

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 3, 2009, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Jerry Henry- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Hank Avila, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Representative Richard Proehl
Representative Pat Maloney
Kevin Gregg, Director of Relations, KS Motor Carriers Ass'n.

Others attending:

See attached list.

The next meeting is scheduled for February 4, 2009.

The meeting was adjourned at 2:30p.m.

Chairman Hayzlett called the meeting to order and opened the hearing on **HB 2045**.

HB 2045 - Designating bridge no.85 on U.S. highway 166 in Labette county as the veterans memorial bridge.

The Chairman recognized Representative Richard Proehl who spoke in support of **HB 2045** relating to bridge No. 85 located on US Highway 166 in Labette County. He asked that the bridge be named the Veterans Memorial Bridge. (Attachment #1) According to Representative Proehl the Chetopa Memorial VFW Post #10508 requested the naming of bridge No. 85 be the Veterans Memorial Bridge.

There were no other proponents and no opponents. After all questions were answered the Chairman closed the hearing on **HB 2045**.

Chairman Hayzlett opened the hearings on **HB 2129**.

HB 2129 - Driver's licenses, classes thereof; farm registered vehicles.

The Chairman asked staff to explain **HB 2129** to the Committee. In brief the bill says that if the vehicle is registered as a farm vehicle it can be operated with a class C license. This bill also cleans up some previous language concerning fire trucks.

Chairman Hayzlett recognized Representative Maloney. According to Representative Maloney one of the major reasons for **HB 2129** is the differing interpretations of the driver's licensing requirements for farm tagged vehicles from local enforcement agencies. (Attachment #2) He said the current statute pertaining to drivers licensing requirements for farm tagged vehicles is not clear. Representative Maloney concluded by saying **HB 2129** makes the necessary changes to the current statute to clarify the drivers licensing requirements for farm tagged vehicles.

There were no other proponents.

The Chairman drew the Committee's attention to written testimony submitted in support of **HB 2129** by Kirk and Kathy Larson. (Attachment #3)

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on February 3, 2009, in Room 783 of the Docking State Office Building.

Chairman Hayzlett recognized Kevin Gregg with the Motors Carrier Association as an opponent of HB 2129. According to Mr. Gregg the Motor Carriers Association does not believe that allowing an 18 year old to drive a farm truck tractor semitrailer combination vehicle with only a Class C driver's license is reasonable. (Attachment #4) The KMCA strongly believes that anyone wishing to operate an 18-wheeler should be required to take a driving test in a truck tractor semitrailer combination to show that they have the appropriate knowledge and ability to do so. He concluded by asked the Committee to not pass out HB 2129.

There were no other opponents so the Chairman closed the hearings on HB 2129.

There was a brief discussion about the graduated drivers licenses and the proposal the sub-committee is working on.

There being no further business before the Committee the Chairman adjourned the meeting.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: February 3, 2009

NAME	REPRESENTING
Don Seebor	KARA/KGFF
Terry Heidner	KDOT
Stanna W. Klu	KAC
Ron Geeler	GBA
Sean Milner	CAPITOL STRATEGIES
KEVIN GREGG	KMCA
Deann Williams	KDOR

STATE OF KANSAS

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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN: FINANCIAL INSTITUTIONS
MEMBER: ENERGY AND UTILITIES
INSURANCE
TRANSPORTATION

House Bill 2045
Testimony of
Representative Richard Proehl
to the
House Transportation Committee

February 3, 2009

Chairman Hayzlett and Members of the Committee,

I am Rich Proehl, 7th District Representative. I am testifying in support of HB 2045 relating to bridge no. 85 on United States Highway 166 in Labette County and naming the bridge Veterans Memorial Bridge.

The Chetopa Memorial VFW Post #10508 request that bridge no. 85 be named Veterans Memorial Bridge. This matter has been discussed among the citizens of Chetopa since the new bridge was completed. A survey was conducted through the Chetopa Advance newspaper, now named the Labette Avenue, as to what name the citizens would like to see on the bridge. The consensus was overwhelmingly "Veterans Memorial Bridge".

The fiscal note on this bill is \$1,170.00. The citizens of Chetopa and the Chetopa Memorial VFW Post #10508 will raise the money for this project. Commander Bill Buckley may be reached at 1010 Maple Street, Chetopa, KS 67333, 620-236-7932. I have attached a copy of the fiscal note dated January 23, 2009, from Duane A. Goossen, Director of the Budget.

Thank you for the opportunity to appear in support of HB 2045. I will be happy to stand for questions at the appropriate time.

House Transportation
Date: 2-3-09
Attachment # 1

January 23, 2009

The Honorable Gary Hayzlett, Chairperson
House Committee on Transportation
Statehouse, Room 242-W
Topeka, Kansas 66612

Dear Representative Hayzlett:

SUBJECT: Fiscal Note for HB 2045 by Representative Proehl

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2045 is respectfully submitted to your committee.

HB 2045 would designate bridge no. 85 on U.S. Highway 166 in Labette County as the Veterans Memorial Bridge. Signs to indicate this designation would not be erected until the Secretary of Transportation has received sufficient monies from gifts and donations to cover the cost of placing the signs and an additional 50.0 percent of that amount to cover future maintenance or replacement of the signs.

Estimated State Fiscal Effect				
	FY 2009 SGF	FY 2009 All Funds	FY 2010 SGF	FY 2010 All Funds
Revenue	--	--	--	\$1,170
Expenditure	--	--	--	\$780
FTE Pos.	--	--	--	--

The Kansas Department of Transportation states that two signs would need to be planned, manufactured, installed, and maintained for the bridge designated by HB 2045. HB 2045 would require that the amount necessary to pay for and maintain this set of signs be collected before placement of the signs would occur. The cost of these two signs, including installation, would be \$780. The additional 50.0 percent needed for future maintenance would be \$390; the agency

The Honorable Gary Hayzlett, Chairperson
January 23, 2009
Page 2—2045

would have to receive \$1,170 from donations before installing the signs. Any fiscal effect resulting from enactment of this bill has not been included in *The FY 2010 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script that reads "Duane A. Goossen". The signature is written in black ink and is positioned above the printed name and title.

