

Approved: March 6, 2012

(Date)

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Dwayne Umbarger at 8:30 a.m. on Tuesday, February 14, 2012, in Room 152-S of the Capitol.

All members were present except:

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:

Patrick Vogelsberg, National Solid Waste Management Association Kansas Chapter

Marcy Ralston, Manager of Driver control, Division of Vehicles, Kansas Department of Revenue

Others in attendance:

See attached list.

Approval of the minutes:

January 26 and 31, February 1, 2, and 7, 2012

The Chairperson asked for a motion to approve the minutes for January 26, January 31, February 1, February 2, and February 7, 2012, as written. *Senator Schmidt made a motion to accept the minutes as written. Senator Kultala seconded the motion, and the motion carried on a voice vote.*

Hearing and final action on:

### **HB 2458—Providing an exception for certain vehicles from gross weight limitations**

The Chairperson recognized Patrick Vogelsberg, lobbyist, National Solid Wastes Management Association - Kansas Chapter, and asked him to address the Committee regarding **HB 2458**. Mr. Vogelsberg stated that **SB 298**, the hearing on which was held January 31, 2012, contained the same language as **HB 2458**; thus his testimony in support was very similar (Attachment 1). He said the bill provides clarification of existing, exempted vehicles found in K.S.A. 8-1901(e). Mr. Vogelsberg noted the House passed

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## CONTINUATION SHEET

Minutes of the SENATE TRANSPORTATION Committee at 8:30 a.m. on Tuesday, February 14, 2012, in Room 152-S of the Capitol.

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**HB 2458** with 122 votes in favor and one against. The Chairperson asked if anyone else wished to speak on this bill and, hearing no requests, declared the hearing closed. The Chairperson asked what the Committee's desire would be regarding working **HB 2458** or **SB 298**; since the language is the same in both bills. The Committee opted to work **SB 298**, at which time the Chairperson asked for a motion.

Final action on:

**SB 298—Penalties for violating size and weight laws**

*A motion was made by Senator Schmidt to recommend **SB 298** favorably for passage and to place it on the consent calendar. Senator Huntington seconded the motion, and the motion carried on a voice vote.*

**SB 334—Exempting military drivers from CDL testing requirements**

At the request of the Chairperson, Daniel Yoza, Office of the Revisor of Statutes, provided a brief summary on **SB 334 - Exempting military drivers from commercial driver's license skills testing requirements**. The Chairperson then asked the Committee if anyone had questions, comments, or concerns. Senator Schmidt inquired as to an appeals process. After considerable discussion, it was determined that an amendment would not be required to add a formal or informal appeals process. At the request of the Chairperson, Tom Whitaker, lobbyist, Kansas Motor Carriers Association, stated he has spoken to the Division of Motor Vehicles (DMV) in the past, and its process will conform to and is consistent with federal regulations; thus he is okay with the language of the bill as written. Marcy Ralston, Manager of Driver Control, Division of Vehicles, Kansas Department of Revenue, answered several questions from the Committee. The Chairperson stated he would entertain a motion to pass **SB 334** out of Committee. *Senator Reitz made a motion to recommend **SB 334** favorably for passage. Senator Donovan seconded the motion, and the motion carried on voice vote.*

The Kansas Department of Transportation (KDOT) provided the Committee with additional information on **SB 342**, Safety Corridors (Attachment 2).

The meeting was adjourned at 8:46 a.m. The next meeting is scheduled for February 15, 2012.

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