

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on January 24, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Ballard- excused
Representative Jim Yonally- excused

Committee staff present:

Chris Courtwright, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Executive Director, KS Motor Carriers Association

Others attending:

See attached list.

The Chairman opened the meeting by asking for bill introductions.

Representative Carl Krehbiel made a request to designate a portion of I-135 in McPherson and Harvey County as the Vietnam War Veterans Memorial Highway. Representative Menghini made a motion to accept this bill, Representative O'Malley seconded the motion and the motion carried.

Chairman Hayzlett introduced Representative Bethel who asked to introduce a bill concerning low-level running lights on some new cars. The bill would say these lights could be used if high beams are on but if low beams are on they can not be used. Representative Long made a motion to accept this bill, Representative Peck seconded the motion and the motion carried.

The Chairman then recognized Representative Menghini who asked to introduce a bill to continue the railroad rehabilitation fund which is a \$3 million fund due to sunset in a year. The bill would remove the sunset and add rolling stock. A motion was made by Representative Menghini, seconded by Representative Treaster and the motion carried.

The Chairman recognized Bruce Kinzie of the Revisor's Office. Mr. Kinzie explained a bill that would increase the time period for having seizures under control from six months to 18 months and the examination from three months to 30 days prior to the date the examination report is submitted. Representative Olson made a motion to accept this bill, Representative George seconded the motion and the motion carried.

The next person to address the Committee was Kyle Kessler, Director of Legislative and Media Affairs for the Department of Social and Rehabilitation Services. Mr. Kessler asked to introduce a bill authorizing SRS to pro-actively match appropriate child support debtors with the Department of Revenue's driver records including access to driver photos. Representative Olson made a motion to accept this bill, Representative Ruiz seconded the motion and the motion carried.

There being no additional requests for bill introductions the Chairman opened the hearings.

HB 2629 - Regulating traffic, size limitations of certain vehicles

Chairman Hayzlett opened the hearings on **HB 2629** and introduced Tom Whitaker, Executive Director, Kansas Motor Carriers Association. (Attachment 1) According to Mr. Whitaker, **HB 2629** brings Kansas into compliance with federal law concerning the length limitations of drive-away saddlemount combination vehicles. Federal law prohibits states from enforcing a length limit of less than 97 feet on drive-away saddlemounts. Current Kansas law limiting such vehicles to 75 feet is no longer enforceable.

There were no other proponents and no opponents so the Chairman closed the hearing.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on January 24, 2006 in Room 519-S of the Capitol.

HB 2630 - Regulating traffic, weight limitations, exceptions

The Chairman opened the hearings on **HB 2630**. The Chairman recognized Tom Whitaker. According to Mr. Whitaker, **HB 2630** clarifies that a truck tractor dump-semitrailer or a dump truck and dump trailer combination vehicle are exempt from the federal "bridge formula" when operating such vehicles on the interstate system. KSA 8-1909 (3) exempts these vehicles from the bridge formula when transporting sand, salt for highway maintenance operations, gravel, slag stone, limestone, crushed stone, cinders, coal, blacktop, dirt or fill material, when such vehicles are used for transportation to a construction site, highway maintenance or construction project or other storage facility. (Attachment 2) **HB 2630** amends KSA 8-1909a to allow for the exemption on the interstate system. This legislation does not allow a gross vehicle weight in excess of 80,000 pounds on the interstate, nor does the bill allow higher axle weights.

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **HB 2630**.

It was the Chairman's desire to work **HB 2629 and HB 2630**. Chairman Hayzlett asked for questions, comments or motions on **HB 2629**. After questions were answered Representative Ruiz made a motion to pass **HB 2629** favorably out of Committee. The motion was seconded by Representative Olson and the motion carried.

Chairman Hayzlett called for questions, comments or motions on **HB 2630**. There being no questions Representative Olson made a motion to pass **HB 2630** favorably out of Committee. The motion was seconded by Representative Proehl and the motion carried.

The Chairman asked the committee to review the Minutes from the January 17 and 18, 2006 committee meetings. Representative Burgess made a motion to approved the Minutes from both meetings, the motion was seconded by Representative Humerickhouse and the motion carried.

HOUSE TRANSPORTATION COMMITTEE

DATE

Jan 24, 2006

NAME	REPRESENTING
Kyle Kenler	SRS
CARMEN ALDRITT	KDOT
DIANE ALBERT	KDOT
STAR JONES	Mr. John Peterson
Ward Cook	SOT / Cozad Company, LLC.



