

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 374**

As Agreed to March 30, 2006

**Brief\***

SB 374, as amended, would clarify the conditions under which self-propelled cranes are exempt from registration by specifying that they cannot be used to transport property, except when required for the operation of the crane itself. The bill also would make it an unclassified misdemeanor punishable by a fine of not less than \$500 for a person to unlawfully claim that a motor vehicle is exempt from registration as a self-propelled crane.

The bill also would:

- Eliminate the \$0.50 postage fee that counties collect for mailing license plates beginning January 1, 2007.
- Increase the county treasurer's additional compensation for administering the motor vehicle title and registration laws and fees beginning in calendar year 2006 from \$60 per 100 registrations for the first 5,000 registrations to \$110 per 100 registrations and from \$45 per 100 registrations for the second 5,000 registrations to \$90 per 100 registrations.
- Add a new tier to the current schedule by allowing compensation of \$5 per 100 registrations for the third 5,000 registrations. All registrations after the first 15,000 would be compensated at the rate of \$2 per 100 registrations.
- Provide that the limit on total additional compensation for county treasurers would increase from \$9,800 per year to \$15,000 per year.
- Increase the county service fee from \$3 to \$5 for registration related transactions beginning January 1, 2007.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

The bill also would define “antique military vehicle” to include a vehicle , regardless of size or weight, which was manufactured for use in any country’s military forces and is maintained to represent its military design. A specific exclusion from the definition would be provided for fully tracked vehicles.

### **Conference Committee Action**

Senate conferees agreed with the House amendments to restore to existing law the types of property self-propelled cranes may transport. Conferees also agreed to place the contents of SB 545, which deals with county treasurers’ compensation and HB 2882, the bill that dealt with antique military vehicles into SB 374.

### **Background**

The Director of Vehicles proposed the original bill. During Committee hearings the Director of Vehicles and a trooper of the Kansas Highway Patrol proposed an amendment (not adopted) that would have offered a substitute definition of a self-propelled crane. The representatives of the Gilmore Corporation and Polk Corporation appeared in opposition to the original bill. They stated, among other things, that the bill would have required crane companies to register and license equipment exempt since 1933. These conferees also told the Committee that the bill would have greatly increased the cost to most crane services in Kansas and would have created an advantage to Missouri crane companies which are not required to license or register these machines.

The Senate Committee on Transportation amendment would essentially restore the language in current law that sets the conditions under which a self-propelled crane is exempt from registration and specifies that the crane could not be used for the transportation of property. This proposed change was suggested by the conferee representing Midwest Crane and Rigging, Inc. who said that the amendment would confirm the original intent of the Legislature and would enable the Kansas Highway Patrol to recognize this equipment as off-road. The other Senate Committee amendment would impose a minimum fine of \$500 on a person who falsely claims that a motor vehicle is exempt from registration as a self-propelled crane.

The conferees testifying in support of the bill before the House Transportation Committee included: Bill Miller, Midwest Crane and Rigging, Inc.; Greg Polk, Polk Crane Service, Inc.; and Martha Smith Neu, Executive Director, Kansas Manufacturing Housing Association. Gilmore Crane Corporation submitted written testimony in support of the bill. The Director of Vehicles testified that the bill as amended by the Senate Committee is no longer a bill sponsored by the Department. She also said that, the agency is awaiting the decision of a court in Atchison County which states, "the exemption of self-propelled was not intended to exempt from registration any motor vehicle which happens to be equipped with a device for lifting."

The House Transportation Committee amendment would restore to existing law the types of property self-propelled cranes may transport.

The fiscal note on the original bill prepared by the Director of the Budget states that the Department of Revenue estimates that passage of the bill would cause a negligible revenue reduction because very few self-propelled cranes that use to register would no longer do so. No reliable information, however, exists by which to determine an accurate fiscal note.