

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on March 20, 2007 in Room 519-S of the Capitol.

All members were present except:

Representative William Wolf- excused

Committee staff present:

Hank Avila, Kansas Legislative Research

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Senator Phillip Journey

Tom Whitaker, Executive Director, KS Motor Carriers Association

Harriat Lange, Executive Director, KS Broadcasters Association

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order. He opened the hearing on **SB 8**.

**SB 8 - Doubling speeding fines in school zones**

Chairman Hayzlett recognized Senator Journey as the first proponent to testify. (Attachment #1) According to Senator Journey this bill doubles the fines for speeding when in a school zone during the posted times. He said currently many cities have doubled the fines for speeding with some cities tripling the fines for speeding in a school zone. Senator Journey concluded by saying adoption of this bill would create consistency in enforcement across the state.

After questions were answered Chairman Hayzlett asked if there were any other proponents, opponents or anyone else desiring to address the Committee. Tom Whitaker, Executive Director, KS Motor Carriers Ass'n., came forward to offer two amendments. (Attachment #2) The first amendment provides for a 400 pound exemption from the maximum gross weight or axle weight limits for any vehicle or combination of vehicle equipped with idle reduction technology. The second amendment applied to heavy-duty tow trucks used to tow large trucks and buses.

After all questions were answered, the Chairman closed the hearing on **SB 8**.

Chairman Hayzlett opened the hearing on **SB 9**.

**SB 9 - Regulating traffic, video or television-type equipment, operation thereof**

The Chairman recognized Senator Journey as the first proponent to this bill. (Attachment #3) Senator Journey told the Committee that **SB 9** addresses the circumstances where technology has outpaced current law. He said current law prohibits a motor vehicle from being equipped with a television-type receiving equipment located where the screen is visible from the driver's seat. Senator Journey said many law enforcement, public utility and service vehicles contain video display terminals which are illegal under current law. He concluded by saying **SB 9** amends the statute to make only the operation of the screen while driving a violation and not the possession of the screen.

The Chairman then recognized Tom Whitaker, Executive Director, KS Motor Carriers Ass'n. (Attachment #4) Mr. Whitaker appeared in support of **SB 9**. He said this bill allows the use of television-type receiving equipment in commercial motor vehicles for sending, receiving or monitoring data relevant to the operation of the commercial vehicle. Mr. Whitaker said messages such as dispatch instructions can be displayed on the screen but it is only accessible when the vehicle is stopped.

There were no other proponents and no opponents came forward. The Chairman recognized Harriat Lange,

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on March 20, 2007 in Room 519-S of the Capitol.

President of the Kansas Association of Broadcasters, who was listed as neutral. (Attachment # 5) According to Ms Lange, it was their understanding that the current bill puts their broadcast station news and production crews in violation. She said there were many instances when their production team, or a news reporter and photographer will travel from one story to the next and scan the video tape on their camers in the front passenger seat, for the clips that will be utilized in the news story to save time in editing. Because **SB 9** in its present form will have a detrimental effect on their stations, she offered an amendment. The amendment provides that the prohibition in the bill would not apply to "the use of video or television-type equipment in a vehicle operated by personnel employed directly by or on contract with a broadcast station, or on a free lance basis, for sending, receiving, editing, or monitoring information relevant to the personnel's job function for a broadcast station".

After all questions were answered, the Chairman closed the hearing on **SB 9**.

It was the Chairman's desire to work **HB 2559**. The Committee was given a briefing on **HB 2559**. Representative George made a motion to amend this bill into substitute HB 2559, seconded by Representative Vickrey. Representative George and the revisor explained the substitute bill to the Committee and the Committee asked questions. The motion carried. Back on the bill. Representative George made a motion to amend substitute HB 2559, seconded by Representative Humerickhouse, the motion carried. This amendment would add the definition in the traffic code area, picking up "worksite" and putting it in article14 to apply to the traffic code. This definition was inadvertently left out of the substitute bill. Back on the bill. Representative George made a motion to favorably pass substitute HB 2559, as amended. The motion was seconded by Representative Peck and the motion carried.

