

## HOUSE BILL No. 2748

By Committee on Appropriations

3-6

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1 AN ACT concerning motor carriers; relating to safety; rules and  
2 regulations; exceptions; amending K.S.A. 2013 Supp. 66-1,129 and  
3 repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2013 Supp. 66-1,129 is hereby amended to read as  
7 follows: 66-1,129. (a) The commission shall adopt rules and regulations  
8 necessary to carry out the provisions of this act. No public motor carrier of  
9 property, household goods or passengers or private motor carrier of  
10 property shall operate or allow the operation of any motor vehicle on any  
11 public highway in this state except within the provisions of the rules and  
12 regulations adopted by the commission. Rules and regulations adopted by  
13 the commission shall include:

14 (1) Every vehicle unit shall be maintained in a safe and sanitary  
15 condition at all times.

16 (2) Every driver of a public or private motor carrier, except the driver  
17 of a farm vehicle, operating as a carrier of intrastate commerce within this  
18 state, shall be at least 18 years of age. All such drivers shall be competent  
19 to operate the motor vehicle under such driver's charge.

20 (3) Minimum age requirements for every driver of a motor carrier,  
21 operating as a carrier of interstate commerce, shall be consistent with  
22 federal motor carrier regulations.

23 (4) Hours of service for operators of all motor carriers to which this  
24 act applies shall be fixed by the commission.

25 (5) Accidents arising from or in connection with the operation of  
26 motor carriers shall be reported to the commission within the time, in the  
27 detail and in the manner as the commission requires.

28 (6) Every motor carrier shall have attached to each unit or vehicle  
29 distinctive marking adopted by the commission.

30 (7) Motor carrier transportation requirements that are consistent with  
31 continuation of the federal motor carrier safety assistance program and  
32 other federal requirements concerning transportation of hazardous  
33 materials.

34 (b) No rules and regulations adopted by the commission pursuant to  
35 this section shall require the operator of any motor vehicle having a gross  
36 vehicle weight rating or gross combination weight rating of not more than

1 10,000 pounds to submit to a physical examination, unless required by  
2 federal laws or regulations.

3 (c) Any rules and regulations of the commission, adopted pursuant to  
4 this section, shall not apply to the following, while engaged in the carriage  
5 of intrastate commerce in this state:

6 (1) The owner of livestock or producer of farm products transporting  
7 livestock of such owner or farm products of such producer to market in a  
8 motor vehicle of such owner or producer, or the motor vehicle of a  
9 neighbor on the basis of barter or exchange for service or employment, or  
10 to such owner or producer transporting supplies for the use of such owner  
11 or producer in or producer, or in the motor vehicle of a neighbor on the  
12 basis of barter or exchange for service or employment.

13 (2) The transportation of children to and from school, or to motor  
14 vehicles owned by schools, colleges, and universities, religious or  
15 charitable organizations and institutions, or governmental agencies, when  
16 used to convey students, inmates, employees, athletic teams, orchestras,  
17 bands or other similar activities.

18 (3) (A) Except for motor vehicles under subparagraph (B), motor  
19 vehicles, with a gross vehicle weight rating of 26,000 pounds or less,  
20 carrying tools, property or material belonging to the owner of the vehicle,  
21 and used in repair, building or construction work, not having been sold or  
22 being transported for the purpose of sale, except vehicles transporting  
23 hazardous materials which require placards.

24 (B) Except vehicles transporting hazardous materials which require  
25 placards, motor vehicles, with a gross vehicle weight rating of 26,000  
26 pounds or less; (i) Carrying tools, property or material belonging to the  
27 owner of the vehicle ~~and used in repair, building or construction work and~~  
28 ~~such~~ *within a radius of 150 miles of the principal place of business of the*  
29 *motor carrier; or (ii) carrying tools, property or material* ~~are being~~  
30 ~~transported~~ *to or from an active construction site located within a radius of*  
31 ~~25~~ *150 miles of the principal place of business of the motor carrier.*

32 (4) Persons operating motor vehicles which have an ad valorem tax  
33 situs in and are registered in the state of Kansas, and used only to transport  
34 grain from the producer to an elevator or other place for storage or sale for  
35 a distance of not to exceed ~~50~~ *150 miles.*

36 (5) The operation of hearses, funeral coaches, funeral cars or  
37 ambulances by motor carriers.

38 (6) Motor vehicles owned and operated by the United States, the  
39 District of Columbia, any state, any municipality or any other political  
40 subdivisions of this state.

41 (7) Any motor vehicle with a normal seating capacity of not more  
42 than 15 people, including the driver, while used for vanpooling or  
43 otherwise not-for-profit in transporting persons who, as a joint

1 undertaking, bear or agree to bear all the costs of such operations, or motor  
2 vehicles with a normal seating capacity *of* not more than 15 people,  
3 including the driver, for not-for-profit transportation by one or more  
4 employers of employees to and from the factories, plants, offices,  
5 institutions, construction sites or other places of like nature where such  
6 persons are employed or accustomed to work.

7 (8) The operation of vehicles used for servicing, repairing or  
8 transporting of implements of husbandry, as defined in K.S.A. 8-1427, and  
9 amendments thereto, by a person actively engaged in the business of  
10 buying, selling or exchanging implements of husbandry, if such operation  
11 is within 100 miles of such person's established place of business in this  
12 state, unless the implement of husbandry is transported on a commercial  
13 motor vehicle.

14 Sec. 2. K.S.A. 2013 Supp. 66-1,129 is hereby repealed.

15 Sec. 3. This act shall take effect and be in force from and after its  
16 publication in the statute book.