Kansas Motor Carriers Association

Trucking Solutions Since 1936

LEGISLATIVE TESTIMONY

Calvin Koehn
Circle K Transport, Inc.
President

Jeff Robertson
J.M.J. Projects
Chairman of the Board

Mike Miller
Miller Trucking, LTD
First Vice President

Michael Topp
TT&T Towing, Inc.
Second Vice President

Gale Fischer
Golden Plains Trucking, Inc.
Treasurer

Larry "Doc" Criqui
Kansas Van & Storage
Criqui Corp.
Corporate Secretary

Jerry Arensdorf
Arensdorf Trucking, Inc.
ATA State Vice President

Ken Leicht
Rawhide Trucking, Inc.
ATA Alternate State VP

Mike Ross
Ross Truck Line of Salina, Inc.
ProTruck PAC Chairman

Kelly Kile
Wal-Mart Stores, Inc.
Public Relations Chairman

Dave Eaton
Cummins Central Power, LLC
Allied Industries Chairman

Tom Whitaker
Executive Director

**Presented by the Kansas Motor Carriers Association
Before the House Transportation Committee
In Support of House Bill No. 2629
Representative Gary Hayzlett, Chairman
Tuesday, January 24, 2006**

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 1,250 member-firms in support of House Bill No. 2629.

House Bill No. 2629 brings Kansas into compliance with federal law concerning the length limitations of drive-away saddlemount combination vehicles. A drive-away saddlemount vehicle is a vehicle combination designed and specifically used to tow trucks or truck tractors, each connected by a saddle or fifth-wheel to the truck or truck tractor in front of it. We have attached to this testimony an illustration of a drive-away saddlemount combination vehicle for your information.

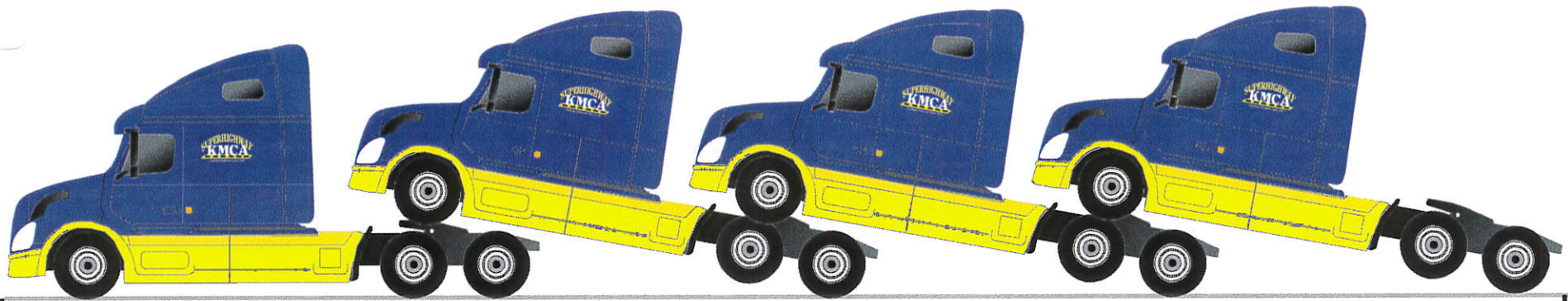
Federal law (see attached) prohibits states from enforcing a length limit of less than 97 feet on drive-away saddlemounts. Current Kansas law limiting such vehicles to 75 feet is no longer enforceable.

House Bill No. 2669 is a cooperative effort of KMCA, the Kansas Department of Transportation and the Kansas Highway Patrol.

Mr. Chairman, KMCA respectfully requests that the House Transportation Committee act favorably on House Bill No. 2629. We thank you for the opportunity to appear before you today and would be pleased to respond to any questions you may have.

House Transportation
Date: 1-24-06
Attachment # 1

1-2



Maximum Overall Length 97 feet.

SEC. 4141. DRIVEAWAY SADDLEMOUNT VEHICLES.

(a) Definition- Section 31111(a) title 49, United States Code, is amended by adding at the end the following:

`(4) DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT VEHICLE TRANSPORTER COMBINATION- The term `drive-away saddlemount with fullmount vehicle transporter combination' means a vehicle combination designed and specifically used to tow up to 3 trucks or truck tractors, each connected by a saddle to the frame or fifth-wheel of the forward vehicle of the truck or truck tractor in front of it.'.

(b) General Limitations- Section 31111(b)(1) of such title is amended--

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following:

`(D) imposes a vehicle length limitation of not less than or more than 97 feet on a driveaway saddlemount with fullmount vehicle transporter combinations;'.



