



Kansas Motor Carriers Association

Trucking Solutions Since 1936

Kimberly Bonhart
United Parcel Service, Inc.
President

Louis Thompson
Christenson Transportation Inc.
Chairman of the Board

Mike Short
Short & Son Inc.
First Vice President

Lori Borgan
Convoy Systems, LLC
Second Vice President

Brett Weis
Great Plains Trucking
Treasurer

Larry "Doc" Criqui
Kansas Van & Storage
Criqui Corp.
Corporate Secretary

Mike Miller
Miller Trucking LTD
ATA State Vice President

Jason Hammes
Fairview Express LLC
ATA Alternate State VP

Ken Leicht
Miller Trucking LTD/Frito Lay
Public Relations Chairman

Jane DeClue
DeClue Transport
ProTruck PAC Chairman

Jeff Robertson
T T & T Salvage & Towing, Inc.
Foundation Chairman

Mel Graves
S & G Associates
Allied Industries Chairman

Tom Whitaker
Executive Director

Legislative Testimony

by the

Kansas Motor Carriers Association

Presented To The

House Transportation Committee

Representative Richard Proehl, Chairman

Thursday, March 12, 2015

In Support of Senate Bill No. 150

MR. CHAIRMAN AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE:

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this afternoon representing our 930 member-firms and the Kansas trucking industry in support of Senate Bill No. 150. The legislation before you will allow a duly authorized representative of a corporation or counsel for such corporation to represent the corporation before the Kansas Corporation Commission (KCC) in matters concerning motor carrier civil penalties of \$500.00 or less. Current KCC regulations require an attorney to represent a corporation before the Commission.

KMCA requested SB 150 to address a situation involving a motor carrier, who is incorporated, attempting to discuss a \$150.00 KCC civil penalty for an out-of-service violation received from the Kansas Highway Patrol during a roadside inspection. When the motor carrier contacted the KCC concerning the civil penalty, it was determined that the motor carrier was incorporated and in order to discuss the issue, he must be represented by counsel. This doesn't make sense for a \$150.00 civil penalty.

KMCA contacted the KCC to find a solution for the requirement for counsel to represent a corporation. We understand the KCC's concerns that all officers, directors and stockholders of a corporation be protected from individual actions by an officer or employee of such corporation appearing before the Commission. The agreed upon solution is before you in SB 150.

SB 150 creates a "small claims" process for motor carriers contesting small civil penalties before the KCC without the expense of hiring an attorney. We appreciate the KCC Transportation Division's staff and attorney's willingness to work with KMCA in finding a solution for our situation and ask the House Transportation Committee to act favorably on SB 150. This legislation passed the Senate on a 40 to 0 vote.

Thank you for allowing KMCA to appear, I would be pleased to respond to questions.