

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary Hayzlett at 1:30 p.m. on February 24, 2003 in Room 519-S of the Capitol.

All members were present except:

Representative Mary Kauffman, excused  
Representative Waldenia Winn, excused

Committee staff present:

Bruce Kinzie, Revisor  
Hank Avila, Legislative Research Dept.  
Mary Galligan, Legislative Research Dept.  
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Mike Hoeme, Director, Traffic Division, Kansas Corporation Commission  
Tom Whitaker, Executive Director, KS Motor Carriers Association  
Sandy Braden, representing the Alliance of Automobile Manufacturers  
Don McNeely, Kansas Automobile Dealers Association  
Steve Kearney, Executive Director, KS Automotive Recyclers Ass'n.

Others attending:

See attached list

**HB 2160 - Motor carrier, fees**

Chairman Hayzlett opened hearings on **HB 2160** by introducing Mike Hoeme, Director, Traffic Division, KCC. He testified as a proponent of **HB 2160** which revises the fee schedules found in KSA 66-1a01 for motor carrier applications and registrations. (Attachment 1) According to Mr. Hoeme the current fee structure for motor carrier applications and registrations has been in place since 1937. The KCC has decided, due to significant changes in the motor carrier industry and inflation, that these fees are insufficient to accomplish important goals, and therefore proposes certain fees be raised. The KCC proposes three sets of fees paid for particular types of applications and registrations. First, the fees for intrastate public motor carrier applications are revised from \$25 to \$250. Second, the application fees for private and exempt motor carrier registrations, and certain existing license and permit revisions, are increased from \$10 to \$100. Finally, the late fee for a motor carrier's failure to timely complete renewal applications has been altered to the cost of the new application for authority. He stood for questions from the Committee.

Tom Whitaker was the next proponent to speak. He said the KS Motor Carrier Association was in support of this bill. He said they do not feel these fees will be a burden and will help the KCC meet the statutory requirements that this legislature passed a couple years ago and continue efforts they are making to make it a lot safer on the roads when you share the roads with trucks.

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There were no other proponents and no opponents so the Chairman closed the hearing on **HB 2160**.

**HB 2190 - Air bags, unlawful installation**

Chairman Hayzlett opened the hearings on **HB 2190** and introduced Sandy Braden, appearing on behalf of the Alliance of Automobile Manufacturers. (Attachment 2) Ms. Braden said the Alliance supports **HB 2190**, which would prohibit the installation or reinstallation of any object in lieu of an air bag that was designed in accordance with the federal safety regulations for the make, model and year of vehicle, as part of a vehicle inflatable restraint system. She stood for questions from the Committee.

The second proponent for **HB 2190** was Don McNeely, President of KS Automobile Dealers Ass'n. (Attachment 3) Mr. McNeely said he was appearing in support of this bill. He said federal law does not require that deployed air bags be replaced or regulate the manner in which such air bags are replaced. He concluded that while **HB 2190** does not address all of the problems associated with the installation, reinstallation or replacement of air bags, it is a good first step for the safety of our citizens.

There being no additional proponents, Chairman Hayzlett called for opponents.

The only opponent for **HB 2190** was Steve Kearney, Executive Director of the Kansas Automotive Recyclers Ass'n. Mr. Kearney said some of the Association's concerns are: the reference to "federal safety regulations" in this bill because they do not think such regulations exist. Also if the intent of this bill is to help prevent a perceived fraud problem then they believe there are already sufficient laws with both criminal and civil penalties currently on the Kansas books. Their last concern was not to have vague legislation with undefined terms.

There being no further questions and no other opponents the Chairman closed the hearing on **HB 2190**.

**HB 2244 - Corporation commission, motor carriers, railroads**

The Chairman introduced Mike Hoeme, Director of Traffic Division, KCC who testified as a proponent of **HB 2244**, which proposed changes to the motor carrier act. The changes proposed are clean-up changes with an eye toward increasing the effectiveness and efficiency of KCC regulations. The proposed changes are found in (Attachment 5). Mr. Hoeme stood for questions from the Committee.

The Chairman introduced Tom Whitaker as a proponent. He said his Association was in support of this bill which basically eliminates contract carriers. We do support the impoundment provision because those carriers have been given a show-cause due process and not complied with it.

There were no other proponents and no opponents so the Chairman closed the hearing on **HB 2244**.

The Chairman called for final action on **HB 2160**. Representative Beggs made a motion to move HB 2160 out favorable, the motion was seconded by Representative Ballard. After some discussion the

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motion carried.

The meeting adjourned at 2:40. The next meeting will be Tuesday, February 25, 2003.