Kansas Motor Carriers Association

Trucking Solutions Since 1936

LEGISLATIVE TESTIMONY

Calvin Koehn
Circle K Transport, Inc.
President

Jeff Robertson
J.M.J. Projects
Chairman of the Board

Mike Miller
Miller Trucking, LTD
First Vice President

Michael Topp
TT&T Towing, Inc.
Second Vice President

Gale Fischer
Golden Plains Trucking, Inc.
Treasurer

Larry "Doc" Criqui
Kansas Van & Storage
Criqui Corp.
Corporate Secretary

Jerry Arensdorf
Arensdorf Trucking, Inc.
ATA State Vice President

Ken Leicht
Rawhide Trucking, Inc.
ATA Alternate State VP

Mike Ross
Ross Truck Line of Salina, Inc.
ProTruck PAC Chairman

Kelly Kile
Wal-Mart Stores, Inc.
Public Relations Chairman

Dave Eaton
Cummins Central Power, LLC
Allied Industries Chairman

Tom Whitaker
Executive Director

Presented by the Kansas Motor Carriers Association
Before the House Transportation Committee
In Support of House Bill No. 2630
Representative Gary Hayzlett, Chairman
Tuesday, January 24, 2006

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 1,250 member-firms in support of House Bill No. 2630 concerning weight limitations on certain vehicles.

House Bill No. 2630 clarifies that a truck tractor dump-semitrailer or a dump truck and dump trailer combination vehicle are exempt from the federal "bridge formula" when operating such vehicles on the interstate system. K.S.A. 8-1909 (3) exempts these vehicles from the bridge formula when transporting sand, salt for highway maintenance operations, gravel, slag stone, limestone, crushed stone, cinders, coal, blacktop, dirt or fill material, when such vehicles are used for transportation to a construction site, highway maintenance or construction project or other storage facility. It was KMCA's understanding that the bridge formula exemption, which has been in Kansas law since 1974, applied on all roads in Kansas, however some interpretations indicated this was not the case.

The Kansas Department of Transportation along with KMCA and the Kansas Highway Patrol requested a ruling from the Federal Highway Administration as to whether Kansas law allowing the exemption was "grandfathered" under federal law. FHWA replied that indeed the exemption was "grandfathered" and if the state chose to allow the exemption on the interstate system it would not jeopardize federal highway funds. We have attached a copy of the letter from FHWA to KDOT concerning the exemption to our testimony.

House Bill No. 2630 amends K.S.A.8-1909a to allow for the exemption on the interstate system. This legislation does not allow a gross vehicle weight in excess of 80,000 lbs. on the interstate, nor does the bill allow higher axle weights. We also have attached to our testimony the laws governing vehicle weight limitations and an illustration to guide the Committee through these laws.

Without House Bill No. 2630, operators of such vehicles on the interstate would be required to reduce payload and productivity or purchase new longer equipment. We respectfully request the Committee's favorable action on House Bill No. 2630. Thank you for the opportunity to appear before you today. I would be pleased to respond to any questions you may have.



FEDERAL HIGHWAY ADMINISTRATION

Kansas Division
3300 S.W. Topeka Blvd., Suite 1
Topeka, KS 66611-2275
(785) 267-7281 fax (785) 267-7290



July 26, 2005

Truck Tractor and Dump Semi-
Trailers Exemption Determination

Mr. Warren L. Sick, P.E.
Assistant Secretary and
State Transportation Engineer
Kansas Department of Transportation
Topeka, Kansas 66603

Dear Mr. Sick:

Your May 25, 2005 letter requested that we make a determination that under the grandfather provisions of 23 C.F.R. 658.17(i), truck tractor and dump semi-trailers, when used as a combination unit, may travel on the Interstate System in Kansas in excess of 80,000 pounds but within the limitations set by Kansas State law as of January 4, 1975.

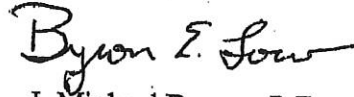
We asked our Headquarters Size and Weight Team's assistance in our response to you. Based on the information provided with your letter, we concluded that Statute 8-1909 is indeed grandfathered in under the provisions 23 C.F.R. 658.17(i). However this Statute was modified in 1981 by Statute 8-1909a. It states that nothing in this act shall authorize any gross weight of a vehicle, combination vehicles or axle or axles of a vehicle on the National System of Interstate and Defense Highways greater than permitted by laws of the United States Congress. This indicates that the vehicles exempted under 8-1909(a)(3) must comply with the Interstate Bridge Formula. This is further supported by Mr. Edward R. DeSoignie's August 21, 1985 memorandum (copy attached) which stated Section 8-1909(a)(3) exemption is not applicable to the Interstate System.