Duane A. Goossen
Director of the Budget

cc: Ethan Erickson, Transportation

STATE OF KANSAS

PAT MALONEY
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TOPEKA
HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
AGRICULTURE AND NATURAL RESOURCES
TRANSPORTATION

February 3, 2009

Testimony House Bill 2129

I come before you on behalf of HB 2129. The intent of the law has always been to allow farmers to haul their own production to town without excessive requirements because of the seasonal nature of the business. The trend on farms today is to go to the tractor-trailer combination for efficiency purposes.

The problem has been the differing interpretations of the driver's licensing requirements for farm tagged vehicles from our local law enforcement agencies. The current statute pertaining to driver's licensing requirements for farm tagged vehicles is not clear and seems to contain contradictions among the different sections. This is particularly true as it relates to combination vehicles. As farmers, at harvest time, relatives and part time help, are needed to deliver grain to the elevators. It is currently a struggle to make sure farmers are in compliance with driver's license requirements on farm tagged vehicles because of the non-uniform enforcement of the current statute. HB 2129 makes the necessary changes to the current statute to clearly spell out the driver's licensing requirements for farm tagged vehicles.

House Transportation
Date: 2-3-09
Attachment # 2

Gary Hayzlett - H 2129

From: Kirk and Kathy Larson <kathyandkirk@embarqmail.com>
To: <gary.hayzlett@house.ks.gov>
Date: 2/1/2009 10:28 PM
Subject: H 2129

Dear Representative Hayzlett,

I am writing to urge your support for House Bill 2129 that is scheduled for hearings on 2/3/2009 in the Transportation Committee. We have experienced differing interpretations of the driver's licensing requirements for farm tagged vehicles from our local law enforcement agencies. The current statute pertaining to driver's licensing requirements for farm tagged vehicles is not clear and seems to contain contradictions among the different sections. This is particularly true as it relates to combination vehicles. As an owner/operator of a family farm, we use relatives and part-time help at harvest to help deliver our grain to the elevator. It is currently a struggle to make sure we are in compliance with driver's license requirements on farm tagged vehicles because of the non-uniform enforcement of the current statute. House Bill 2129 makes the necessary changes to the current statute to clearly spell out the driver's licensing requirements for farm tagged vehicles. Again, I am asking for your support of this bill.

Thank You,

Kirk Larson
22715 S Dean Rd
Pretty Prairie, KS 67570
620-459-6610 home
620-727-3478 cell
kathyandkirk@embarqmail.com

House Transportation
Date: 2-3-09
Attachment # 3



Kansas Motor Carriers Association

Trucking Solutions Since 1936

Legislative Testimony

before the

HOUSE TRANSPORTATION COMMITTEE

Representative Gary Hayzlett, Chairman

Tuesday, February 3, 2009

Larry Dinkel
Jim Mitten Trucking, Inc.
President

Michael Topp
TT&T Salvage & Towing, Inc.
Chairman of the Board

Jason Hammes
Frito Lay Service &
Distribution
First Vice President

Sherwin Fast
Great Plains Trucking
Second Vice President

Larry Graves
Farmers Oil, Inc.
Treasurer

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

Ken Leicht
Rawhide Trucking, Inc.
ATA State Vice President

Mike Miller
Miller Trucking, LTD
ATA Alternate State VP

Calvin Koehn
Circle K Transport, Inc.
Public Relations Chairman

Tony Gaston
Rawhide Trucking
Pro Truck PAC Chairman

Jeff Robertson
JMJ Projects, Inc.
Foundation Chairman

Bill Johnston
Northcutt, Inc.
Allied Industries Chairman

Tom Whitaker
Executive Director

MR. CHAIRMAN AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE:

I am Kevin Gregg, director of industry relations for the Kansas Motor Carriers Association. I appear here this afternoon representing our 1,100 member firms and the Kansas trucking industry in opposition to the provisions of House Bill No. 2129.

HB 2129 would allow an eighteen year old to drive a farm truck tractor semitrailer combination vehicle with only a Class C driver's license. Current law requires a Class A drivers license to operate a farm truck tractor semitrailer combination vehicle and eighteen year olds are eligible for this drivers' license.

This provision dates back to the 1989 session of the Kansas Legislature when the requirements of the Commercial Drivers' License (CDL) were adopted. Kansas chose to include an exemption from the CDL for farm vehicles registered as a farm truck or truck tractor; used to transport either agricultural products, farm machinery, farm supplies, or both, to or from a farm; not used in the operations of a common or contract carrier; and used within 150 air miles of any farm or farms owned or leased by the registered owner of such farm vehicle. At that time, Legislative leaders believed that operators of a farm truck tractor semitrailer combination vehicles should still be required to obtain a Class A driver's license. All other farm trucks may be operated with a Class C drivers' license.

The requirements for a Class A drivers' license include: passage of a written examination (the same written test required for a Class C drivers' license) and a driving test in a vehicle in the class of license being requested. KMCA strongly believes that anyone that wishes to operate an 18-wheeler should show that such individual has the knowledge and ability to do so.

We do not believe that taking a driving test in a truck tractor semitrailer combination is an unreasonable or burdensome requirement to assure safe operation of this size of vehicle. Mr. Chairman, KMCA respectfully requests that the House Transportation Committee refrain from taking action on House Bill No. 2129.

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

House Transportation
Date: 2-3-09
Attachment # 4