

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 A.M. on January 19 in Room 527-S of the Capitol.

All members were present except:  
Anthony Hensley- excused

Committee staff present:  
Michele Alishahi, Kansas Legislative Research Department  
Bruce Kinzie, Revisors of Statutes  
Maggie Breen, Committee Secretary

Conferees appearing before the committee:  
Marcy Ralston, Bureau Chief Driver Control, Division of Motor Vehicles  
John Federico, Recreational Vehicle Industry Association  
Tom Whitaker, Kansas Motor Carriers Association]  
Ken Gudenkauf, Kansas Department of Transportation  
Carmen Alldritt, Director, Kansas Motor Vehicles Division  
Captain Dan Meyer, Kansas Highway Patrol

Others attending:  
See attached list.

Chairman Donovan opened the floor for introduction of bills.

Senator Janis Lee requested two bills be introduced. The first bill deals with the would allow for the legal use of electric scooters (Became **SB 412**). The second would allow cities the option of permitting appropriately equipped golf carts to be used on city streets (Became **SB 413**).

Senator Wilson made a motion to introduce both bills. Senator Palmer seconded the motion. The motion carried.

Senator Donovan said Senator Laura Kelly made a request for a bill that would require drivers to move, when safety permits, to the other lane when coming up to highway patrol or KDOT vehicles with flashing lights, in order to allow them more space (Became **SB 411**).

Senator Donovan made a motion to introduce the bill. Senator Wilson seconded the motion. The motion carried.

Senator Donovan opened the hearing on **SB 371 - Commercial driver's licenses, providing penalties, notification.**

Marcy Ralston, Chief, Driver Control Bureau, Division of Vehicles, said **SB 371** will bring Kansas in compliance with the Federal Motor Carrier Safety Improvement Act, including notification of conviction and disqualification actions for commercially licensed drivers and offenses in commercial motor vehicles. (Attachment 1)

Senator Donovan closed the hearing on **SB 371** and opened the hearing on **SB 372 - Regulating traffic, concerning width of motor homes or travel.**

John Federico, representing the Recreational Vehicle Industry Association (RVIA), appeared in support of **SB 372**. The RVIA and the entire recreational vehicle industry respectively requests the support of the committee. It will help bring the Kansas statutes in closer uniformity with surrounding states and the majority of states in the country. With current law the width of a vehicle is restricted to 102". A motor home or travel trailer is allowed to exceed the 102" restriction if the excess width is attributable to an appurtenance. Basically, an appurtenance is something added, an accessory. The appurtenance cannot extend more than 6" from the body of the vehicle. The allowance of this 6" appurtenance was put into law several years ago to accommodate an awning. The law needs to be changed again to accommodate the changing needs of today's

## CONTINUATION SHEET

MINUTES OF THE Senate Transportation Committee at 8:30 A.M. on January 19 in Room 527-S of the Capitol.

RV consumer. The bill will simply allow, in a restrictive manner, RV's with factory or dealer installed awnings on both sides of the vehicle to be driven on Kansas roads and be within the law. Mr. Federico said he had contacted the Highway Patrol and KDOT and they have come to a negotiated agreement with language that is agreeable to all. He has a balloon that reflects the agreement which states "No appurtenances may extend further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached." They are not asking that the width of the vehicle be any wider. They are simply asking that the measurement of the width of the vehicle exclude awnings. The awnings are about 10' or 12' high in the air and well inside the width of the side view mirrors. The insurance companies have chosen not to raise the rates for RV's with awnings that extend beyond 102," as they have not seen a rise in claims for damages. (Attachment 2)

Ken Gudenkauf, Legislative Liaison, KDOT, said the present law says we allow 102" for the standard vehicle and up to 108" to allow for appurtenances. **SB 372**, as written, eliminates any width limitations on appurtenances. KDOT was concerned about that so they worked with Mr. Federico and together they came up with the language in the balloon. KDOT opposes the bill as written but support the legislation if amended with the balloon submitted by Mr. Federico. (Attachment 3)

Lt. John Eickhorn, Kansas Highway Patrol, said having the balloon does in effect place restrictions.

Senator Donovan closed the hearing on **SB 372** and opened the hearing on **SB 373 - Apportioned registration of fleet vehicles, enforcement.**

Tom Whitaker, Executive Director, Kansas Motor Carriers Association (KMCA), said he was here with Calvin Koehn, Circle K Transportation, association president, and Gale Fischer, Golden Plains Trucking, Inc., association treasurer. They are here to support **SB 373**, which implements the Performance and Registration Information Systems Management (PRISM) program in Kansas. PRISM allows the state to tie interstate commercial motor vehicle identification numbers to a motor carrier's DOT number. It is a safety bill. PRISM tracks the vehicle identification numbers so it can tell when a bad carrier closes their door and turns around and starts a new company. Through the tracking, the safety people know what's going on with the carrier. If a carrier is not keeping up with its safety requirement, the Federal Motor Carrier Safety Administration will send a warning letter to the carrier saying they better get themselves back into shape or their vehicle registration will be suspended or revoked. This is supported by KMCA, KDOR, and the Federal Motor Carrier Safety Administration. He urged a favorable consideration of the bill. (Attachment 4)

Carmen Alldritt, Director of Vehicle, DOR, thanked Tom for stepping up to the plate on the legislation. It is needed and it was great he initiated the bill.

