

SESSION OF 2002

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2693

As Amended by Senate Committee of the Whole

Brief*

HB 2693 pertains to: (1) the use of the compression release engine braking system by truck drivers; and (2) the use of neon ground effect lighting.

Compression Release Engine Braking System Provisions.

These provisions would make it unlawful for a driver of a motor vehicle to use or cause to be used or operated a compression release engine braking system without the vehicle being equipped with a muffler in accordance with current law. The fine for improper compression release engine braking system use would be \$60. The bill defines "compression release engine braking system" as a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

Neon Ground Effect Lighting Provisions.

These provisions would allow a motor vehicle to be equipped with neon ground effect lighting. The lighting, however, could not be any shade of red. The bill defines "neon ground effect lighting" as lighting placed underneath the motor vehicle for the purpose of illuminating the ground below the motor vehicle, creating a halo light effect.

Background

HB 2693, as introduced, was requested and supported by Representative McKinney. He said that the bill was requested by a constituent who owns and operates a motel located on the edge of Greensburg, Kansas. It was noted that there are times when truck traffic is heavy and when truckers approach town they apply the engine

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.accesskansas.org/legislature/>

brake, creating much noise. The Assistant Legal Counsel of the League of Kansas Municipalities also testified on the bill. He noted that many cities have adopted ordinances to minimize or eliminate the loud and annoying noise that results from the operation or use of this braking system. Also testifying on the measure was the Executive Director of the Kansas Motor Carriers Association. He pointed out that this braking system provides the truck with a supplemental retarding device, providing drivers with a measure of reassurance while traveling hilly terrain, and saving on engine and brake wear and tear. He added that because of a critical value associated with engine brakes, over 70 percent of all new heavy-duty trucks are equipped with these devices. The Executive Director further testified that engine braking devices are not loud when the truck is equipped with a muffler and suggested the bill be amended to target trucks which pose the greatest noise problem—those with engine brakes but without mufflers.

The House Committee amendment, as noted, was proposed by the Executive Director of the Kansas Motor Carriers Association.

The Senate Committee of the Whole added the provisions relative to neon ground effect lighting.

An updated fiscal note is pending.