

SESSION OF 2004

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2661**

As Amended by House Committee on  
Transportation

**Brief\***

The bill would enact new statutes and amend existing law regarding motor carriers regulated by the Kansas Corporation Commission (KCC). New law would:

- ! state that the KCC's authority to regulate motor carriers would be broadly construed to implement the act; and
- ! grant to the KCC full authority to supervise and control motor carriers doing business or procuring business in the state, including authority to:
  - " inquire into any neglect or violations of laws governing motor carriers by any carrier or any customer of a carrier;
  - " inspect each carrier's condition, equipment, conduct, and management in regard to public safety and convenience; and
  - " examine all accounts and records pertinent to regulation of motor carriers.

Existing law would be amended to:

- ! narrow the exemption from regulation for motor vehicles used to transport water. The new provision would exempt vehicles used to transport water for domestic use (defined as the use of water by any person or by a family unit or household for household purposes, or for the watering of livestock, poultry, farm and domestic animals used in operating a farm, and for the irrigation of lands not exceeding a total of two acres in area for the growing of

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\*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.kslegislature.org>

gardens, orchards, and lawns) or livestock consumption; and

- ! clarify that the Commission's regulatory authority, including its authority to impose fines for violations of the motor carrier statutes and implementing rules and orders, extends to those persons who operate without required authorization, certificates, or permits.

## **Background**

The bill was requested for introduction by the KCC to clarify provisions of the motor carrier statutes. Representatives of the Commission and the Kansas Motor Carriers Association testified in support of the bill. A representative of the Kansas Livestock Association presented testimony in opposition to the bill.

Subsequent to the Transportation Committee's hearing, the KCC, Kansas Livestock Association, and Kansas Motor Carriers Association developed amendments that were adopted by the House Committee.

Those amendments would:

- ! include in the act a cross reference to a definition of domestic water use in order to clarify when transporting water would be exempt from the act; and
- ! eliminate language that would have authorized the KCC to examine information maintained by customers of motor carriers, in certain circumstances.

The Division of the Budget's fiscal note on the introduced version of the bill is not pertinent to the bill as amended by the House Committee.