

HOUSE BILL No. 2025

By Committee on Appropriations

1-18

1 AN ACT concerning the regulation of motor carriers; exemptions of
2 certain carriers; amending K.S.A. 2010 Supp. 66-1,109 and repealing
3 the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 66-1,109 is hereby amended to read as
7 follows: 66-1,109. This act shall not require the following carriers to
8 obtain a certificate, license or permit from the commission or file rates,
9 tariffs, annual reports or provide proof of insurance with the commission:

10 (a) Transportation by motor carriers wholly within the corporate
11 limits of a city or village in this state, or between contiguous cities or
12 villages in this state or in this and another state, or between any city or
13 village in this or another state and the suburban territory in this state
14 within three miles of the corporate limits, or between cities and villages
15 in this state and cities and villages in another state which are within
16 territory designated as a commercial zone by the relevant federal
17 authority, except that none of the exemptions specified in this subsection
18 (a) shall apply to wrecker carriers;

19 (b) a private motor carrier who operates within a radius of ~~25~~ 100
20 miles beyond the corporate limits of its city or village of domicile, or who
21 operates between cities and villages in this state and cities and villages in
22 another state which are within territory designated as a commercial zone
23 by the relevant federal authority;

24 (c) the owner of livestock or producer of farm products transporting
25 livestock of such owner or farm products of such producer to market in a
26 motor vehicle of such owner or producer, or the motor vehicle of a
27 neighbor on the basis of barter or exchange for service or employment, or
28 to such owner or producer transporting supplies for the use of such owner
29 or producer in a motor vehicle of such owner or producer, or in the motor
30 vehicle of a neighbor on the basis of barter or exchange for service or
31 employment;

32 (d) (1) the transportation of children to and from school; (2) ~~to~~ motor
33 vehicles owned by schools, colleges, and universities, religious or
34 charitable organizations and institutions, or governmental agencies, when
35 used to convey students, inmates, employees, athletic teams, orchestras,
36 bands or other similar activities; or (3) motor vehicles owned by

1 nonprofit organizations meeting the qualification requirements of section
2 501(c) of the internal revenue code of 1986, and amendments thereto,
3 when transporting property or materials belonging to the owner of the
4 vehicle;

5 (e) a new vehicle dealer as defined by K.S.A. 8-2401, and
6 amendments thereto, when transporting property to or from the place of
7 business of such dealer;

8 (f) motor vehicles carrying tools, property or material belonging to
9 the owner of the vehicle and used in repair, building or construction
10 work, not having been sold or being transported for the purpose of sale;

11 (g) persons operating motor vehicles which have an ad valorem tax
12 situs in and are registered in the state of Kansas, and used only to
13 transport grain from the producer to an elevator or other place for storage
14 or sale for a distance of not to exceed 50 miles;

15 (h) the operation of hearses, funeral coaches, funeral cars or
16 ambulances by motor carriers;

17 (i) motor vehicles owned and operated by the United States, the
18 District of Columbia, any state, any municipality or any other political
19 subdivision of this state, including vehicles used exclusively for handling
20 U.S. mail, and the operation of motor vehicles used exclusively by
21 organizations operating public transportation systems pursuant to 49
22 U.S.C. ~~sections~~ §§ 5307, 5310 and 5311;

23 (j) any motor vehicle with a normal seating capacity of not more
24 than the driver and 15 passengers while used for vanpooling or otherwise
25 not-for-profit in transporting persons who, as a joint undertaking, bear or
26 agree to bear all the costs of such operations, or motor vehicles with a
27 normal seating capacity of not more than the driver and 15 passengers for
28 not-for-profit transportation by one or more employers of employees to
29 and from the factories, plants, offices, institutions, construction sites or
30 other places of like nature where such persons are employed or
31 accustomed to work;

32 (k) motor vehicles used to transport water for domestic purposes, as
33 defined by subsection (c) of K.S.A. 82a-701, and amendments thereto, or
34 livestock consumption;

35 (l) transportation of sand, gravel, slag stone, limestone, crushed
36 stone, cinders, calcium chloride, bituminous or concrete mixtures,
37 blacktop, dirt or fill material to a construction site, highway maintenance
38 or construction project or other storage facility and the operation of
39 ready-mix concrete trucks in transportation of ready-mix concrete;

40 (m) the operation of a vehicle used exclusively for the transportation
41 of solid waste, as the same is defined by K.S.A. 65-3402, and
42 amendments thereto, to any solid waste processing facility or solid waste
43 disposal area, as the same is defined by K.S.A. 65-3402, and amendments

1 thereto;

2 (n) the transporting of vehicles used solely in the custom combining
3 business when being transported by persons engaged in such business;

4 (o) the operation of vehicles used for servicing, repairing or
5 transporting of implements of husbandry, as defined in K.S.A. 8-1427,
6 and amendments thereto, by a person actively engaged in the business of
7 buying, selling or exchanging implements of husbandry, if such operation
8 is within 100 miles of such person's established place of business in this
9 state;

10 (p) transportation by taxi or bus companies operated exclusively
11 within any city or within 25 miles of the point of its domicile in a city;

12 (q) a vehicle being operated with a dealer license plate issued under
13 K.S.A. 8-2406, and amendments thereto, and in compliance with K.S.A.
14 8-136, and amendments thereto, and vehicles being operated with a full-
15 privilege license plate issued under K.S.A. 8-2425, and amendments
16 thereto;

17 (r) the operation of vehicles used for transporting materials used in
18 the servicing or repairing of the refractory linings of industrial boilers;

19 (s) transportation of newspapers published at least one time each
20 week;

21 (t) transportation of animal dung to be used for fertilizer;

22 (u) the operation of ground water well drilling rigs;

23 (v) the transportation of cotton modules from the field to the gin;
24 and

25 (w) the transportation of custom harvested silage, including, but not
26 limited to, corn, wheat and milo.

27 Sec. 2. K.S.A. 2010 Supp. 66-1,109 is hereby repealed.

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