

SESSION OF 2013

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2177

As Amended by House Committee on
Transportation

Brief*

HB 2177 would amend certain statutes related to motor carriers:

- It would delete an outdated reference to a "local wrecker permit";
- It would require each intrastate driver for a private motor carrier, in addition to each intrastate driver for a public motor carrier, to be at least 18 years old and clearly would exempt the intrastate driver of a farm vehicle from that age requirement;
- It would amend the seating capacity of a motor vehicle exempt from state motor carrier rules and regulations when not transporting people for profit from 15 plus the driver to 15 including the driver;
- It would remove an exemption from state motor carrier rules and regulations for vehicles used to transport water for domestic or livestock consumption (which are exempted elsewhere in statute); and
- It would remove language related to materials authorized to be transported by intrastate farmers.

*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>

Background

The bill was requested by the Kansas Corporation Commission (Commission), and a representative of the Commission's Transportation Division testified in support of the bill. The Commission representative said no wrecker permits have been issued in many years and said other changes in the bill were recommended by the Federal Motor Carrier Safety Administration. He said the change in vehicle capacity would reflect current vehicle sizes, vehicles transporting water for domestic or livestock use are exempted from regulation in other law, and the provisions regarding materials authorized to be transported by intrastate farmers in nonspecification bulk packaging are redundant to provisions in the Commission's rules and regulations. He explained a private carrier is one that uses its equipment to transport its own goods, not those of other businesses. A representative of the Kansas Motor Carriers Association testified in support of the bill. There was no other testimony.

The House Committee on Transportation amended the bill to exempt the driver of a farm vehicle from a requirement all drivers for public or private carriers be at least 18 years old, to clearly allow those with farm permits to drive farm vehicles.

A farm permit is available to a person at least 14 years old but younger than 17 who lives on a farm or who is employed for compensation on a farm (KSA 2012 Supp. 8-296). A farm permit allows its holder to drive a Class C vehicle, the definition of which includes any single vehicle with a gross vehicle weight rating less than 26,001 pounds, any such vehicle towing a vehicle not exceeding 10,000 pounds gross vehicle weight rating, a combination of those, or any single vehicle registered as a farm truck (KSA 2012 Supp. 8-234b).

The fiscal note from the Division of the Budget on the original bill states the bill would have no fiscal effect on the Commission.