Chairman Donovan closed the hearing on **SB 373** and opened the hearing on **SB 374 - Registration of vehicles, self-propelled cranes.**

Carmen Alldritt, Director, Director of Vehicles, DOR, Kansas Motor Vehicles Division, **SB374** uses federal language to describe self-propelled cranes. This was an issue the Highway Patrol came to them with and she was happy to work with them on it. This change would bring consistency and assist the Highway Patrol with some enforcement issues. (Attachment 5)

Captain Dan Meyer, Kansas Highway Patrol, on behalf of Colonel William Seck, said he appreciates the opportunity to express the Patrol's position regarding **SB 374**. The current definition of a self-propelled crane has created a potential loophole that could allow trucks or truck-tractors that merely have a crane mounted upon the truck avoid registration requirements. The changes proposed in the bill would simply more narrowly define what a self-propelled crane is and aid in the loss of revenue from unpaid registration and commercial vehicle taxes. Currently, some companies are operating flat bed trucks that have a boom lift mounted on the truck chassis and are failing to obtain Kansas registration. When Notice to Appear are written to drivers of these vehicles, some courts are using the current statute to dismiss the violation. He urged the support of the bill. (Attachment 6)

Chairman Donovan closed the hearing on **SB 374** and asked the committee if they desired any action on any

CONTINUATION SHEET

MINUTES OF THE Senate Transportation Committee at 8:30 A.M. on January 19 in Room 527-S of the Capitol.

of the bills heard today.

Senator Schmidt made a motion to pass SB 371 out favorably Senator Palmer seconded the motion. The motion carried. Chairman Donovan said he would carry the bill.

Senator Wilson made a motion to pass SB 373 out favorably and have it placed on the consent calendar. Senator O'Connor seconded the motion. The motion carried.

Senator O'Connor made a motion to amend SB 372 with the balloon presented by Mr. Federico. Senator Wilson seconded the motion. The motion carried.

Senator O'Connor made a motion to pass SB 372 out favorably as amended. Senator Wilson seconded the motion. The motion carried. Senator Peterson volunteered to carry the bill.

The meeting adjourned at 9:20 a.m.

The date of the next meeting is January 25, 2006.

**SENATE TRANSPORTATION COMMITTEE  
GUEST LIST**

DATE: January 19 2006

| NAME            | REPRESENTING |
|-----------------|--------------|
| Ken Gudenkauf   | KDOT         |
| Sue Riley       | KDOT         |
| Ron McMurry     | KDOT         |
| John Eichkeon   | KHP          |
| Gale Fischer    | KMCA         |
| Calvin Kechin   | KMCA         |
| Tom Whitaker    | KMCA         |
| John Federico   | RVA          |
| Mandy Miller    | Sen. Schmidt |
| Al Gersfner     | KDOR         |
| Teery Mitchell  | KDOR         |
| Alan Anderson   | KDOR         |
| TERI GRAHAM     | FMCSA        |
| RANDALL BEAVER  | FMCSA        |
| CAROL ALDRITT   | KDOR         |
| MARCY RALSTON   | KDOR         |
| MIKE HOFME      | KCC          |
| DANIEL D. MEYER | KHP          |



# K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES

KATHLEEN SEBELIUS, GOVERNOR

**TO:** Chairman Les Donovan  
Members of the Senate Transportation Committee

**FROM:** Marcy Ralston, Chief, Driver Control Bureau  
Division of Vehicles

**DATE:** January 19, 2006

**SUBJECT:** Senate Bill 371 – Commercial Drivers License Act

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Thank you Mr. Chairman and Committee Members. My name is Marcy Ralston, and I serve as the Chief of the Driver Control Bureau, Division of Vehicles, Department of Revenue.

Senate Bill 371 addresses several amendments that will bring Kansas in compliance with the Federal Motor Carrier Safety Improvement Act, including notification of conviction and disqualification actions for commercially licensed drivers, and offenses occurring in commercial motor vehicles.

I appreciate the opportunity to speak in support of this bill and I stand for any questions.

