

**Senate Substitute for HOUSE BILL No. 2225**

By Committee on Transportation

3-25

1 AN ACT regulating traffic; relating to oversize and overweight vehicles,  
2 permit fees; escort vehicle service, registration; amending K.S.A. 2018  
3 Supp. 8-1911 and repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) Commencing on and after January 1, 2020, each  
7 company that operates an escort vehicle service in this state shall register  
8 annually with the secretary of transportation in accordance with rules and  
9 regulations adopted by the secretary.

10 (b) Each application for registration shall be accompanied by the  
11 following:

12 (1) The name and address of the agent for service of process;

13 (2) proof that each vehicle operated in this state by the applicant  
14 maintains the required insurance, self-insurance or other financial security  
15 required pursuant to K.S.A. 40-3104, and amendments thereto;

16 (3) proof that each driver of an escort vehicle has a valid operator's  
17 license issued by a state or territory of the United States;

18 (4) proof that each driver has successfully completed an escort  
19 vehicle training course approved by the secretary; and

20 (5) such other information as the secretary may require.

21 (c) The secretary may revoke, suspend or refuse to issue a registration  
22 for any violation of this section.

23 Sec. 2. K.S.A. 2018 Supp. 8-1911 is hereby amended to read as  
24 follows: 8-1911. (a) The secretary of transportation with respect to  
25 highways under the secretary's jurisdiction and local authorities with  
26 respect to highways under their jurisdiction, in their discretion, upon  
27 application, may issue a special permit, ~~which~~ *such* term shall include an  
28 authorization number, to the owner or operator of an oversize or  
29 overweight vehicle. The special permit shall authorize the special permit  
30 holder to operate or move a vehicle or combination of vehicles ~~which~~ *that*  
31 exceed the limitations of this act, on a route, or routes, designated in the  
32 special permit and in accordance with the terms and conditions of the  
33 special permit.

34 (b) The application for the permit shall describe the vehicle, or  
35 combination of vehicles and all loads or cargo for which the special permit  
36 is requested, the route or routes on which operation is sought and whether

1 a single trip or annual operation is requested. One special permit may be  
2 issued for a vehicle or combination of vehicles, that are both oversize and  
3 overweight. A special permit under this section may be for a single trip or  
4 for annual operation. The special permit shall designate the route or routes  
5 that may be used and any other terms, conditions or restrictions deemed  
6 necessary. The secretary of transportation shall charge a fee for each  
7 permit or authorization number issued as provided for in subsection (f). No  
8 permit shall be required to authorize the moving or operating upon any  
9 highway, by an implement dealer, as defined in K.S.A. 2018 Supp. 8-1918,  
10 and amendments thereto, or employee thereof who possesses an annual  
11 permit and following all conditions set forth in K.S.A. 2018 Supp. 8-1918,  
12 and amendments thereto, of farm tractors, combines, fertilizer dispensing  
13 equipment or other farm machinery, or machinery being transported to be  
14 used for terracing or soil or water conservation work upon farms. No  
15 permit shall be required to authorize the moving or operating upon any  
16 highway of farm tractors, combines, fertilizer dispensing equipment or  
17 other farm machinery, or machinery being transported to be used for  
18 terracing or soil or water conservation work upon farms, or vehicles  
19 owned by counties, cities and other political subdivisions of the state,  
20 except that this sentence shall not: (1) Exempt trucks owned by counties,  
21 cities and other political subdivisions specifically designed and equipped  
22 and used exclusively for garbage, refuse or solid waste disposal operations  
23 from the maximum gross weight limitations contained in the table in  
24 K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on  
25 interstate highways.

26 (c) A permit shall be valid only when the registration on the power  
27 unit is equal to or exceeds the total gross weight of the vehicle. When the  
28 gross weight of the vehicle exceeds the upper limit of the available  
29 registration, the maximum amount of registration must be purchased. The  
30 provisions of this subsection shall not apply to a wrecker or tow truck, as  
31 defined in K.S.A. 66-1329, and amendments thereto, and registered in  
32 accordance with the provisions of K.S.A. 8-143, and amendments thereto.

33 (d) The secretary or local authority may issue or withhold the permit  
34 at the secretary's or local authority's discretion or may limit the number of  
35 trips, or establish seasonal or other time limitations within which the  
36 vehicles described may be operated on the highways, or may otherwise  
37 limit or prescribe conditions of operations of such vehicle or combination  
38 of vehicles, when necessary to assure against undue damage to the road.  
39 The secretary or local authority may require such undertaking or other  
40 security as may be deemed necessary to compensate for any injury to any  
41 roadway or road structure.

