

HOUSE BILL No. 2202

AN ACT concerning transportation; relating to motor carrier regulations.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Whenever the governor or the United States department of agriculture declares that all or any portion of the state is in a state of drought pursuant to subsection (e) of K.S.A. 48-924 et seq., and amendments thereto, the following conditions shall apply to any motor carrier transporting hay or related animal forage feedstuffs to the geographic area as specified in such declaration of drought:

(1) Motor carrier registration and fuel tax permits as enforced by the Kansas department of revenue shall be temporarily suspended;

(2) any licensing, certification and permitting rules and regulations as required by the state corporation commission shall be temporarily suspended;

(3) motor carriers shall not operate during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise, and shall comply with the flags, signs and lighting requirements applicable to overwidth vehicles as provided in K.S.A. 8-1902, and amendments thereto;

(4) motor carriers shall not operate during inclement weather conditions;

(5) oversize or overweight loads shall not be transported when visibility is less than 1/2 mile, or when conditions of moderate to heavy rain, sleet, snow, fog or smoke exist, or when highway surfaces are slippery due to ice or packed snow; and

(6) motor carriers shall not transport a load of more than 12 feet in width and 14 feet, six inches, in height.

(b) The provisions of subsection (a) shall be effective immediately upon a declaration of a state of drought by the governor or the United States department of agriculture and shall continue in effect until such declaration has been terminated.

(c) As used in this section:

(1) "Commercial vehicle" has the same meaning as provided in K.S.A. 8-2,128, and amendments thereto; and

(2) "motor carrier" means any driver operating a commercial motor vehicle and any person that holds a certificate of convenience and necessity, a certificate of public service or a private carrier permit from the state corporation commission, or is required to register motor carrier equipment pursuant to 49 U.S.C. § 14504a.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.