

**TESTIMONY BEFORE THE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING SB 288 – AMENDMENT TO K.S.A. 8-2,135
ADDITIONAL RESTRICTION CODES ON COMMERCIAL DRIVER’S LICENSES
FOR COMPLIANCE WITH FEDERAL LAW**

March 25, 2015

Mr. Chairman and Committee Members:

I am Joel Skelly, Director of Policy for the Kansas Department of Transportation. I am testifying on behalf of KDOT in support of Senate Bill 288. The proposed bill would amend K.S.A. 8-2,135 to add restrictions on drivers operating under a commercial driver’s license (CDL).

SB 288 would add the following codes and restrictions that could be placed on a CDL.

“Z” for No Full air brake equipped commercial motor vehicle (CMV);

“E” for No Manual transmission equipped CMV;

“O” for No Tractor-trailer CMV;

“M” for No Class A passenger Vehicle;

“N” for No Class A and B passenger vehicle;

“K” for Interstate only; and

“V” for medical variance.

Federal regulations adopted by the Federal Motor Carrier Safety Administration (FMCSA) require that the states provide for the above restrictions on CDL’s issued from the state. Failure to be able to provide for such restrictions on CDL’s issued by the state can result in the withholding of federal funds.

Federal regulations provide for the withholding of up to 5% of federal funds to be apportioned to the state under the national highway performance program, the highway safety improvement program, and the congestion mitigation and air quality improvement program following the first year of noncompliance. The amount can be up to 10% of the allotted funds in second and subsequent years of noncompliance. For the state highway fund, this could amount to \$11,728,000 for the first year of noncompliance, and \$23,457,000 for the second and each subsequent year of noncompliance.

KDOT asks that the law take effect on July 1, 2015, to meet federal compliance deadlines.

I will be happy to answer any questions the committee has at this time.