DOCKING STATE OFFICE BUILDING, 915 SW HARRISON ST., TOPEKA, KS 66612-1588  
Voice 785-296-3601 Fax 785-291-3755 <http://www.ksrevenue.org/>

Senate Transportation Committee  
January 19, 2006  
Attachment 1



**Testimony In Support of SB 372**

**Presented By: John Federico on Behalf of The RVIA**

**Senate Transportation Committee  
January 18, 2006**

My name is John Federico of Federico Consulting, here on behalf of the Recreation Vehicle Industry Association (RVIA). I appear before you today in support of SB 372. Mr. Chairman, the RVIA, and the entire recreational vehicle industry respectfully requests the support of your committee on SB 372, and help bring our Kansas statutes closer to uniformity with our surrounding states and indeed, with the majority of states in the country. (See attached map)

**What The Bill Does**

Current Kansas law restricts the width of a vehicle to 102 inches. A motor home or travel trailer is allowed to exceed the 102 inch restriction if the excess width is attributable to an appurtenance that does not extend more than six inches from the body of the vehicle. The RVIA was instrumental in changing Kansas law several years ago to allow for a 102 inch wide RV to also accommodate an awning, no wider than six inches. Now, as they have done in the majority of states, the RVIA needs the law changed again to accommodate the changing needs of today's RV consumer. As such, SB 372 will simply allow (in a very restrictive manner) RV's with factory or dealer installed awnings on both sides of the vehicle to be driven on Kansas roads, and not run afoul of the law.

**Negotiated Agreement**

Before testifying today, I had long conversations with both the Kansas Highway Patrol and the Department of Transportation. I am happy to announce that we have come to a negotiated agreement with KDOT on language that is acceptable to both parties. Please find the balloon amendment attached to my testimony.

**Safety**

Rightfully so, one of the primary concerns of everyone was safety. Statistical data supports the notion that traditionally, RV owners either because of their age and maturity, or the fact that they are protective their investment, are some of the safest drivers on the road. Regarding the awning, we are NOT asking that the actual width of the vehicle get any wider. We are simply asking that the measurement of the width of the RV, exclude the awnings. The awnings are about 10-12 feet in the air and well inside the width of the side view mirrors.

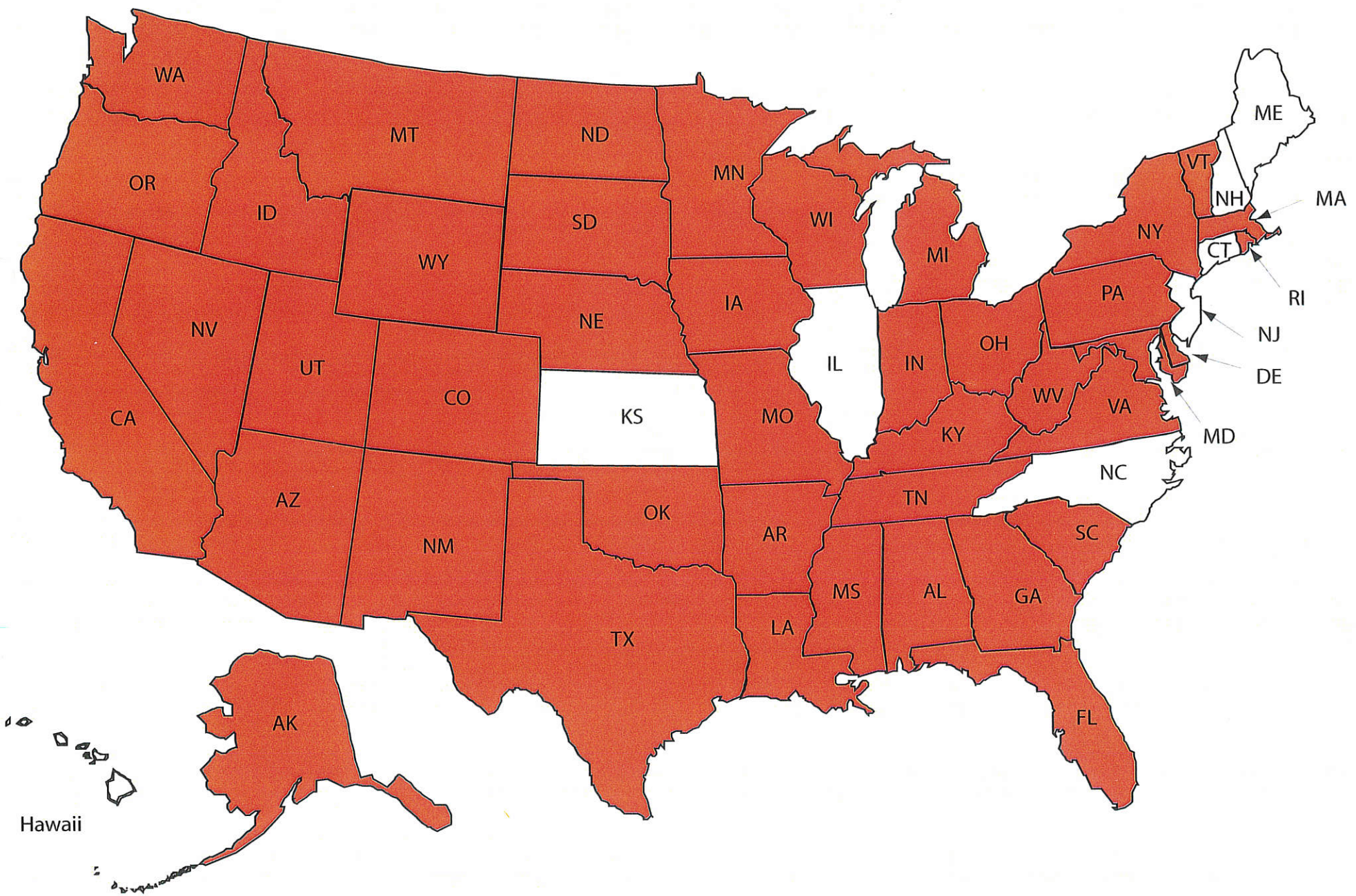
NOTE: Here's an important point to keep in mind: the insurance industry has chosen to NOT raise their rates for RVs with awnings that extend beyond the 102 inch limitation because they have not seen any increase in claims for damage on such vehicles.