-more-

In summary, while Kansas could allow certain vehicles in excess of 80,000 pounds to travel on the Interstate System under the grandfather provisions of 23 CFR 658.17(i), the State has chosen to restrict their access per Statute 8-1909a.

Please contact Mark Huffhines at 267-7299 X 329 if you need additional information.

Sincerely yours,



For J. Michael Bowen, P.E.
Division Administrator

Attachments

CC: Robert Davis, HQ Size and Weight Team
Steve Zimmerman, KDOT

Kansas Gross Weight Table

8-1909. Gross weight limits for vehicles; exceptions; safety of certain vehicles for operation. (a) No vehicle or combination of vehicles shall be moved or operated on any highway when the gross weight on two or more consecutive axles exceeds the limitations prescribed in the following table:

	Distance in feet between the extremes of any group of 2 or more consecutive axles			Maximum load in pounds carried on any group of 2 or more consecutive axles			
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
4	34,000						
5	34,000						
6	34,000						
7	34,000						
8 and less	34,000	34,000					
More than 8	38,000	42,000					
9	39,000	42,500					
10	40,000	43,500					
11		44,000					
12		45,000	50,000				
13		45,500	50,500				
14		46,500	51,500				
15		47,000	52,000				
16		48,000	52,500	58,000			
17		48,500	53,500	58,500			
18		49,500	54,000	59,000			
19		50,000	54,500	60,000			
20		51,000	55,500	60,500	66,000		
21		51,500	56,000	61,000	66,500		
22		52,500	56,500	61,500	67,000		
23		53,000	57,500	62,500	68,000		
24		54,000	58,000	63,000	68,500	74,000	
25		54,500	58,500	63,500	69,000	74,500	
26		55,500	59,500	64,000	69,500	75,000	
27		56,000	60,000	65,000	70,000	75,500	
28		57,000	60,500	65,500	71,000	76,500	82,000
29		57,500	61,500	66,000	71,500	77,000	82,500
30		58,500	62,000	66,500	72,000	77,500	83,000
31		59,000	62,500	67,500	72,500	78,000	83,500
32		60,000	63,500	68,000	73,000	78,500	84,500
33			64,000	68,500	74,000	79,000	85,000
34			64,500	69,000	74,500	80,000	85,500
35			65,500	70,000	75,000	80,500	
36			66,000	70,500	75,500	81,000	
37			66,500	71,000	76,000	81,500	
38			67,500	72,000	77,000	82,000	
39			68,000	72,500	77,500	82,500	
40			68,500	73,000	78,000	83,500	
41			69,500	73,500	78,500	84,000	
42			70,000	74,000	79,000	84,500	
43			70,500	75,000	80,000	85,000	
44			71,500	75,500	80,500	85,500	
45			72,000	76,000	81,000		
46			72,500	76,500	81,500		
47			73,500	77,500	82,000		
48			74,000	78,000	83,000		
49			74,500	78,500	83,500		
50			75,500	79,000	84,000		
51			76,000	80,000	84,500		
52			76,500	80,500	85,000		
53			77,500	81,000	85,500		
54			78,000	81,500			
55			78,500	82,500			
56			79,500	83,000			
57			80,000	83,500			
58				84,000			
59				85,000			
60				85,500			

except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between the first and last axles is 36 feet or more.

(1) The gross weight on any one axle of a vehicle shall not exceed the limits prescribed in K.S.A. 8-1908, and amendments thereto.

(2) For vehicles and combinations of vehicles on the interstate system the table in this section shall not authorize maximum gross weight of more than 80,000 pounds.

(3) The table in this section shall not apply to truck tractor and dump semitrailer or truck trailer combination when such are used as a combination unit exclusively for the transportation of sand, salt for highway maintenance operations, gravel, slag stone, limestone, crushed stone, cinders, coal, blacktop, dirt or fill material, when such vehicles are used for transportation to a construction site, highway maintenance or construction project or other storage facility, except that such vehicles shall not be exempted from any application of the table as may be required to determine applicable axle weights for triple and quad axles as defined in K.S.A. 8-1908, and amendments thereto. As used in this subpart (3), the term "dump semitrailer" means any semitrailer designed in such a way as to divest itself of the load carried thereon.