The Chairman drew the Committee's attention to the Minutes of the meetings on March 8, 13 and 14, 2007. Representative Ballard made a motion to approve the Minutes as written, seconded by Representative Sloan and the motion carried.

There being no further business before the Committee the meeting was adjourned. The next meeting will be on March 21, 2007 at 1:30 p.m., in Room 519-S.

**HOUSE TRANSPORTATION COMMITTEE**

**DATE** 3-20-07

| <b>NAME</b>     | <b>REPRESENTING</b> |
|-----------------|---------------------|
| Carmen Alclitte | KDOR                |
| Michael Mclim   | KDOR                |
| Ray Wilk        | " "                 |
| DAVID ROSENTHAL | KTIA                |
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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

VICECHAIR: SPECIAL CLAIMS AGAINST THE STATE  
(JOINT), VICECHAIR  
MEMBER: HEALTH CARE STRATEGIES  
JUDICIARY  
PUBLIC HEALTH AND WELFARE  
TRANSPORTATION

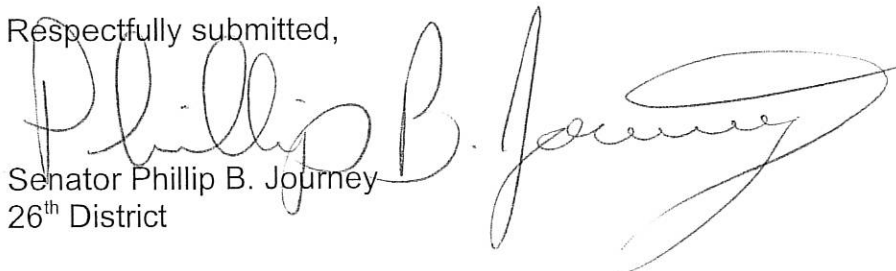
CORRECTIONS AND JUVENILE JUSTICE  
OVERSIGHT (JOINT)

**Testimony for the Kansas House Transportation Committee  
Presented March 15<sup>th</sup>, 2007 in Support of Senate Bill 8**

It is a privilege and an honor to have the opportunity to address the House Transportation Committee and to offer comments in support of Senate Bill 8.

This was originally filed in 2005 as SB 35 and was passed by the Senate in 2005. SB 35 was comprised of two parts. In 2006, those two parts were separated to create SB 344 and SB 347. It is intended to amend K.S.A. 8-2118. SB 344 was enacted into law in 2006. This bill doubles the fines for the traffic infraction of speeding when in a school zone. SB 347 passed the Kansas Senate in 2006. It did get out of the House Committee, but not to the floor for debate. A few years ago this body voted to double fines for speeding when violators were in a construction zone. Currently, many cities across the State have done the same as intended in this Bill. A few cities have tripled fines for speeding in a school zone, such an amendment would not be opposed by this senator. Adoption of this provision will create consistency in enforcement across the state.

Respectfully submitted,

  
Senator Phillip B. Journey  
26<sup>th</sup> District

House Transportation  
Date: 3-20-07  
Attachment # 1



# Kansas Motor Carriers Association

Trucking Solutions Since 1936

## Legislative Testimony

Presented by the Kansas Motor Carriers Association

Before the House Transportation Committee

Representative Gary Hayzlett, Chairman

Thursday, March 15, 2007

### 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-firms to request two amendments to Senate Bill No. 8.

The first amendment provides for a 400-pound exemption from the maximum gross weight or axle weight limits for any vehicle or combination of vehicle equipped with idle reduction technology. "Idle reduction technology" means any device or system of devices that: (1) is installed on a heavy-duty diesel-powered on-highway truck or truck tractor; and (2) is designed to provide to such truck or truck tractor those services, such as heat, air conditioning or electricity, that would otherwise require the operation of the main drive engine while the truck or truck is temporarily parked or remains stationary.

The weight exemption for idle reduction technology was a provision of the Federal Energy Bill signed by President Bush in August of 2005. This provision is now a part of 49 CFR Part 658 and is effective on March 22, 2007. Adoption of this amendment will not jeopardize federal highway funding. The Kansas Highway Patrol (KHP), Kansas Department of Transportation (KDOT) and the Kansas Department of Revenue's (KDOR) Division of Vehicles has reviewed the proposed amendment and has approved the language.