**Summary**

In closing Mr. Chairman, I again urge you to join the majority of states in changing the law to accommodate the changing needs of recreational vehicle consumers and thusly, the design of modern-day motorcoaches. We feel strongly that the changes we have proposed are reasonable and provide the necessary restrictions to keep our roads safe, while inviting RV-driving, free-spending out-of-state consumers to visit our state. Thank you for your time and consideration.

# States Allowing RV Appurtenances To Extend Beyond 102"

2-3



States that have not yet enacted legislation extending RV appurtenances beyond 102"  
Permits RV Appurtenances to extend beyond 102"



**SENATE BILL No. 372**

By Committee on Transportation

1-17

9 AN ACT regulating traffic; concerning the width of certain vehicles;  
10 amending K.S.A. 8-1902 and repealing the existing section.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 8-1902 is hereby amended to read as follows: 8-  
14 1902. (a) The total outside width of any vehicle or the load thereon shall  
15 not exceed 8½ feet, except as otherwise provided in this section.

16 (b) A farm tractor or a fertilizer dispensing machine shall not be per-  
17 mitted to travel on any highway which is a part of the national system of  
18 interstate and defense highways. Whenever a farm tractor or implement  
19 of husbandry, and any load on any such vehicle, exceeds the width limi-  
20 tations prescribed by this section to the extent that the width of such  
21 vehicle, including any load thereon, exceeds the width of that portion of  
22 a roadway on which such vehicle is driven, which is marked as a single  
23 lane of traffic, or, if such roadway has not been marked for lanes of traffic,  
24 the width of such vehicle exceeds more than ½ the width of such roadway,  
25 the driver shall move such vehicle as soon as possible as far to the right  
26 side of the highway as is practicable and safe upon the approach of any  
27 oncoming or following vehicle and upon approaching the crest of a hill.

28 (c) The secretary shall adopt rules and regulations consistent with  
29 federal requirements designating safety and other devices which may ex-  
30 tend out on either side of the vehicle.

31 (d) (1) A vehicle may be loaded with bales of hay which shall not  
32 exceed 12 feet in width and a height as authorized by K.S.A. 8-1904, and  
33 amendments thereto, but vehicles so loaded shall not be moved on any  
34 highway designated as a part of the national network of highways, except  
35 as permitted under subsection (j) of K.S.A. 8-1911, and amendments  
36 thereto, or under paragraph (2) of this subsection.

37 (2) A farm vehicle may be loaded with bales of hay which shall not  
38 exceed 12 feet in width and a height as authorized by K.S.A. 8-1904, and  
39 amendments thereto, but vehicles so loaded shall not be moved on any  
40 highway designated as a part of the national system of interstate and  
41 defense highways, except as permitted under subsection (j) of K.S.A. 8-  
42 1911, and amendments thereto. As used in this paragraph "farm vehicle"  
43 means a truck or truck tractor registered under K.S.A. 8-143, and amend-

1 ments thereto, as a farm truck or truck tractor. Such farm truck or truck  
2 tractor may be used in combination with any type of trailer or semitrailer.

3 (3) Any such vehicles under paragraphs (1) or (2) so loaded shall not  
4 be moved during the period beginning 30 minutes after sunset and ending  
5 30 minutes before sunrise. Any vehicle loaded with bales of hay as au-  
6 thorized by the exception in this subsection, with the load extending be-  
7 yond 8½ feet, shall have attached thereto a sign which states "OVERSIZE  
8 LOAD" and the dimensions of the sign shall be a minimum of seven feet  
9 long and 18 inches high. Letters shall be a minimum of 10 inches high  
10 with a brush stroke of not less than 1⅝ inches. The sign shall be readily  
11 visible from a distance of 500 feet and shall be removed when the vehicle  
12 or load does not exceed the legal width. Each vehicle shall be equipped  
13 with red flags on all four corners of the oversized load.

