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ADAM W. SMITH  
120TH DISTRICT

**Chairman Petersen and members of the Senate Transportation Committee,**

Thank you for the opportunity to present testimony in support of HB2295.

The proposal in HB 2295 came about after several conversations with a local county commissioner in northwest Kansas regarding employees in their Road and Bridge department.



In rural counties, most county roads are gravel surface. The average county will have approximately 1000 miles to maintain multiple times per year. The workforce spends a considerable amount of time on road graders. These machines operate more like a farm tractor than a semi truck, yet require a Commercial Drivers License (CDL) to operate.

This is not a new issue. An Attorney General Opinion from June 20, 1997 (97-62) yielded a decision that grader operators are not exempt from needing a CDL under Kansas law. However, nothing was done at that time to create an exemption following that decision.

There was some concern expressed initially that an exemption could jeopardize our federal compliance and possible impact federal highway funds. A conference call on Feb. 11<sup>th</sup> 2021 with Ethan Spurling, Deanne Williams, and Kent Selk from KDOR confirmed that the exemption was such a narrow scope, it should not have any effect on compliance.

With job opportunities available, this exemption will allow rural areas to fill these positions with capable operators without the added expense of requiring a CDL.

Thank you for your time and thoughtful consideration,

A handwritten signature in black ink that reads "Adam W. Smith". The signature is fluid and cursive.

Representative Adam Smith