The second amendment applies to heavy-duty tow trucks used to tow large trucks and buses. Since 1996, the Kansas Department of Transportation has been issuing special annual oversize/overweight permits for non-divisible loads that are within certain limitations established through rule and regulation adopted by KDOT without requiring such tow truck to be registered at the maximum allowable gross vehicle weight. Heavy-duty tow trucks have relied on these permits to allow the operators of such tow trucks to move disabled trucks, buses or truck tractors without fear of receiving an overweight citation.

The statute governing oversize/overweight permits requires that the special permit is only valid when the registration on the power unit equals or exceeds the total gross weight of the vehicle and when the gross weight of the vehicle exceeds the upper limit of the available registration, the maximum amount of vehicle registration must be purchased. Recently, it was determined that a tow truck must be registered at the maximum amount of vehicle registration in order to receive a special permit.

**Mike Miller**  
Miller Trucking, LTD  
President

**Calvin Koehn**  
Circle K Transport, Inc.  
Chairman of the Board

**Michael Topp**  
TT&T Towing, Inc.  
First Vice President

**Larry Dinkel**  
Mitten Trucking, Inc.  
Second Vice President

**Greg Orscheln**  
Midwest Express Corp.  
Treasurer

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

**Jerry Arensdorf**  
Arensdorf Grain & Feed, 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

**Dave Eaton**  
Cummins Central Power, LLC  
Allied Industries Chairman

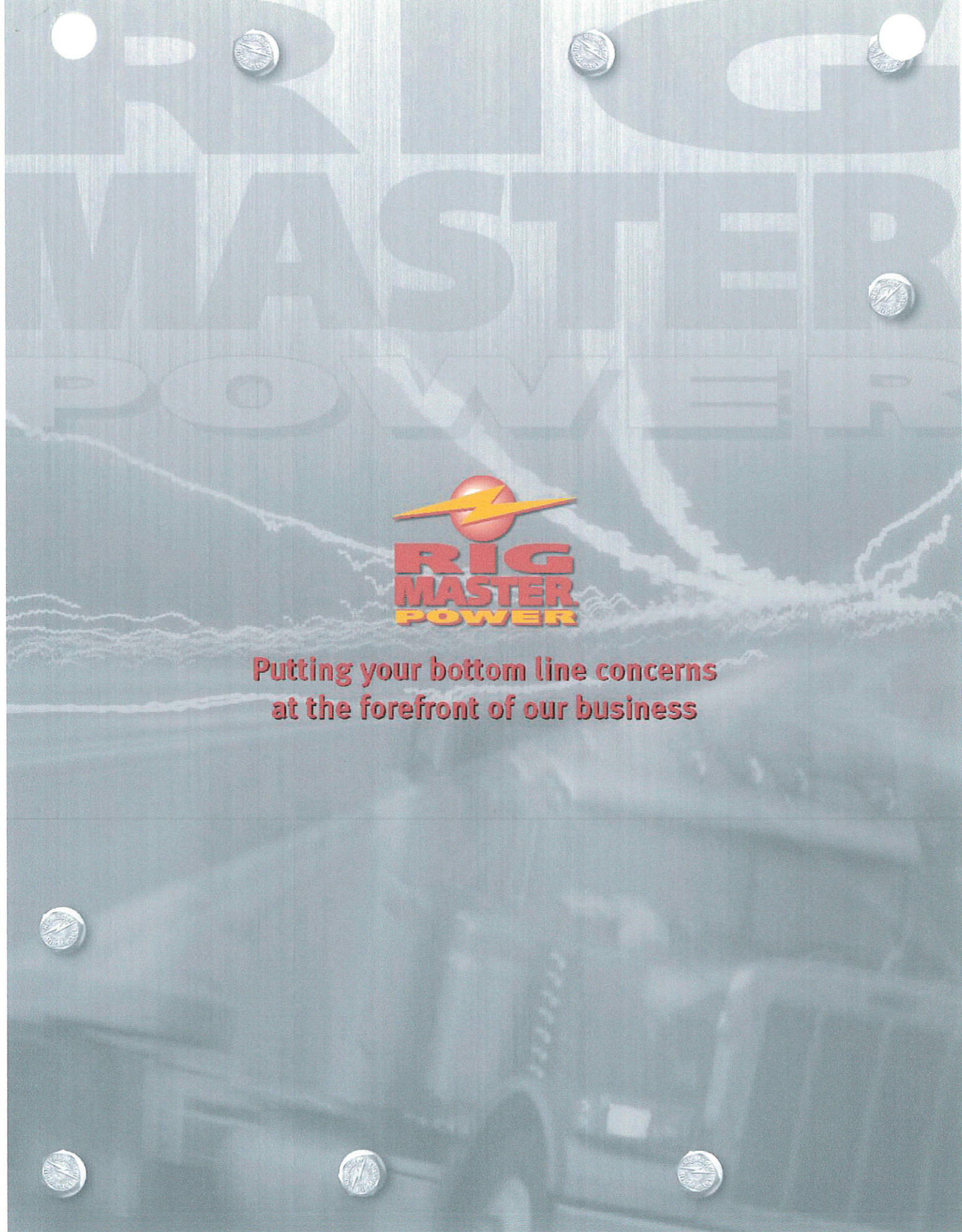
**Tony Gaston**  
Rawhide Trucking  
Foundation Chairman

