

Approved: January 26, 2012

(Date)

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Dwayne Umbarger at 8:30 AM on Thursday, January 19, 2012 in 152-S of the Capitol.

All members were present except:

Vicki Schmidt - excused
Anthony Hensley - excused

Committee staff present:

Daniel Yoza, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Laura Jurgensen, Kansas Legislative Research Department
Jane Wentz, Committee Assistant

Conferees appearing before the Committee:

Clayton Befort , Hays, KS
Bill Stevens, Fordyce, Nebraska
Taff Hughes, Ellinwood, Kansas
Tom Whitaker, Kansas Motor Carriers Association
Gelene Savage, Acting Chief Counsel, Kansas Department of Transportation
Representative Sharon Schwartz, District 106

Others in attendance:

See attached list.

Approval of 1/17/2012 minutes

Senator Donovan made a motion to accept the January 17, 2012, minutes as written. Senator Reitz seconded. Motion carried on a voice vote.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

Minutes of the SENATE TRANSPORTATION Committee at 8:30 AM on Thursday, January 19, in 152-S of the Capitol.

Introduction of a Resolution

At the request of the Chairperson, Daniel Yoza, Office of the Revisor of Statutes, provided a brief summary of "A RESOLUTION urging the United States Congress to repeal 23 U.S.C. 127 (d) concerning the federal freeze on more productive trucks and allow Kansas to determine the appropriate vehicle size and weight limits necessary for the economic needs of the state." The House passed a resolution pertaining to this issue known as **HR6017**.

Briefing on:

Truck size and weight limits

Tom Whitaker, Kansas Motor Carriers Association, also provided background information and the issues faced by the trucking industry as truckers move through Kansas under the present regulations (Attachment 1 and Attachment 2).

Gelene Savage, Acting Chief Counsel, Kansas Department of Transportation, presented a brief overview of the challenges KDOT faces regarding any changes. The State of Kansas must certify compliance with the June 1991 federal freeze limiting weight and length; otherwise, federal funding could be jeopardized (Attachment 3).

Clayton Befort, a custom harvester, from Hays, Kansas, spoke regarding the issues he faces while doing business in Kansas. The current situation creates financial hardship, unproductive loss of time, and additional expenses for his business as he complies with current regulations. Bill Stevens, a custom harvester, from Fordyce, Nebraska, also spoke regarding the obstacles he encounters when traveling through Kansas, due to the length restrictions (Attachment 4). Taff Hughes, a custom harvester, from Ellinwood, Kansas, presented comments regarding the issues he faces during the harvest season as it relates to traveling in and/or through Kansas with new, heavier, and bigger equipment (Attachment 5). Representative Sharon Schwartz stated that other industries in Kansas, including trailer manufacturers in her area, are experiencing similar challenges. These businesses are not related to the custom harvesters; however, they are dealing with related issues as it pertains to the truck length regulations in Kansas (Attachment 6).

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Senator Kultula inquired as to the possibility of repealing the federal legislation and if this was an option that should be considered. Lindsey Douglas, Chief of Governmental Affairs, Kansas Department of Transportation, provided the Committee with additional comments and clarification.

Senator Huntington asked why Kansas was not grandfathered in. Mr. Whitaker explained that Kansas did not have legislation in place to accommodate growth prior to this federal freeze on length limits. Surrounding state either had laws allowing larger vehicles prior to the 1991 freeze or they have been granted a federal exemption since then, as Nebraska was. Additionally, Kansas is unique in the fact that all of our east to west and north to south routes are in the federal highway system and/or Kansas secondary roads cross the federal highway system roadways. Senator Huntington asked who the stakeholders are that would oppose these changes. Mr. Whitaker responded that the rail companies and public safety groups would be among those expressing opposition to any changes in current regulations.

After much discussion, the Committee agreed to have the resolution redrafted to include additional language requested by Senator Petersen regarding energy.

The meeting was adjourned at 9:14 a.m. The next meeting is scheduled for January 24, 2012.