14 (e) The secretary of transportation shall adopt rules and regulations  
15 authorizing vehicles to be loaded with two combine headers which exceed  
16 the legal width, but vehicles so loaded shall not be moved on any highway  
17 designated as a part of the national system of interstate and defense high-  
18 ways, except as permitted under subsection (i) of K.S.A. 8-1911, and  
19 amendments thereto, and vehicles so loaded shall not be moved during  
20 the period beginning 30 minutes after sunset and ending 30 minutes  
21 before sunrise.

22 (f) A motor home or travel trailer, may exceed 102 inches, if such  
23 excess width is attributable to an appurtenance ~~that extends no more than~~  
24 ~~six inches beyond the body of the vehicle, except that in no case shall~~  
25 ~~such motor home or travel trailer exceed a total width of 108 inches.~~

26 For the purposes of this subsection the term "appurtenance" shall  
27 include:

- 28 (1) An awning and its support hardware; and
- 29 (2) any appendage that is intended to be an integral part of a motor  
30 home or travel trailer coach and that is installed by the manufacturer or  
31 dealer.

32 The term "appurtenance" shall not include any item that is temporarily  
33 affixed or attached to the exterior of a motor home or travel trailer by the  
34 owner of such motor home or travel trailer for the purposes of trans-  
35 porting *such item* from one location to another. ←

36 Sec. 2. K.S.A. 8-1902 is hereby repealed.

37 Sec. 3. This act shall take effect and be in force from and after its  
38 publication in the statute book.

**No appurtenance may extend further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.**

# KANSAS

DEPARTMENT OF TRANSPORTATION  
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

## TESTIMONY BEFORE THE SENATE TRANSPORTATION COMMITTEE

### REGARDING SENATE BILL 372 RELATING TO RECREATIONAL VEHICLES

JANUARY 19, 2006

Mr. Chairman and Committee Members:

Good morning. My name is Ken Gudenkauf, Legislative Liaison for the Kansas Department of Transportation (KDOT). I appreciate the opportunity to testify on Senate Bill 372.

Senate Bill 372 would amend K.S.A. 8-1902 to eliminate the 108-inch width restriction that applies to appurtenances attached to motor homes and travel trailers. KDOT understands this bill is proposed to bring newer motor homes and travel trailers, having appurtenances permanently attached on each side by the manufacturer, into compliance with the statute.

KDOT would have significant concerns for public safety if any manufacturer could permanently affix any appurtenance onto the sides of these vehicles without limit.

However, in working with Mr. John Federico, language was proposed that would limit the maximum width of the appurtenances so that they may not extend beyond the rearview mirrors with the mirrors mounted in such a way to provide the required field of view before the appurtenances are attached. With this limitation in place, KDOT's public safety concern is addressed, and this limitation would be consistent with laws found in neighboring states.

KDOT opposes Senate Bill 372 as written; however, we would support the proposed legislation as long as it is amended as proposed by Mr. Federico.

Thank you, Mr. Chairman. I would be glad to answer any questions.

OFFICE OF THE SECRETARY OF TRANSPORTATION  
DWIGHT D. EISENHOWER STATE OFFICE BUILDING  
700 S.W. HARRISON STREET, TOPEKA, KS 66603-375  
PUBLIC ACCESS AT NORTH ENTRANCE OF BUILDING  
VOICE 785-296-3461 TTY 785-296-3585 FAX 785-296-1095 <http://www.kdot.gov>

Senate Transportation Committee  
January 19, 2006  
Attachment 3



# Kansas Motor Carrier Association

Trucking Solutions Since 1936

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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.  
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**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

## LEGISLATIVE TESTIMONY

Presented by the Kansas Motor Carriers Association  
Before the Senate Transportation Committee  
Senator Les Donovan, Chairman  
Thursday, January 19, 2006

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

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this morning representing our 1,250 member-firms in support of Senate Bill No. 373, which will implement the Performance and Registration Information Systems Management (PRISM) program in Kansas. PRISM allows the state to tie interstate commercial motor vehicle identification numbers to a motor carrier's identification number issued by the Federal Motor Carrier Safety Administration.

PRISM has been implemented in 32 states. Senate Bill No. 373 will allow the Kansas Department of Revenue to revoke or suspend the vehicle registration of commercial motor vehicles if the motor carrier responsible for its safety has been prohibited from operating in interstate commerce by the Federal Motor Carrier Safety Administration.

The Department's ability to revoke or suspend motor vehicle registrations through PRISM only applies to those vehicles registered in Kansas under the provisions of the International Registration Plan (apportioned registration) and not to vehicles registered at the county level.

The Senate Bill No. 373 is supported by KMCA, the Kansas Department of Revenue and the Federal Motor Carriers Safety Administration. Implementation of PRISM is funded through grants from the federal government.

We respectfully request the Senate Transportation Committee act favorably on Senate Bill No. 373. Thank you for the opportunity to appear before you today. I would be pleased to respond to any questions you may have.



