

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2160

As Amended by Senate Committee on
Transportation

Brief*

HB 2160, as amended, would amend secured load requirements for trucks, trailers, and semitrailers hauling cotton bales under certain conditions. The bill would clarify the cotton bales could be transported by the cotton producer intrastate from the place of production or storage to a market, place of storage, or place of use if:

- The cotton bales are fully loaded from front to back in a single layer, and
- The truck, trailer, or semitrailer is equipped with cradles, and stakes, sideboards, or side posts that are no less than 12 inches high.

Background

The bill was introduced by the House Committee on Agriculture at the request of Representative Hoffman.

House Committee on Agriculture and Natural Resources

In the House Committee hearing, representatives of Kansas Cooperative Council, Kansas Farm Bureau, and a private citizen testified as **proponents** of the bill, indicating that specialized equipment would allow producers to get their product moved efficiently and safely.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Opponent testimony was provided by a representative of the Kansas Corporation Commission, indicating that federal highway funds were at risk for noncompliance with federal safety standards. Written-only opponent testimony was provided by a representative of the Kansas Highway Patrol.

No other testimony was provided.

The House Committee adopted amendments to:

- Specify the cotton bales must be transported by the producer to be exempt from loading requirements when traveling on highways;
- Allow the producer to have an unlimited range intrastate to transport the cotton bales rather than the proposed 150-mile range; and
- Adjust the minimum height of the stakes or side posts of the truck, trailer, or semitrailer.

Senate Committee on Transportation

In the Senate Committee hearing, representatives of the Kansas Cooperative Council and Southern Kansas Cotton Cooperative Association provided **proponent** testimony. The proponents stated the bill would allow the transport of cotton bales secured with physical restraints built into the design of trailers or semitrailers and would comply with federal safety standards. Written-only proponent testimony was provided by a representative of the Kansas Farm Bureau.

No other testimony was provided.

The Senate Committee amended the bill to add sideboards to a list of acceptable restraint equipment.

Fiscal Information

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, the Kansas Highway Patrol indicated enactment of the bill would make the state non-compliant with federal safety standards, causing up to \$17,005,622 of federal funds to be withheld and additional amounts in subsequent fiscal years. [Note: Answering a question of the Senate Committee on Transportation during the Senate Committee hearing, a representative of the Kansas Corporation Commission, Transportation Division, stated House Committee amendments to the bill would permit the State to remain in compliance with federal safety standards.]

The Department of Agriculture, Department of Transportation, and Kansas Corporation Commission indicate enactment of the bill would have no fiscal effect.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Cotton bales; traffic regulations; intrastate