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To: House Committee on Transportation
From: Charles Bradley, Department of Revenue Attorney
Date: February 12, 2024
RE: House Bill 2681

Thank you, Chairman Francis, and Committee members, for the opportunity to provide proponent testimony for HB 2681. This bill amends the definition of a commercial motor vehicle (CMV) as well as establishes a definition for “leaving the scene of an accident.”

For licensed commercial driver’s, there are specific traffic violations that can result in temporary license disqualification. Some such violations include impaired driving, driving with a suspended license, and leaving the scene of an accident. Currently, K.S.A. 8-1602 through 1605 cover a drivers’ duties after a collision but does not specifically mention “leaving the scene of an accident”. KDOR drafted this bill to clarify what violations should be considered for commercial driver’s license (CDL) disqualification.

KDOR proposes that the definition of “leaving the scene of an accident” include K.S.A. 8-1602, which covers accidents involving injury or damage to an attended vehicle as well as K.S.A. 8-1604, which outlines the responsibilities of a driver when involved in an accident involving injury or damage to an attended vehicle. Other related statutes include K.S.A. 8-1605 (damage to unattended property), K.S.A. 8-1607 (post-accident investigative reports), and K.S.A. 8-1608 (providing false information), but KDOR does not believe these should be considered as “leaving the scene of an accident” for CDL disqualification.

Secondly, this bill adds “gross weight” to the definition of a CMV. Currently, a motor vehicle with a weight rating of 26,000 pounds or more is considered a CMV. As an example, a Ford Ranger is rated at 6,000 pounds, while a Peterbilt 379 is rated up to 80,000 pounds. Alternatively, gross weight includes the vehicle’s actual load. A F350 weighs about 6,000 pounds and is lawful to operate with a class C license. However, an F350 hauling a trailer with four additional F350s would have a gross weight of roughly 30,000 pounds. Currently, such a setup can result in a weight violation, but not a license violation under K.S.A. 8-2,132.

KDOR proposes that gross weight be included in the definition of a CMV so that drivers operating a vehicle far outside of their capabilities face harsher punishments and possible license suspension.