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Keyword Links

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Home > Facts & Research > Performance and Registration Information Systems Management (PRISM)

Overview

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Databases

**Research & Analysis**

Mission and Objectives

Reports

Technical Briefs

Analysis Briefs

Conferences

Request a Publication

## Performance and Registration Information Systems Management (PRISM)



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### BACKGROUND

The Performance and Registration Information Systems Management Program (PRISM) originated as a pilot project mandated by Congress under section 4003 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). The goal of the project was to explore the potential benefits of using State commercial vehicle registration sanctions as an incentive to improve motor carrier safety.

The PRISM pilot demonstration project was developed through a cooperative agreement between the Federal Motor Carrier Safety Administration (Former FHWA, OMC) and the Iowa Department of Transportation (DOT). In addition to Iowa, four other States-- Colorado, Indiana, Minnesota and Oregon, participated in the PRISM pilot demonstration project.

The pilot officially ended on September 30, 1997. A final report assessing the feasibility, costs, and benefits of the PRISM program was submitted to Congress in 1998. The report proved conclusively that the possibility of State commercial vehicle registration sanctions could, indeed, serve as a powerful enforcement tool in Federal and State motor carrier safety improvement efforts.

In 1998 Congress authorized additional funding through the Transportation Equity Act for the 21st Century (TEA-21) to implement the PRISM program nationwide.

### THE PRISM IMPLEMENTATION PROCESS

- Step 1 **Initial Briefing** - At the State's request, an initial briefing of the PRISM program will be conducted for State officials by FMCSA staff. This briefing is meant to give State officials an outline of the PRISM program and its benefits to the State's safety initiatives.
- Step 2 **Letter of Intent** - If as a result of the initial briefing, a State decides to join the PRISM program, they must state their intentions to implement the program in a "Letter of Intent" to FMCSA. This letter should be sent to the FMCSA Division Administrator, who then forwards the letter to the FMCSA Office of Enforcement and Compliance in Washington, DC.
- Step 3 **In-depth Training** - Once the Letter of Intent is received, a 2-day in-depth PRISM training session will be scheduled for the

4-2

respective State. This training will include a general overview of the program and a thorough review of the grant requirements included in the PRISM Implementation Guide. As part of this process, the FMCSA PRISM Team and Division staff will use the Guide to lead the State through the process of developing their own plan. Group efforts will include the identification of responsible parties, development of implementation timelines, cost estimates, etc. Therefore, State attendees at this training should include IRP, ITS/CVO, and enforcement personnel with the authority to make decisions for the State.

**Step 4** **PRISM Implementation Plan** - Following the 2-day training session, PRISM staff will forward a draft version of the State's Implementation Plan to State officials for completion. If needed, PRISM staff will continue to work with State officials to finalize their Implementation Plan for submission. The Plan must specify how the State will meet the program requirements, time frames for completion, and associated costs.

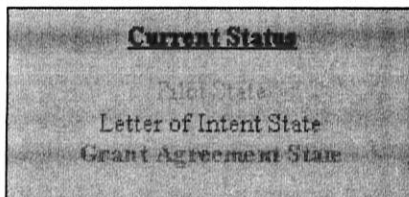
**Step 5** **Finalize Plan & Award Grant** - Once a State's implementation Plan has been finalized by the State, it should be submitted to the FMCSA Division Administrator for review and then forwarded to the FMCSA Office of Enforcement and Compliance for final approval. After the Plan has been approved by FMCSA, a grant will be issued to the State agency in the amount specified in the Implementation Plan.

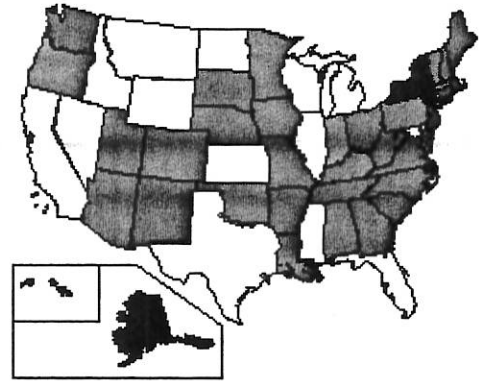
**Step 6** **Implement PRISM** - Following the award of a PRISM Grant, the State is responsible for ensuring the program is implemented in their State according to the procedures, time lines, and costs identified in their Implementation Plan. States will also be required to intermittently report their progress to FMCSA. Funds for PRISM grants are typically established for a two-year period.