**Tom Whitaker**  
Executive Director

**Legislative Testimony**  
**Presented by the Kansas Motor Carriers Association**  
**Thursday, March, 2007**  
**Page 2**

Current Kansas law (K.S.A. 8-143) requires a tow truck to be registered for the weight of the tow truck, ready to provide towing and recovery service and not including the vehicle being towed. In most instances the vehicle being towed is already registered. The proposed amendment would add language to K.S.A. 8-1911 that clarifies that a tow truck only be required to be registered in accordance with the provisions of K.S.A. 8-143, and continues what has been the practice until a recent review of the statutes. The KHP, KDOT and KDOR have signed off on this amendment.

Mr. Chairman, the Kansas Motor Carriers Association respectfully requests that the House Transportation Committee adopt these amendments to Senate Bill No. 8 and forward the bill favorably as amended. I thank you for the opportunity to appear before you today, and would be pleased to respond to any questions you may have.



**Putting your bottom line concerns  
at the forefront of our business**



**Rugged & Reliable,  
RigMaster is the premium  
name in auxiliary power units.**

## MISSION

To be the leading manufacturer of Idle reduction technology for the transportation industry - increasing the profitability of our customers while protecting the environment.

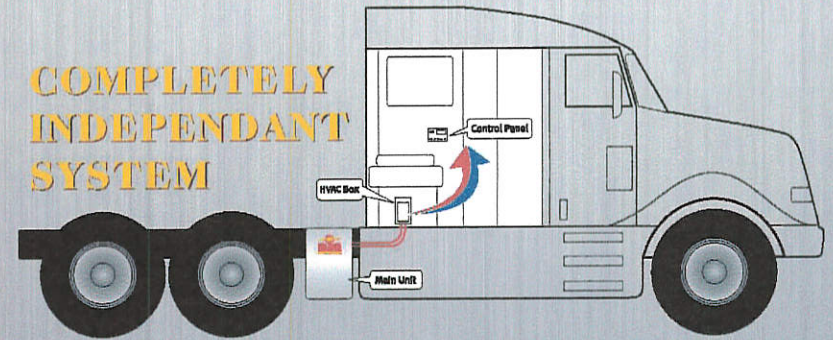
## COMPANY OVERVIEW

For over 10 years RigMaster Power Corp. has been the leading manufacturer of stand-alone truck mounted auxiliary power units. RigMaster Power Corp. with corporate offices located in Toronto, ON, Canada, operate manufacturing facilities in Toronto, ON and Olathe, KS.

As a pioneer in the APU industry and working closely with knowledgeable suppliers; RigMaster has applied their experience to choosing quality brand name components and developing a product that delivers performance, value and dependability.

From design, to production through to the final testing process before delivery, RigMaster's industry specialists and technical experts work together to build the premium, auxiliary power unit that is synonymous with the RigMaster® name.

