

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2295

As Recommended by House Committee on
Transportation

Brief*

HB 2295 would exempt municipal motor grader vehicles from requirements of the Kansas Uniform Commercial Drivers' License Act.

Under current law, five types of vehicles are listed as exempt from the Act, including farm vehicles, vehicles operated by firefighters, and military vehicles operated by military personnel. The bill would add a sixth exemption for motor grader vehicles operated by an employee of a municipality, if such employee is operating the motor grader vehicle within the boundaries of such municipality.

"Municipality" is defined under continuing law referenced by the bill to mean any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution, or other instrumentality thereof.

The bill also would make technical amendments.

Background

The bill was introduced by the House Committee on Transportation at the request of Representative Adam Smith.

*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>

House Committee on Transportation

In the House Committee hearing, a member of the Decatur County Board of County Commissioners, the Decatur County Road Supervisor, and representatives of the Kansas Association of Counties and the League of Kansas Municipalities (LKM) provided **proponent** testimony.

Proponent conferees stated commercial driver's license (CDL) training and testing are structured more towards semi-truck driving and are not applicable to operating motor graders. The conferees further stated the CDL requirement serves as a deterrent for some prospective municipal workers, putting added strain on smaller communities with limited employee pools; they also noted workers for whom cities have provided CDL training and who have gotten their CDLs often quickly find better-paying jobs. The conferees indicated enactment of the bill would provide added flexibility by allowing municipalities to hire employees who do not have a CDL or utilize existing staff who do not have a CDL.

Representative Adam Smith, the Ellis County Public Works Director, and representatives of the Graham County Highway Department, Logan County Road & Bridge Department, Osborne County Road & Bridge Department, Phillips County Road & Bridge Department, Rawlins County Road & Bridge Department, Sheridan County Road & Bridge Department, Sherman County Road & Bridge Department, and Thomas County Road Department provided written-only **proponent** testimony.

The Driver Services Senior Manager, Division of Vehicles, Department of Revenue, provided written-only neutral testimony, stating the bill would not negatively impact state compliance with requirements of the Federal Motor Carrier Safety Administration.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the LKM indicates enactment of the bill would have a negligible effect on cities that could be absorbed within existing resources. The Department of Revenue and the Department of Transportation state the bill would have no fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Commercial driver's license; municipality; motor grader; vehicle operators; Kansas Uniform Commercial Drivers' License Act