**PARTICIPATING STATES**

As of March 1, 2004, twenty-seven States have joined the original five PRISM pilot States to implement the PRISM program. The States of Alaska and New York have also provided the FMCSA with a Letter of Intent to implement the PRISM program. PRISM States currently collecting MCS-150 forms and issuing USDOT numbers to motor carriers include Arizona, Colorado, Connecticut, Georgia, Indiana, Iowa, Kentucky, Maine, Minnesota, North Carolina, Pennsylvania, South Dakota, and Tennessee. The following information identifies States participating in the PRISM program.

| PRISM        |               |                |                |                         |
|--------------|---------------|----------------|----------------|-------------------------|
| Pilot States | Grant States  |                |                | Letter Of Intent States |
| Colorado     | Alabama       | Missouri       | Rhode Island   | Alaska                  |
| Indiana      | Arizona       | Nebraska       | South Carolina | New York                |
| Iowa         | Arkansas      | New Hampshire  | South Dakota   | Hawaii                  |
| Minnesota    | Connecticut   | New Jersey     | Tennessee      |                         |
| Oregon       | Georgia       | New Mexico     | Utah           |                         |
|              | Kentucky      | North Carolina | Vermont        |                         |
|              | Louisiana     | Ohio           | Virginia       |                         |
|              | Maine         | Oklahoma       | Washington     |                         |
|              | Massachusetts | Pennsylvania   | West Virginia  |                         |





### **PROGRAM OVERVIEW**

The PRISM program includes two major processes - the Commercial Vehicle Registration Process, and the Motor Carrier Safety Improvement Process (MCSIP), which work in parallel to identify motor carriers and hold them responsible for the safety of their operation. The performance of unsafe carriers is improved through a comprehensive system of identification, education, awareness, safety monitoring and treatment.

- **The Commercial Vehicle Registration Process** - A State's commercial vehicle registration process provides the framework for the PRISM program and serves two vital functions. First, it establishes a system of accountability by insuring that no vehicle is plated without identifying the carrier responsible for the safety of the vehicle during the registration year. Second, the use of registration sanctions serves as a powerful incentive for unsafe carriers to improve their safety performance. The vehicle registration process ensures that all carriers engaged in interstate commerce are uniquely identified through a USDOT number when they register their vehicles. The safety fitness of each carrier can then be checked prior to issuing vehicle registrations. Thus, motor carriers that have been prohibited from operating in interstate commerce may then have their ability to register vehicles denied.
- **The Motor Carrier Safety Improvement Process (MCSIP)** - MCSIP is the means by which a motor carrier's safety is systematically tracked and improved. The process is designed to improve the safety performance of motor carriers with demonstrated poor safety performance through accurate identification, performance monitoring and treatment. MCSIP carriers that do not improve their safety performance face progressively more stringent penalties that may result in a Federal "unfit" or "imminent hazard" determination and the possible suspension of vehicle registrations by the State.

### **BENEFITS OF PRISM**

The results of the PRISM pilot far exceeded the FMCSA's expectations in terms of benefits, cost effectiveness and operational feasibility. It also produced major safety, economic and productivity benefits as follows:

**Accountability** - Identification of the motor carrier (via their USDOT number) responsible for the safe operation of the vehicle(s) being registered has clearly produced a major safety benefit. Accountability means that safety events (e.g. inspections, accidents, driver moving violations) affecting a PRISM registered vehicle can be more accurately tied back to the responsible motor carrier.

**A Performance-Based Approach to Safety Management** - The primary means of identifying potentially poor performing carriers is through an accumulation of carrier, vehicle, and driver specific safety events that are linked to the motor carrier through the

carrier's USDOT number.

**Safestat** - By far, one of the most important safety benefits resulting from the PRISM pilot has been the development of the SafeStat prioritization methodology. SafeStat is a data-driven, performance-based algorithm used to identify potentially high-risk motor carriers for inclusion in the PRISM improvement process (MCSIP).

**Improved Productivity** - The PRISM program was developed to meet the challenge of reducing the number of commercial vehicle crashes of a rapidly expanding motor carrier population. It has increased both the efficiency and effectiveness of Federal and State safety efforts through:

- A more accurate process for targeting the highest risk motor carriers, which allows for a more efficient allocation of scarce Compliance Review (CR) and roadside inspection resources.
- The use of "Warning Letters" as an effective, yet inexpensive, alternative to a Compliance Review for carriers with less severe safety performance problems.

**Improved Data Quality** - The PRISM program has shown that an improvement in the accuracy and timeliness of data will result in better resource allocation and heightened efficiencies in the administration of major Federal and State safety programs. The data improvement initiatives in this project have significantly improved the accuracy and timeliness of critical accident and inspection data collected and uploaded by State motor carrier safety personnel. Several of the most notable data improvement initiatives resulting from the PRISM program are listed below.

- The development of a procedure for obtaining current census and operational data on motor carriers as part of the State's annual vehicle registration renewal process.
- The development of a procedure for using plate numbers as a means to more effectively assign inspection and accident data to the responsible motor carrier.
- The incorporation of a data correction element within the Motor Carrier Safety Improvement Process.
- The development of a nationally accepted procedure for correcting safety data errors.
- The funding of bar-code technology for registration documents and roadside inspectors to reduce data entry errors on accident and roadside inspection reports.