## COMPLETELY INDEPENDANT SYSTEM



### RigMaster will not take your truck out of service

RigMaster's completely independent APU system will never cause a missed/late delivery or run the risk of taking a truck out of service. The self-contained design makes installation easy and is engineered to fit on all Class 8 trucks. In any weather, Hot or Cold-RigMaster's rugged automotive-style Heating and A/C system provides the convenience of hotel load power all the time.

#### Engineered for use, packed with performance.

- Heating & Air Conditioning for the sleeper
- 6000 W 120v electrical power to run appliances
- Powers existing block heater
- 60 Amp Alternator charges batteries
- Fits on all Class 8 trucks
- Can be used anywhere, anytime

## RIGMASTER STANDS ALONE

2-4

### 3 COMPONENT DESIGN

#### Designed for Easy Maintenance

- Match RigMaster service intervals with truck PM's\*
- Cover lifts off for easy access to all components
- Consumable parts commercially available
- Non-integrated design makes installs easy

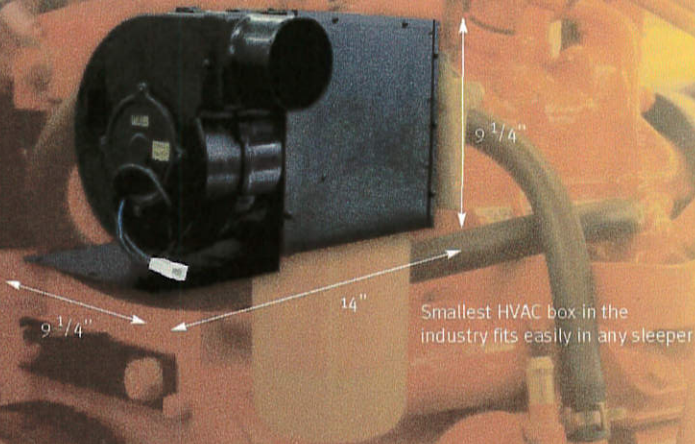


#### Control Panel

Digital controls provide automatic, precision climate control. Whether you're in hot or cold weather set it once to your preference and let RigMaster do the rest.

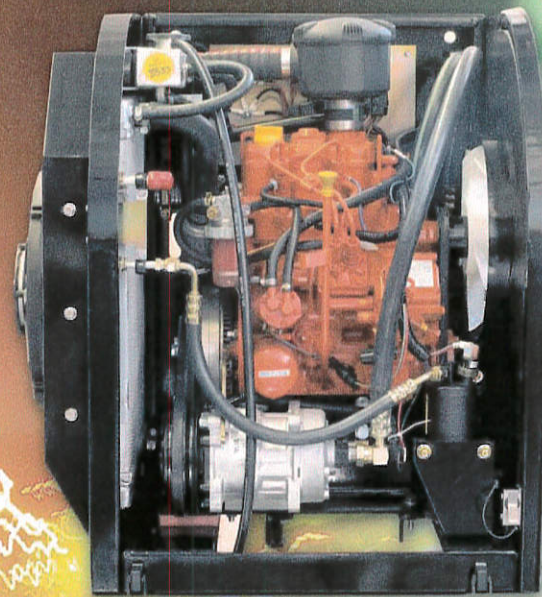
Optional AutoStart means your truck is always ready to go when you are.

#### HVAC Box



\* 500 hour standard maintenance intervals

### MEETS EPA TIER II SPECIFICATIONS



#### Main Unit

Open View

**Quietest unit on the market**  
Double-rubber Internal Mounting System isolates virtually all vibration & noise with minimal transfer to the truck.

**Top quality/brand name major components designed with the Heavy Duty Truck in mind.**

- Powered by Perkins 2 cylinder engine
- High efficiency Sanden AC compressor
- Newage generator

#### All-Weather durability

- Automotive grade wiring encased in fiberglass impregnated protective coating
- Zinc-coated backing plates
- Weather proof electronics
- Double powder coated frame behind 3/16 plate steel to avoid corrosion

**Condenser found in Main Unit**

Side View



External air intake and dual engine fan system, prevents overheating on the hottest of days.

