

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 494

As Amended by Senate Committee on
Transportation

Brief*

SB 494, as amended, would prohibit the deployment, implementation, or use of a motor carrier safety improvement by, or as required by, a motor carrier from affecting, impacting, or changing the worker status of a driver.

For these purposes, the bill would define “motor carrier safety improvement” to include equipment, software, training, or practices to improve or facilitate compliance with laws and safety of the operator and others. The bill would define “worker status” as the classification under any state law of a motor vehicle driver transporting property for compensation as an agent, employee, jointly employed employee, borrowed servant, or independent contractor for a motor carrier.

The bill would deem its provisions supplemental to current law related to conditions of employment and related matters.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Petersen on behalf of the Kansas Motor Carriers Association (KMCA).

*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>

Senate Committee on Transportation

In the Senate Committee hearing, a representative of the KMCA provided **proponent** testimony. He stated the bill would allow motor carriers to pursue safety measures with their owner/operator independent contractors, which under current law could be perceived as employer-like control.

Neutral written-only testimony was provided by the Director of Transportation, Kansas Corporation Commission (KCC). He requested the provisions, if enacted, not be placed with motor carrier safety regulations.

No other testimony was provided.

The Senate Committee amended the bill to add that its provisions would be deemed to be supplemental to current employment law.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Transportation, Kansas Highway Patrol, and KCC indicate enactment of the bill would not have a fiscal effect on the operations of those agencies.

Employment status; motor carrier; trucking