Kansas Motor Carriers Association
P.O. Box 1673
Topeka, KS 66601-1673
(785) 267-1641

• AXLE DEFINITIONS •

“Gross weight on any one axle” means the total load on all wheels whose centers are included within two parallel transverse planes not more than 40 inches apart.

“Tandem axle” means two or more consecutive axles, arranged in tandem and articulated from a common attachment to the vehicle or individually attached to the vehicle, with such axles spaced not less than 40 inches and not more than 96 inches apart.

“Triple axle” means three or more consecutive axles, arranged in tandem and articulated from a common attachment to the vehicle or individually attached to the vehicle, with such axles spaced more than 96 inches and not more than 120 inches apart.

“Quad axle” means four or more consecutive axles, arranged in tandem and articulated from a common attachment to the vehicle or individually attached to the vehicle, with such axles spaced more than 120 inches and not more than 150 inches apart.

• WIDE-BASE SINGLE TIRES •

“Wide-Base Single Tires” means all tires having a section width, as specified by the manufacturer, of 14 inches or more.

WEIGHT LIMITATIONS: The maximum load for a wide-base single tire on a steering axle shall not exceed 600 pounds per inch of tire section width.

The maximum load for a wide-base single tire on any axle, other than the steering axle, shall not exceed 575 pounds per inch of tire section width.

RESTRICTIONS: No wide-base single tire shall exceed the load limit designated by the manufacturer.

No wide-base single tire shall exceed the maximum tire inflation pressure designated by the manufacturer.

• DUAL TIRES •

IT SHALL BE UNLAWFUL for any person to operate a vehicle with a single tire on any hubs configured for dual tires.

There are four exceptions:

- A truck registered for a gross weight of 20,000 pounds or less is exempt from this restriction.
- A vehicle or combination of vehicles operating with wide-base single tires is exempt from this restriction.
- A triple-axle combination can include a single-axle configured for a dual tire assembly so long as such single axle does not exceed 9,000 pounds.
- In case of emergency.

• AXLE LIMITATIONS •

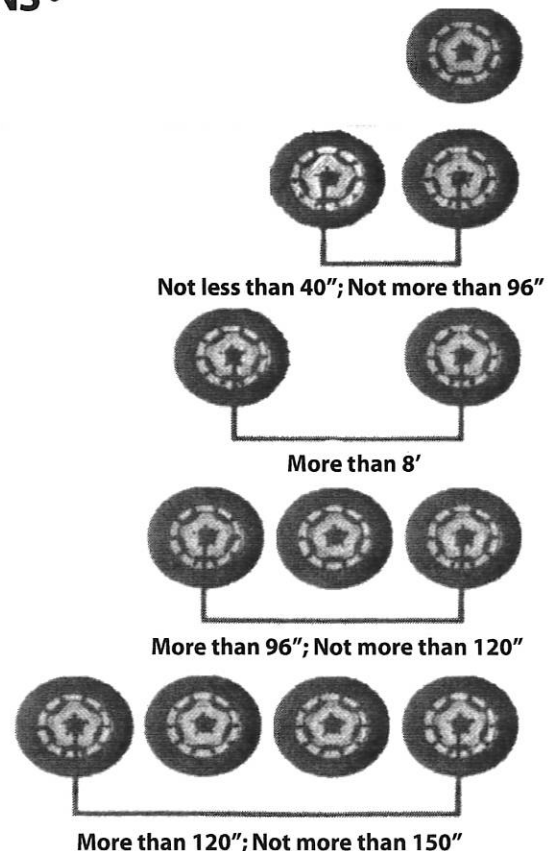
The gross weight on any one axle shall not exceed 20,000 pounds.

The gross weight on tandem axles shall not exceed 34,000 pounds.

The bridge table controls the weight distribution on a “spread axle” configuration.

The gross weight on any triple axle combination will be allowed to carry up to 42,000 pounds if the triple axle configuration measures more than 8’ and less than 9’. The table applies for measurements 9’ and over.

The gross weight on any quad axle combination will be allowed to carry up to 50,000 pounds if the quad axle measures up to 12’. The table applies for measurements over 12’.





2-6

Front Axle weighs what it weighs, approx. 12,000 lbs. or less

Maximum Tandem Axle Weight 34,000 lbs. each

Must be at least 36' between center of axles to have 68,000 lbs. total

At least 51' between center of axles to have 80,000 lbs. total

- 12,000 lbs. Steering Axle
- 34,000 lbs. Drive Tandem Axles
- 34,000 lbs. Trailer Tandem Axles
- 80,000 lbs. Gross Vehicle Weight