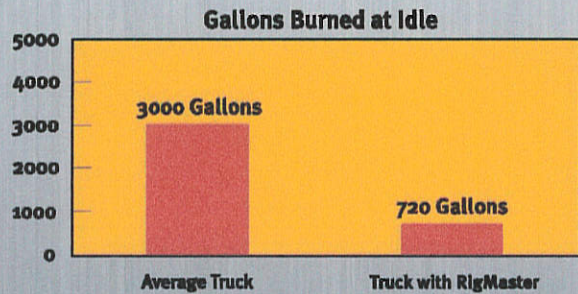
Closed View



“After a hard day on the road your drivers need quality downtime. The RigMaster is easy to use and is packed with performance features to put the driver at ease so they can rest up and get ready for the day ahead.”

### INCREASED PROFITS

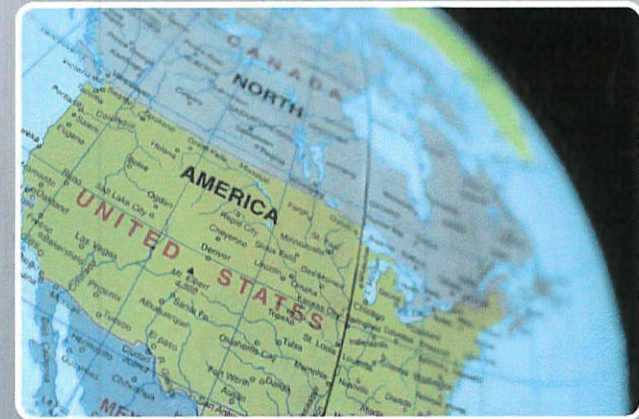
- Saves over a gallon of fuel per idle hour
- Prevents unnecessary wear on vital engine components
- Extend service intervals on your truck
- Avoid costly anti-idle fines
- Powerful recruitment tool
- Increased driver retention



### RIGMASTER'S SUPPORT NETWORK IS THE MOST EXPERIENCED IN THE BUSINESS.

#### Nationwide Dealer Presence

RigMaster is backed by the most experienced, factory trained dealer network, providing sales, installation, servicing and warranty support so that you can enjoy the many benefits of your APU uninterrupted and without having to travel long distances to get servicing.



#### Technical Support

RigMaster's technical support group is available to assist a driver or a technician with troubleshooting and servicing recommendations.



## AVAILABLE OPTIONS

### AutoStart

- Time & day AutoStart programming
- Automatic temperature control start up and shut down
- Low battery start up

### Engine Options

- CATERPILLAR 14 HP DIESEL ENGINE
- PERKINS 14 HP DIESEL ENGINE

### RigMaster - LG

RigMaster LG is a cost-conscious solution for those looking for heating and air conditioning along with battery charging capabilities.

## SPECS

### General

**Engine** 2 cylinder, 13.9 horsepower, liquid cooled, diesel engine  
2650 rpm

**Generator** 6Kw 40 Amperes AC 120v

**Alternator** 60 Amperes DC 12v

**Weight** 386 lbs

### HVAC Box

**Width** 14"

**Height** 91/4"

**Depth** 91/4"

**Heat** 13,500 BTU

**AC** 20,000 BTU

**278 cfm**

### Main Unit

**Width** 26 1/2"

**Height** 29"

**Depth** 30" Overall 22" off Rail

**RigMaster Warranty:** TWO YEAR, 4,000 HOUR WARRANTY

11 Diesel Drive, Toronto, ON. M8W 4Z7  
1-800-249-6222 • [www.rigmasterpower.com](http://www.rigmasterpower.com)

## SENATOR PHILLIP B. JOURNEY

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TOPEKA

SENATE CHAMBER

## COMMITTEE ASSIGNMENTS

VICECHAIR: SPECIAL CLAIMS AGAINST THE STATE  
(JOINT), VICECHAIR  
MEMBER: HEALTH CARE STRATEGIES  
JUDICIARY  
PUBLIC HEALTH AND WELFARE  
TRANSPORTATION

CORRECTIONS AND JUVENILE JUSTICE  
OVERSIGHT (JOINT)

