



JENE VICKREY
HOUSE MAJORITY LEADER

March 16, 2016

Colleagues,

Before you is HB 2736, requiring probable cause to conduct spot checks of motor carriers. This bill highlights the stark difference in treatment of our commercial drivers vs other vehicles on the road.

While recognizing commercial licensing is a contract with the state and commercial drivers for the purpose of enhanced highway safety, this should not imply unending stops without even the lightest belief of any violation.

We allow for trucks to transport large loads on our roads with the understanding that they will be held to a higher safety standard. This is reasonable and understandable. However, stopping a vehicle because of it driving on a certain road, at a certain time or place should not in and of itself constitute a need, in the name of safety, to stop a commercial driver. And certainly a quota system is counterproductive to highway safety.

While I content highway safety must be a top priority, it must be balanced with individual liberty of our citizens regardless of their profession.

HB 2736 would amend K.S.A. 2015 Supp. 66-1324 adding that probable cause of a safety violation would need to be found by law enforcement before a compliance stop could be initiated. It is important to note, this change in no way would affect the funding we receive from the federal Motor Carrier Safety Assistance Program grants. Other states have taken this action as well including Michigan where probable cause must be found for safety inspections (Mich. Comp. Laws §480.17).

Over my time in the legislature I have seen the balance of government regulation tilt back and forth. But when our law abiding truckers are being routinely impeded in the course of their job, the legislature should act. Fundamentally, vehicle stops without merit are not only against what I have always believed is the role of government, it also violates a basic small government principal of our Kansas Legislature and an intrusion into each person's federally guaranteed 4th amendment rights.

I encourage your support on HB 2736.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, reading "Jene Vickrey". The signature is written in a cursive, flowing style.

Representative Jene Vickrey
Kansas House Majority Leader
District 6