

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 14, 2005 in Room 519-S of the Capitol.

All members were present except:

Representative Ed O'Malley- excused
Representative Jim Yonally- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Executive Director, Kansas Motor Carriers Association

Others attending:

See attached list.

HB 2297 - Interstate motor fuel use act, exemptions

Chairman Hayzlett recognized Tom Whitaker as a proponent for **HB 2297**. According to Mr. Whitaker (Attachment 1) the Kansas Motor Carriers Association supports this bill which amends the interstate motor fuel tax act. He said current Kansas law allows a farm truck registered in another state to enter Kansas without purchasing a fuel permit or having an Interstate Motor Tax Agreement license. This privilege for out-of-state farm registered vehicles is not accorded to Kansas farm registered vehicles when they operate in the surrounding states. He said this legislation only effects motor vehicles: (1) having two or more axles and a gross vehicle weight or registered gross weight exceeding 26,000 pounds; or (2) having three or more axles regardless of weight; or (3) is used in combination, when the weight of such combinations exceeds 26,000 pounds gross vehicle weight or registered gross vehicle weight. The Motor Carriers Association provided copies of "Truckin' Through Kansas" to the Committee. This book explains the requirements for operating trucks in and through Kansas. Mr. Whitaker concluded by asking the Committees' support for **HB 2297**.

There were no other proponents and no opponents so Chairman Hayzlett closed the hearing on **HB 2297**.

The Chairman called for final action on **HB 2297**. Representative Long made a motion to pass this bill favorably out of Committee, seconded by Representative Treaster and the motion carried.

Chairman Hayzlett introduced Steven Bittel, Executive Director, KS Rural Development Council. Mr. Bittel had asked to give the Committee an overview on "The Future of Railway Freight in Kansas". According to Mr. Bittel Kansas ranks in the top ten states for miles of highway and miles of rail. He said currently Kansas has 4,465 miles of railroad track. Mr. Bittel provided the Committee members with a book printed by the Kansas Rural Development Council entitled "Kansas Crossroads: The Future of Rail Freight Movement in Rural Kansas." He stood for questions from the Committee members.

There being no further business Chairman Hayzlett adjourned the meeting. The next meeting will be on February 17, 2005, at 1:30 p.m. in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 2-14-05

| NAME | REPRESENTING |
|-----------------|--------------|
| Alben Phillips | |
| Denise Phillips | |
| Kawla Phillips | |
| Joseph Goodrich | |
| Amber Swaventi | FMCA |
| Steve Bittel | KRDC |
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HOUSE TRANSPORTATION COMMITTEE

DATE 2-14-05

| NAME | REPRESENTING |
|----------------|--------------------------|
| Deann Williams | KS Motor Carriers Assoc. |
| Patricia Platt | KDOR |
| Pat Hubbell | KS RR Assn |
| Ken Gudenkunt | KDOT |
| Tom Whitaker | KS Motor Carriers Assn |
| TERRY HOLDREN | KFB |
| Brent Haden | KLA |
| Amber Shaverdi | PMCA |
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KANSAS MOTOR CARRIERS ASSOCIATION

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Telephone: (785) 267-1641 ■ FAX: (785) 266-6551 ■ www.kmca.org

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LEGISLATIVE TESTIMONY

before the

HOUSE TRANSPORTATION COMMITTEE

Rep. Gary Hayzlett, Chairman

Monday, February 14, 2005

State Capitol – Topeka, Kansas

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President

TONY GASTON
Rawhide Trucking, Inc.
Chairman of the Board

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Central Detroit Diesel-Allison
Allied Industries Chairman

WILLIAM H. GRAVES
Member Emeritus

TOM WHITAKER
Executive Director

MR. CHAIRMAN AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE:

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this afternoon representing our 1,200 member companies in support of House Bill No. 2297 which amends the interstate motor fuel tax act.

Current Kansas law allows a farm truck registered in another state to enter Kansas without purchasing a fuel permit or having an Interstate Motor Tax Agreement (IFTA) license. This privilege for out-of-state farm registered vehicles is not accorded to Kansas farm registered vehicles when they operate in the surrounding states. HB 2297 would create a "level playing field" for Kansas based farm registered vehicles and those out-of-state vehicles.

In addition, Missouri based vehicles that operate into Kansas in an area known as the Kansas City Commercial Zone do not pay fuel tax to Kansas for the miles operated in Kansas. However, Kansas based vehicles do pay Missouri fuel tax for the miles operated on the Missouri side of the border. HB 2297 corrects this inequity between Kansas and Missouri based carriers.

This legislation only effects motor vehicles: (1) having two or more axles and a gross vehicle weight or registered gross weight exceeding 26,000 pounds; or, (2) having three or more axles regardless of weight; or, (3) is used in combination, when the weight of such combinations exceeds 26,000 pounds gross vehicle weight or registered gross vehicle weight.

HB 2297 should produce a positive fiscal note for the State Highway Fund. We have supplied the Committee with the *Truckin' Through Kansas* which explains the requirements for operating trucks in and through Kansas. Also attached to this testimony are the responses from the surrounding state concerning the collections of fuel tax. KMCA supports HB 2297 and we ask for your favorable consideration of the bill. I would be pleased to answer any questions you may have.

House Transportation
Date: 2-14-05
Attachment # 1

[Handwritten signature]

Missouri Mary Jo Pointer

Do you allow farm-plated vehicles from Kansas into Missouri with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Do you honor the Commercial Zone between Kansas and Missouri?

Not for fuel taxes we would require them to have a trip permit or IFTA License. If they do not we fine them.

Colorado Rich Hall

Do you allow farm-plated vehicles from Kansas into Colorado with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

If buy fuel in Colorado that exceeds trip permit we will give refund of the trip permit, does not happen very often but have done it a couple of times. Trip Permits explains how to get refund. We recommend that they get IFTA with base jurisdiction.

Nebraska Brenda

Do you allow farm-plated vehicles from Kansas into Nebraska with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Oklahoma Gene Gilstrap

Do you allow farm-plated vehicles from Kansas into Oklahoma with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Information was obtained and verified during a meeting with the Kansas Department of Revenue and Kansas Motor Carriers Association.

1/26/05