**Testimony for the Kansas House Transportation Committee  
Presented March 15<sup>th</sup>, 2007, in Support of Senate Bill 9**

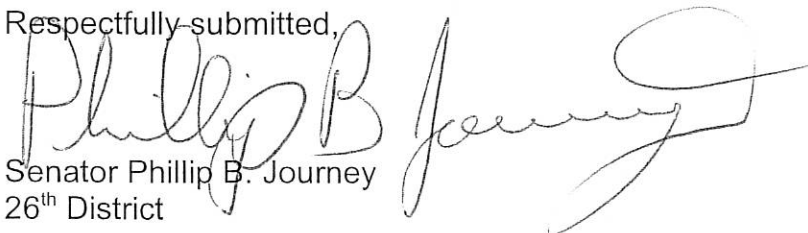
It is a privilege and an honor to have the opportunity to address the House Transportation Committee and to offer comments in support of Senate Bill 9. In 2006, this act passed the Kansas Senate but failed on the House floor near the end of the session. There seemed to be some confusion of the effect of the bill, and many wrongly believed that it was an attempt to outlaw the screens altogether.

Senate Bill 9 is a simple piece of legislation which addresses the circumstances where technology has outpaced current law. It amends K.S.A. 8-1748 repealing the existing section and replacing it with the language in the bill.

Current law says that no motor vehicle can be equipped with a television-type receiving equipment located where the screen is visible from the driver's seat. Current technology being sold every day in Kansas includes not just the video screens we see in mini-vans that are appropriately placed under current law behind the driver's seat, but also screens that are installed in the dash which are viewable by the driver. Many law enforcement, public utility and service vehicles contain video display terminals (VDT). All are illegal under the current law. Their purpose in the vehicle is to dispatch drivers and to relay alerts or other information. This information proves its worth on a daily basis saving funds and lives every day. Many after-market entertainment systems have screens that retract inside the dash and pop out with operation. Senate Bill 9 amends that statute so as to make only the operation of the screen while driving, rather than possession, a violation of state statute.

I would ask the committee to favorably recommend this legislation for passage as it more accurately represents our circumstances and technologies.

Respectfully submitted,

  
Senator Phillip B. Journey  
26<sup>th</sup> District

House Transportation  
Date: 3-20-07  
Attachment # 3



# Kansas Motor Carriers Association

Trucking Solutions Since 1936

## Legislative Testimony

Presented by the Kansas Motor Carriers Association  
Before the House Transportation Committee  
Representative Gary Hayzlett, Chairman  
Thursday, March 15, 2007

**Mike Miller**  
Miller Trucking, LTD  
President

**Calvin Koehn**  
Circle K Transport, Inc.  
Chairman of the Board

**Michael Topp**  
TT&T Towing, Inc.  
First Vice President

**Larry Dinkel**  
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**Jerry Arensdorf**  
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**Ken Leicht**  
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Pro Truck PAC Chairman

**Dave Eaton**  
Cummins Central Power, LLC  
Allied Industries Chairman

**Tony Gaston**  
Rawhide Trucking  
Foundation Chairman

**Tom Whitaker**  
Executive Director

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

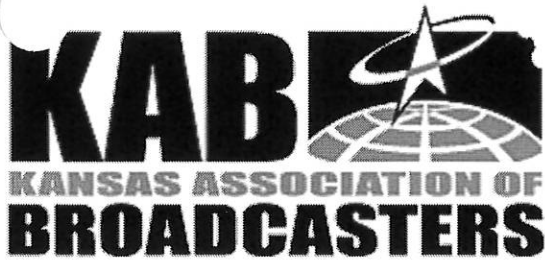
I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this afternoon representing our 1200 member-firms in support of Senate Bill No. 9.

The bill allows the use of television-type receiving equipment in commercial motor vehicles for sending, receiving or monitoring data relevant to the operation of the commercial vehicle.

In today's truck cab, trucking companies are utilizing the latest technology to communicate with drivers by using satellite transmission. This technology requires that a screen be mounted on the dash within the view of the driver. Messages such as dispatch instructions can be displayed on the screen. For safety reasons, the driver is only notified that there is a message and is only able to retrieve the message when the vehicle is stopped.

