to appear and would be pleased to respond to any questions you may have.

Kansas Motor Carriers Association
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Topeka, Kansas 66601-1673
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— SENATE TRANSPORTATION COMMITTEE
DATE 3-9-04
ATTACHMENT: 2 —