

SESSION OF 2017

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2095**

As Amended by House Committee on  
Transportation

**Brief\***

HB 2095 would authorize the Secretary of Transportation to issue an annual overweight divisible load operating permit for a truck-tractor semitrailer combination vehicle and a truck-tractor semitrailer, trailer combination vehicle with a gross vehicle weight of more than 85,500 pounds but not more than 90,000 pounds transporting divisible loads on 6 or more axles. The permit would be with respect to highways under the Secretary's jurisdiction, including city connecting links. The fee for the annual permit would be \$200, and collected fees would be deposited into the State Highway Fund (SHF). No single-trip permits would be issued.

The bill would include restrictions on such operation:

- Could not be operated on the interstate system when loaded in excess of 80,000 pounds;
- Would be required to be registered at the maximum weight category;
- Could not be operated on any bridge or highway that has a posted gross weight limit or posted axle weight limit less than that at which the vehicle is operating;

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\*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>

- Would be required to comply with weight limits on wheels, axles, and groups of axles, except as otherwise allowed by the bill;
- Could not violate width, height, and length restrictions in current law; and
- Could not operate with a total weight of more than 85,500 pounds when highway surfaces have ice or snowpack or drifting snow.

The bill would require the permit be carried in the vehicle when it is operated at a weight of more than 85,500 pounds. The bill would specify maximum loads to be carried on any group of two or more consecutive axles, by distance between those axles and number of axles.

The bill also would amend the definition of “triple axles” to increase from 120 inches to 132 inches the maximum distance such axles could be spaced apart.

## **Background**

The bill was requested by a representative of the Kansas Grain and Feed Association, who testified in support of the bill on behalf of that organization and the Kansas Cooperative Council at the House Committee on Transportation hearing. Also providing proponent testimony were representatives of the Kansas Cooperative Council and the Kansas Agribusiness Retailers Association, the Kansas Department of Agriculture, the Kansas Livestock Association, the Kansas Motor Carriers Association, the Kansas Soybean Association, and the Soy Transportation Coalition. Proponents stated a majority of states have increased allowable combination vehicle weights, lower weight limits in Kansas place Kansas farms and grain elevators at an economic disadvantage when compared with those in nearby states by requiring more vehicle trips to haul the same amounts, commercial vehicle drivers are in short supply, and

the limits in the bill regarding weights and the number and placement of axles would mean no additional strain on roads and bridges.

Written-only proponent testimony was provided by representatives of the Kansas Corn Growers Association, the Kansas Livestock Marketing Association, the Kansas Pork Association, Renew Kansas, and Team Marketing Alliance.

Neutral testimony was provided by representatives of the League of Kansas Municipalities and the Kansas Association of Counties, expressing reservations related to inspections that would be needed for bridges on local roads and possible effects on property taxes. A representative of the Kansas Department of Transportation (KDOT) also provided neutral testimony and requested an amendment.

Providing opponent testimony were representatives of Kansas Railroads and the International Association of Sheet Metal, Air, Rail, and Transportation Workers, who cited possible adverse effects if reduced quantities of agricultural products are shipped by train. Written-only opposition testimony was submitted by a representative of Teamsters Local Union 696 and the Director of Public Works for the City of Overland Park.

The House Committee adopted amendments requested by KDOT, to clarify the Secretary could issue a permit only for use of highways under the Secretary's jurisdiction; change the name of the permit; require the permit to be carried in the vehicle when the vehicle is operating at a weight over 85,500 pounds; specify the permit would not authorize operation on any bridge or highway with a posted weight limit less than that of the vehicle and its load; prohibit any violations of restrictions on width, length, or height; and prohibit operation when highway surfaces have ice or snowpack or drifting snow.

Under current law, no vehicle or combination of vehicles with a gross weight of more than 85,500 pounds may be operated on the highways without a special permit (see KSA 2016 Supp. 8-1909 and 8-1911). The weather-related restrictions in the bill would mirror those for oversize vehicles in KSA 2016 Supp. 8-1911.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDOT indicates an analysis of existing bridge load ratings and posting new highway signs for any changes to the load ratings would be required. KDOT reported it would need \$93,386 in FY 2018 from the SHF for one professional civil engineer position to monitor the state highway system and bridge conditions, which would have ongoing costs of \$91,337 in FY 2019. The expenditure limitation on the agency operations account of the SHF would need to increase by at least those amounts. The fiscal note states KDOT is unable to estimate the expenditures for additional maintenance, design work, and modifications to the state highway system. It notes the bill would result in additional revenue to the SHF but KDOT cannot estimate the number of permits that would be issued under the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2018 Governor's Budget Report*.