Senate Bill No. 9 will make it clear in Kansas statute that these devices are legal. We respectfully request that the House Transportation Committee favorably consider Senate Bill No. 9. I thank you for the opportunity to appear before you today, and would be pleased to respond to questions.

House Transportation  
Date: 3-20-07  
Attachment # 4



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TEL (785) 235-1307 FAX (785) 233-3052  
e-mail: [harriet@kab.net](mailto:harriet@kab.net) web site: [www.kab.net](http://www.kab.net)

Testimony – SB 9  
Before House Committee on Transportation  
March 15, 2007  
By Harriet Lange, President  
Kansas Association of Broadcasters

Mr. Chairman, Members of the Committee, I am Harriet Lange with the Kansas Association of Broadcasters. Our membership is comprised of free-over-the-air radio and television stations which serve Kansas. We appreciate the opportunity to appear before you today on SB 9.

As we understand the bill in its current form, it would render our broadcast station news and production crews in violation while carrying out their job functions.

There are many instances when a production team, or a news reporter and photographer will travel from one story to the next and scan the video tape on their camera in the front passenger seat, for the clips that will be utilized in the news story, thereby saving time in editing. Some stations have dash board cams/laptops which display a moving, live picture of what is in front of them. These are used for chasing storms and feeding in to the station's studio, a live picture of the storm.

If SB 9 passes in its current form it will have a detrimental effect on a station's ability to provide news and information to viewers. We therefore are offering an amendment.

The amendment, found in Section 1, paragraph (b) (5), provides that the prohibition in the bill would not apply to "the use of video or television-type equipment in a vehicle operated by personnel employed directly by or on contract with a broadcast station, or on a free lance basis, for sending, receiving, editing, or monitoring information relevant to the personnel's job function for a broadcast station".

If you take action on SB 9 we hope that you will include this amendment.

I would be happy to respond to questions.

Thank you.

House Transportation  
Date: 3-20-07  
Attachment # 5

# Proposed KAB Amendment to SB 9

*[As Amended by Senate Committee of the Whole]*

*As Amended by Senate Committee*

*Session of 2007*

## SENATE BILL No. 9

By Senator Journey

12-8

AN ACT regulating traffic; concerning video or television-type receiving equipment; amending K.S.A. 8-1748 and repealing the existing section.

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

Section 1. K.S.A. 8-1748 is hereby amended to read as follows: 8-1748. (a) ~~No motor vehicle operated on the highways of this state shall be equipped with television-type receiving equipment so located that the viewer or screen~~ *The operation of any video or television-type receiving equipment by any person in a moving motor vehicle shall be unlawful, if the viewer or screen of such equipment is so located that it is visible from the driver's seat.*

(b) This section does not prohibit: (1) The use of television-type receiving equipment used exclusively for safety or law enforcement purposes, if such use is approved by the superintendent of the Kansas highway patrol; or (2) electronic displays used in conjunction with vehicle navigation systems.; ~~(3) the use of video or television-type equipment in utility service vehicles for the purpose of sending or receiving data relevant to utility operations; or (4) the use of video or television-type receiving equipment used in a commercial motor vehicle, as defined in subsection (c) for sending, receiving or monitoring data relevant to such commercial motor vehicle's operation;~~ (5) the use of video or television-type equipment in a vehicle operated by personnel employed directly by or on contract with a broadcast station, or on a free lance basis, for sending, receiving, editing, or monitoring information relevant to the personnel's job function for a broadcast station.

*(c) As used in this section:*

(1) *"Commercial motor vehicle" means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:*

*(A) Has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;*

*(B) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or*

*(C) is used in transporting material found by the federal secretary of transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by such secretary under 49 C.F.R., subtitle B, chapter 1 subchapter C[; or (5) a visual display used to enhance or supplement the driver's view forward, behind or to the sides of a motor vehicle].*

(2) *"Utility service vehicle" means a vehicle owned or operated by a utility providing electric, electric transmission, natural gas, propane, telecommunications, cable television, satellite television, internet, water or sewer services and underground locaters and municipal vehicles.*

Sec. 2. K.S.A. 8-1748 is hereby repealed.

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