

SENATE BILL No. 207

By Committee on Federal and State Affairs

2-15

1 AN ACT concerning motor carriers; relating to compliance inspections;
2 amending K.S.A. 2012 Supp. 66-1,129 and repealing the existing
3 section.
4

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

6 Section 1. K.S.A. 2012 Supp. 66-1,129 is hereby amended to read as
7 follows: 66-1,129. (a) The commission shall adopt rules and regulations
8 necessary to carry out the provisions of this act. No public motor carrier of
9 property, household goods or passengers or private motor carrier of
10 property shall operate or allow the operation of any motor vehicle on any
11 public highway in this state except within the provisions of the rules and
12 regulations adopted by the commission. *The commission and the Kansas*
13 *highway patrol shall have the sole authority to stop motor carriers, trucks*
14 *or truck-tractors for the purpose of conducting spot checks to insure*
15 *compliance with any regulations adopted by the commission relating to*
16 *the regulation of motor carriers, trucks or truck-tractors. Rules and*
17 *regulations adopted by the commission shall include:*

18 (1) Every vehicle unit shall be maintained in a safe and sanitary
19 condition at all times.

20 (2) Every driver of a public motor carrier, operating as a carrier of
21 intrastate commerce within this state, shall be at least 18 years of age.
22 Every driver of a private motor carrier, operating as a carrier of intrastate
23 commerce within this state, shall be at least 16 years of age. All such
24 drivers shall be competent to operate the motor vehicle under such driver's
25 charge.

26 (3) Minimum age requirements for every driver of a motor carrier,
27 operating as a carrier of interstate commerce, shall be consistent with
28 federal motor carrier regulations.

29 (4) Hours of service for operators of all motor carriers to which this
30 act applies shall be fixed by the commission.

31 (5) Accidents arising from or in connection with the operation of
32 motor carriers shall be reported to the commission within the time, in the
33 detail and in the manner as the commission requires.

34 (6) Every motor carrier shall have attached to each unit or vehicle
35 distinctive marking adopted by the commission.

36 (7) Motor carrier transportation requirements that are consistent with

1 continuation of the federal motor carrier safety assistance program and
2 other federal requirements concerning transportation of hazardous
3 materials.

4 (b) No rules and regulations adopted by the commission pursuant to
5 this section shall require the operator of any motor vehicle having a gross
6 vehicle weight rating or gross combination weight rating of not more than
7 10,000 pounds to submit to a physical examination, unless required by
8 federal laws or regulations.

9 (c) Any rules and regulations of the commission, adopted pursuant to
10 this section, shall not apply to the following, while engaged in the carriage
11 of intrastate commerce in this state:

12 (1) The owner of livestock or producer of farm products transporting
13 livestock of such owner or farm products of such producer to market in a
14 motor vehicle of such owner or producer, or the motor vehicle of a
15 neighbor on the basis of barter or exchange for service or employment, or
16 to such owner or producer transporting supplies for the use of such owner
17 or producer in or producer, or in the motor vehicle of a neighbor on the
18 basis of barter or exchange for service or employment.

19 (2) The transportation of children to and from school, or to motor
20 vehicles owned by schools, colleges, and universities, religious or
21 charitable organizations and institutions, or governmental agencies, when
22 used to convey students, inmates, employees, athletic teams, orchestras,
23 bands or other similar activities.

24 (3) (A) Except for motor vehicles under subparagraph (B), motor
25 vehicles, with a gross vehicle weight rating of 26,000 pounds or less,
26 carrying tools, property or material belonging to the owner of the vehicle,
27 and used in repair, building or construction work, not having been sold or
28 being transported for the purpose of sale, except vehicles transporting
29 hazardous materials which require placards.

30 (B) Except vehicles transporting hazardous materials which require
31 placards, motor vehicles, with a gross vehicle weight rating of 26,000
32 pounds or less, carrying tools, property or material belonging to the owner
33 of the vehicle and used in repair, building or construction work and such
34 tools, property or material are being transported to or from an active
35 construction site located within a radius of 25 miles of the principal place
36 of business of the motor carrier.

37 (4) Persons operating motor vehicles which have an ad valorem tax
38 situs in and are registered in the state of Kansas, and used only to transport
39 grain from the producer to an elevator or other place for storage or sale for
40 a distance of not to exceed 50 miles.

41 (5) The operation of hearses, funeral coaches, funeral cars or
42 ambulances by motor carriers.

43 (6) Motor vehicles owned and operated by the United States, the

1 District of Columbia, any state, any municipality or any other political
2 subdivisions of this state.

3 (7) Any motor vehicle with a normal seating capacity of not more
4 than the driver and 15 passengers while used for vanpooling or otherwise
5 not for profit in transporting persons who, as a joint undertaking, bear or
6 agree to bear all the costs of such operations, or motor vehicles with a
7 normal seating capacity not more than the driver and 15 passengers for
8 not-for-profit transportation by one or more employers of employees to
9 and from the factories, plants, offices, institutions, construction sites or
10 other places of like nature where such persons are employed or
11 accustomed to work.

12 (8) Motor vehicles used to transport water for domestic purposes, as
13 defined by subsection (c) of K.S.A. 82a-701, and amendments thereto, or
14 livestock consumption.

15 (9) The operation of vehicles used for servicing, repairing or
16 transporting of implements of husbandry, as defined in K.S.A. 8-1427, and
17 amendments thereto, by a person actively engaged in the business of
18 buying, selling or exchanging implements of husbandry, if such operation
19 is within 100 miles of such person's established place of business in this
20 state, unless the implement of husbandry is transported on a commercial
21 motor vehicle.

22 Sec. 2. K.S.A. 2012 Supp. 66-1,129 is hereby repealed.

23 Sec. 3. This act shall take effect and be in force from and after its
24 publication in the statute book.