**Improved Motor Carrier Safety** - The PRISM program pioneered the use of a "Warning Letter" as an alternative to an on-site Compliance Review for motor carriers with less severe safety problems. Alternatives such as this have taught us that the vast majority of motor carriers in the PRISM program improve their performance long before registration sanctions are applied. Thirty percent of the motor carriers that receive warning letters improve their safety performance on their own.

**Customer Service** - The PRISM program improves customer service by allowing State registration agencies to issue U.S. DOT numbers. This process promotes a "one-stop shop" concept by reducing the number of government agencies that a motor carrier must deal with to get on the road.

**STATE LEGISLATION FOR PRISM**

In some States, legislation must be passed to provide the legal authority to impose vehicle registration sanctions against motor carriers that have been prohibited from operating by the FMCSA. The following sample language is provided for States that need enabling legislation:

- **Grounds for Refusal of Registration:**  
If a commercial motor vehicle is being operated by a commercial motor carrier that has been prohibited to operate in interstate commerce by a Federal agency with authority to do so under Federal law.
- **Registration Suspension Based on Federal Prohibition from Operating in Interstate Commerce:**



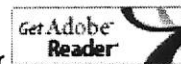
The Division of Motor Vehicles (or appropriate Stateagency) is authorized to suspend or revoke the registration of a commercial motor vehicle if the commercial motor carrier responsible for its safety has been prohibited from operating by a Federal agency.

#### **HOW TO JOIN PRISM**

Federal grant funds are available to States that have received PRISM training and submit an acceptable PRISM Implementation Plan. The Federal Motor Carrier Safety Administration (FMCSA) provides 100 percent grants - no State match is required. States that are interested in participating in the program should request a briefing by FMCSA staff to explain the program and answer questions. If, after the introductory briefing, a State wants to join the program, a Letter of Intent must be sent to FMCSA and a training session will subsequently be scheduled to assist the State in developing an Implementation Plan. Upon approval of the plan by the FMCSA, the FMCSA Division Administrator and the appropriate official from the State agency that receives the grant must sign a Federal grant agreement.

Interested States should contact Mr. Bryan Price at 412-395-4816, or Ms. Susan Alonzi at (202) 366-9699.

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Federal Motor Carrier Safety Administration  
400 7th Street SW, Washington, DC 20590 • 1-800-832-5660 • TTY: 1-800-877-8339



# K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES

KATHLEEN SEBELIUS, GOVERNOR

**TO:** Chairman Les Donovan  
Members of the Senate Transportation Committee

**FROM:** Carmen Alldritt, Director  
Division of Vehicles

**DATE:** January 19, 2006

**SUBJECT:** Senate Bill 374 – Self-propelled crane definition

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Thank you Mr. Chairman and Committee Members. My name is Carmen Alldritt, and I serve as the Director of Vehicles for the Kansas Department of Revenue.

Senate Bill 374 uses the federal language to describe self-propelled cranes. This change will bring consistency and assist the Highway Patrol with uniform enforcement.

We ask for your support of SB 374.

DOCKING STATE OFFICE BUILDING, 915 SW HARRISON ST., TOPEKA, KS 66612-1588  
Voice 785-296-3601 Fax 785-291-3755 <http://www.ksrevenue.org/>

Senate Transportation Committee  
January 19, 2006  
Attachment 5



# K A N S A S

WILLIAM R. SECK, SUPERINTENDENT

KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

## **Testimony on Senate Bill 374 Senate Transportation Committee**

**Presented by  
CAPT Dan Meyer  
Kansas Highway Patrol**

**January 19, 2006**

Good morning Mr. Chairman and members of the committee. My name is Captain Dan Meyer, and on behalf of Colonel William Seck and the Kansas Highway Patrol, I appreciate the opportunity to express the Patrol's position regarding SB 374 and the definition of self-propelled cranes

The current definition of a self-propelled crane has created a potential loophole that could allow trucks or truck-tractors that merely have a crane mounted upon the truck to avoid registration requirements. The changes proposed in SB 374 would simply more narrowly define what a self-propelled crane is and aid in the loss of revenue from unpaid registration and commercial vehicle taxes.

Currently, some companies are operating flat bed trucks that have a boom lift mounted on the truck chassis and are failing to obtain Kansas registration. These trucks are vehicles that are normally required registration and are constructed in a manner that would allow transportation of property, via a flatbed or other configuration. When Notice to Appear are written to drivers of these vehicles, some courts are utilizing the current statute to dismiss the violation.

It should be noted that in either configuration, the vehicle would require a Commercial Driver's License. The federal interpretation of the CDL regulation states that public highway operation would make it a commercial vehicle, for CDL requirement purposes.

Again, I appreciate having been given the opportunity to appear before you today and urge your support of SB 374 and its attempt to strengthen current law by better defining self-propelled cranes. I am happy to answer any questions that the committee might have.

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Senate Transportation Committee  
January 19, 2006  
Attachment 6