

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2202

By Committee on Agriculture and Natural Resources

2-1

1 AN ACT concerning transportation; relating to motor carrier regulations.

2

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

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

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

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

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

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

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

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

28 (b) The provisions of subsection (a) shall be effective immediately  
29 upon ~~the governor's~~ a declaration of a state of drought **by the governor or**  
30 **the United States department of agriculture** and shall continue in effect  
31 until such declaration has been terminated ~~pursuant to the provisions of~~  
32 ~~K.S.A. 48-924, and amendments thereto.~~

33 (c) As used in this section:

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

36 (2) "motor carrier" means any driver operating a commercial motor

1 vehicle and any person that holds a certificate of convenience and  
2 necessity, a certificate of public service; ~~or a private carrier permit or an~~  
3 ~~interstate license as an interstate exempt carrier~~ from the state corporation  
4 commission, or is required to register motor carrier equipment pursuant to  
5 49 U.S.C. § 14504a.

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