42 (e) Every permit shall be carried in the vehicle or combination of  
43 vehicles to which it refers and shall be open to inspection by any police

1 officer or authorized agent of any authority granting the permit. It shall be  
2 unlawful for any person to violate any of the terms or conditions of the  
3 special permit.

4 (f) The secretary of transportation shall charge and collect fees as  
5 follows:

6 (1) *Prior to January 1, 2020:*

7 (A) Twenty dollars for each single-trip permit;

8 ~~(B)~~ thirty dollars for each single-trip permit for a large structure, as  
9 defined by rules and regulations;

10 ~~(C)~~ fifty dollars for each single-trip permit for a superload, as  
11 defined by rules and regulations;

12 ~~(D)~~ twenty-five dollars for a five-year permit for vehicles  
13 authorized to move bales of hay under subsection (j) on noninterstate  
14 highways;

15 ~~(E)~~ one hundred and fifty dollars for each annual permit; or

16 ~~(F)~~ two thousand dollars per year for each qualified carrier  
17 company for special vehicle combination permits authorized under K.S.A.  
18 8-1915, and amendments thereto, plus \$50 per year for each power unit  
19 operating under such annual permit.

20 (2) *On and after January 1, 2020:*

21 (A) *Forty dollars for each single-trip permit;*

22 (B) *sixty dollars for each single-trip permit for a large structure, as*  
23 *defined by rules and regulations;*

24 (C) *one hundred dollars for each single-trip permit for a superload,*  
25 *as defined by rules and regulations;*

26 (D) *twenty-five dollars for a five-year permit for vehicles authorized*  
27 *to move bales of hay under subsection (j) on noninterstate highways;*

28 (E) *two hundred fifty dollars for each annual permit; or*

29 (F) *two thousand dollars per year for each qualified carrier company*  
30 *for special vehicle combination permits authorized under K.S.A. 8-1915,*  
31 *and amendments thereto, plus \$50 per year for each power unit operating*  
32 *under such annual permit.*

33 No fees shall be charged for permits issued for vehicles owned by  
34 counties, cities and other political subdivisions of the state. All permit fees  
35 received under this section shall be remitted to the state treasurer in  
36 accordance with the provisions of K.S.A. 75-4215, and amendments  
37 thereto. Upon receipt of each such remittance, the state treasurer shall  
38 deposit the entire amount in the state treasury to the credit of the state  
39 highway fund. The secretary may adopt rules and regulations for payment  
40 and collection of all fees. The secretary may adopt rules and regulations  
41 implementing the provisions of this section to prescribe standards for any  
42 permit program to enhance highway safety.

43 (g) If any local authority does not desire to exercise the powers

1 conferred on it by this section to issue or deny permits then such a permit  
2 from the local authority shall not be required to operate any such vehicle  
3 or combination of vehicles on highways under the jurisdiction of such  
4 local authority, but in no event shall the jurisdiction of the local authority  
5 be construed as extending to any portion of any state highway, any city  
6 street designated by the secretary as a connecting link in the state highway  
7 system or any highway within the national system of interstate and defense  
8 highways, which highways and streets, for the purpose of this section,  
9 shall be under the jurisdiction of the secretary.

10 (h) A house trailer, manufactured home or mobile home ~~which that~~  
11 exceeds the width as provided in ~~subsection (a) of K.S.A. 8-1902(a), and~~  
12 amendments thereto, may be moved on the highways of this state by  
13 obtaining a permit as provided in this section, if:

14 (1) The width of such house trailer, manufactured home or mobile  
15 home does not exceed 16<sup>1</sup>/<sub>2</sub> feet;

16 (2) the driver of the vehicle pulling the house trailer, manufactured  
17 home or mobile home has a valid driver's license; and

18 (3) the driver carries evidence that the house trailer, manufactured  
19 home or mobile home, and the vehicle pulling it, are covered by motor  
20 vehicle liability insurance with limits of not less than \$100,000 for injury  
21 to any one person, and \$300,000 for injury to persons in any one accident,  
22 and \$25,000 for injury to property.

23 For the purposes of this subsection, the terms "manufactured home"  
24 and "mobile home" shall have the meanings ascribed to them by K.S.A.  
25 58-4202, and amendments thereto.

