

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2715

As Amended by House Committee of the Whole

Brief*

HB 2715 would create law related to transportation of farm implements by implement dealers on the highways. An implement dealer who obtains a permit for an oversize or overweight vehicle would be allowed to move or transport farm tractors, implements of husbandry, combines, fertilizer dispensing equipment, or other farm machinery on certain highways in Kansas. The bill would create an annual permit available to an implement dealer and would specify an implement dealer could use a single-trip permit for this purpose. Such movement would be required to meet certain conditions related to load size, would be restricted to daylight hours, and could not use any highway that is part of the National System of Interstate and Defense Highways. The bill would allow the equipment or machinery to be moved on a trailer or semi-trailer, pinned to a truck or truck tractor and traveling on its own wheels, or under its own power. The bill would allow an implement dealer or its employees to move farm machinery when towing such machinery behind a farm tractor within a 100-mile radius of the implement dealer's place of business when both the farm tractor and the equipment or machinery are equipped with flashing lights on both the front and rear; any machinery designed for or normally moved at speeds less than 25 miles per hour would be required to clearly display a slow-moving vehicle emblem. The bill would define an "implement dealer" as a person or business that buys, sells, or services farm tractors, implements of husbandry, or other farm machinery in the regular course of business.

*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>

The bill would amend existing law to clarify provisions related to permits for oversize or overweight vehicles operated on highways. The bill would state no special permit would be required of an implement dealer who has obtained an annual permit and follows the conditions noted above, and it would clarify no permit is required to authorize the moving of farm equipment on any highway, regardless of the operator.

The bill would add farm tractors operated by an implement dealer or the dealer's employee to a list of vehicles exempt from the Uniform Commercial Driver's License Act when the farm tractor is moved or transported in accordance with the permit requirements in the new section of law. The bill also would correct and clarify references to codes of military justice in an exception related to military vehicles.

Background

The bill was requested by a representative of the SouthWestern Association, a trade group of retailers of farm machinery, construction, and outdoor power equipment. Representative Estes testified in support of the bill, as did representatives of the SouthWestern Association; American Implement, Garden City; and the Department of Agriculture. A representative of the Kansas Livestock Association presented neutral testimony. The representative of the SouthWestern Association and the representative of the Kansas Livestock Association each requested amendments to the bill. Written proponent testimony was received from the chief executive officer of the SouthWestern Association and from a representative of Kansas Farm Bureau. There was no testimony opposing the bill.

The House Committee amended the bill as requested by the SouthWestern Association regarding slow-moving vehicle emblems and commercial driver's licenses, and as requested by the Kansas Livestock Association regarding when a permit

would not be required to move farm machinery on the highway. The Committee also amended the definition of implement dealer to include those who buy, sell, or service farm equipment.

The House Committee of the Whole amended the bill to correct the term “Uniform Code of Military Justice” and to add a reference to the Kansas Code of Military Justice.

A map showing which Kansas highways are included in the National Highway System is available from the Federal Highway Administration at http://www.fhwa.dot.gov/planning/national_highway_system/nhs_maps/kansas/. These include interstate and U.S. highways, such as US-36 and US-50.

In the fiscal note, the Kansas Department of Transportation says any fiscal effect on agency operations from the bill would be negligible.