

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 19, 2004 in Room 519-S of the Capitol.

All members were present except:

Representative John Ballou- excused
Representative Kenny Wilk- excused

Committee staff present:

Mary Galligan, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Mike Hoeme, Director of Transportation Div., KCC
Durenda Mitchell, KS Livestock Association
Tom Whitaker, KS Motor Carriers Ass'n.
Bob Lockett, Premier Motors LLC
Michael Altenhofen, Nemaha Valley High School
Jim Edwards, KS Ass'n. of School Boards

Others attending:

See Attached List.

HB 2661 - Motor carriers, regulations thereof, penalties

Chairman Hayzlett opened the hearing on **HB 2661** by introducing Mike Hoeme, Director of Transportation Div. at KCC. According to Mr. Hoeme this bill will eliminate duplication and provide clarification to the motor carrier act. (Attachment 1) Mr. Hoeme said KCC had received the support of the Kansas Motor Carrier Association regarding **HB 2661**. This bill would enact new statutes and amend existing law regarding motor carriers regulated by the Kansas Corporation Commission.

There were no other proponents with written testimony. Tom Whitaker stood to acknowledge the support of the Kansas Motor Carriers Association.

Derenda J. Mitchell, Assistant Counsel, Kansas Livestock Association came forward in opposition of **HB 2661**. (Attachment 2) There were two areas of concern to their Association, according to Ms. Mitchell. They were concerned that the bill's language allowing the KCC to regulate the customers of motor carriers and not just the motor carriers themselves is overbroad and over-reaching. Second, they objected to the elimination of the exemption for hauling water for livestock and domestic use. They suggested the exemption be narrowed but not eliminated.

There were no other opponents. The Chairman closed the hearing on **HB 2661**.

HB 2745 - Fleet motor vehicles, permanent registration

Chairman Hayzlett opened the hearing on **HB 2745** by introducing Tom Whitaker, Executive Director of the Kansas Motor Carriers Association. (Attachment 3) According to Mr. Whitaker, **HB 2745** will allow commercial motor vehicle fleets of 100 or more vehicles to register such vehicles electronically and receive permanent license plates. Also, only vehicles that are state assessed for property tax purposes or vehicles that are exempt from the property tax would be eligible for the registration. This legislation will simplify the registration of fleets, such as United Parcel Service, by eliminating the annual ritual of tracking down each vehicle and affixing a new decal.

There were no other proponents and no opponents. The Chairman closed the hearing on **HB 2745**.

HB 2746 - Export certificate of titles

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE at 1:30 p.m. on February 19, 2004 in Room 519-S of the Capitol.

The Chairman opened the hearing on **HB 2746** by introducing Bob Locket, Premier Motorsports, LLC. (Attachment 4) According to Mr. Locket the bill would create a new certificate of title for certain motor vehicles. The new "export certificate of title" would only be issued to a first stage manufacturer who produces motor vehicles in Kansas and sells those vehicles to dealers located in a foreign country. A vehicle issued an export certificate of title would not have to be registered in Kansas. An export certificate of title could not be used to register a vehicle in the U.S.

There were no other proponents and no opponents. Chairman Hayzlett closed hearings on **HB 2746**.

HB 2859 - School attendance requirements for driving privileges

Chairman Hayzlett opened the hearing on **HB 2859** and Representative Larkin introduced a group of students from Nemaha Valley High School. One of the students, Michael Altenhofen, a spokesperson for his classmates explained their bill. (Attachment 5) Mr. Altenhofen explained that this bill imposed attendance requirements on high school students in order to maintain full driving privileges. According to the students, currently 16 states have some type of legislation that suspends or restricts the driving privileges of someone who drops out of high school. The intent of the bill, they feel, will help to discourage high school students from dropping out of school and getting involved with unacceptable social behaviors. Secondly, that such legislation will be a deterrent for those considering dropping out of school. The students felt **HB 2859** will have an impact on determining whether some kids choose the road to education or the road to the problems associated with dropouts. The students stood for questions.

The Committee commended the students and their teacher, Mr. Cook, for coming forward with this effort.

Jim Edwards, Governmental Relations Specialist for the Kansas Association of School Boards testified as a neutral on **HB 2859**. (Attachment 6) Mr. Edwards said he was there for the purpose of suggesting some changes in this bill. He provided some technical information to include definitions for truancy. He also pointed out that parents can currently allow their children to quit school between the ages of 16 and 18 and did not feel that the bill addressed that issue.

There were no more conferees on this bill. Chairman Hayzlett closed the hearing on **HB 2859**.

The Chairman called for final action on **HB 2745**. Representative Larkin made a motion to amend the bill to allow the definition of "fleet motor vehicles" to include commercial motor vehicle fleets of 250 or more vehicles to register the vehicles electronically and receive permanent license plates. These vehicles must be registered for a gross weight of at least 12,000 pounds but not more than 26,000 pounds. The motion was seconded by Representative Yonally and the motion passed. Representative Huff moved that **HB 2745, as amended** be passed, Representative Beggs seconded the motion and the motion carried.

Chairman Hayzlett called for final action on **HB 2746**. Representative Larkin moved this bill be favorably passed, the motion was seconded by Representative Long and the motion carried.

The Chairman adjourned the meeting. The next Committee meeting will be February 23rd, at 1:30 p.m. in Room 519-S.