26 (i) Upon proper application stating the description and registration of  
27 each power unit, the secretary of transportation shall issue permits for a  
28 period, from May 1 to November 15, for custom combine operators to tow  
29 custom-combine equipment on a trailer within legal dimensions or a trailer  
30 especially designed for the transportation of combines or combine  
31 equipment at the rate of \$10 per power unit. Each application shall be  
32 accompanied by information as required by the secretary. The permit shall  
33 allow custom combine operators to haul two combine headers on  
34 designated interstate highways provided:

35 (1) The vehicle plus the load do not exceed 14 feet in width;

36 (2) the move is completed during the period beginning 30 minutes  
37 before sunrise and ending 30 minutes after sunset; and

38 (3) the vehicle plus the load are not overweight.

39 (j) Except as provided in ~~paragraph (2) of subsection (d) of K.S.A. 8-~~  
40 ~~1902(d)(2), and amendments thereto, a vehicle loaded with bales of hay~~  
41 ~~which that~~ exceeds the width as provided in ~~subsection (a) of K.S.A. 8-~~  
42 ~~1902(a), and amendments thereto, may be moved on any highway~~  
43 designated as a part of the national network of highways by obtaining a

1 permit as provided by this section, if:

- 2 (1) The vehicle plus the bales of hay do not exceed 12 feet in width;  
3 (2) the vehicle plus the bales of hay do not exceed the height  
4 authorized under K.S.A. 8-1904, and amendments thereto;  
5 (3) the move is completed during the period beginning 30 minutes  
6 before sunrise and ending 30 minutes after sunset;  
7 (4) the vehicle plus the load are not overweight; and  
8 (5) the vehicle plus the load comply with the signing and marking  
9 requirements of ~~paragraph (3) of subsection (d) of~~ K.S.A. 8-1902(d)(3),  
10 and amendments thereto.

11 (k) If it is determined by the secretary of transportation that a person  
12 has been granted a permit and has not complied with the applicable  
13 provisions of this section and the rules and regulations of the secretary of  
14 transportation relating thereto, the secretary may cancel the permit and  
15 may refuse to grant future permits to the individual.

16 (l) (1) Vehicles operating under the provisions of a permit issued  
17 under subsection (a), ~~which~~ *that* exceed the width limitations prescribed by  
18 K.S.A. 8-1902, and amendments thereto, or the length provisions in  
19 K.S.A. 8-1904, and amendments thereto, shall have a sign attached ~~which~~  
20 *that* states "OVERSIZE LOAD" and the dimensions of the sign shall be a  
21 minimum of seven feet long and 18 inches high. Letters shall be a  
22 minimum of 10 inches high with a brush ~~stroke~~ *stroke* of not less than 1<sup>2</sup>/<sub>5</sub>  
23 inches. The sign shall be readily visible from a distance of 500 feet and  
24 shall be removed when the vehicle or load no longer exceeds the legal  
25 width dimensions prescribed by K.S.A. 8-1902, and amendments thereto,  
26 or the length provisions in K.S.A. 8-1904, and amendments thereto. Each  
27 such vehicle shall be equipped with red flags on all four corners of the  
28 oversize load.

29 (2) Vehicles operating under the provision of a permit issued under  
30 subsection (a), which exceed the weight limitations of K.S.A. 8-1908 or 8-  
31 1909, and amendments thereto, but do not exceed the width limitations  
32 prescribed by K.S.A. 8-1902, and amendments thereto, or the length  
33 provisions in K.S.A. 8-1904, and amendments thereto, shall not have a  
34 sign attached which states "OVERSIZE LOAD."

35 (m) (1) Vehicles operating under the provisions of a permit issued  
36 under subsection (a), ~~which~~ *that* exceed the width limitations prescribed by  
37 K.S.A. 8-1902, and amendments thereto, or the length provisions in  
38 K.S.A. 8-1904, and amendments thereto, shall not operate: ~~(i)~~ (A) During  
39 the time period between 30 minutes after sunset to 30 minutes before  
40 sunrise, unless specifically authorized under another statute or regulation;  
41 ~~(ii)~~ (B) under conditions where visibility is less than 1/2 mile; or ~~(iii)~~ (C)  
42 when highway surfaces have ice or snow pack or drifting snow.

43 (2) Vehicles operating under the provisions of a permit issued under

1 subsection (a), ~~which~~ *that* exceed the weight limitations of K.S.A. 8-1908  
2 or 8-1909, and amendments thereto, but do not exceed the width  
3 limitations prescribed by K.S.A. 8-1902, and amendments thereto, or the  
4 length provisions in K.S.A. 8-1904, and amendments thereto, may operate  
5 24-hour days, except that such vehicles shall not operate when highway  
6 surfaces have ice or snow pack or drifting snow.

7       Sec. 3. K.S.A. 2018 Supp. 8-1911 is hereby repealed.

8       Sec. 4. This act shall take effect and be in force from and after its  
9 publication in the statute book.