

Before the House Transportation Committee

Monday February 12, 2024
HB 2681 Proponent Testimony

Submitted by Mike Hoeme, Director of Transportation On behalf of the Staff of the Kansas Corporation Commission

Chairman Francis, Vice Chair Neely, Ranking Minority Member Ballard, and members of the Committee, thank you for the opportunity to provide proponent testimony on behalf of the staff of the Kansas Corporation Commission (Commission).

HB 2681 proposes to amend K.S.A. 8-2,128. As drafted it accomplishes only a partial remedy to the Kansas Uniform Commercial Driver's License (CDL) Act. Under existing Kansas motor carrier law K.S.A.8-2, 128 refers to a "commercial driver's license issued pursuant to K.S.A. 8-234b and amendments thereto." Currently, K.S.A. 8-234b in its three CDL classes only refers to any combination of vehicles with a "gross combination weight rating (GCWR)" it should also include "gross vehicle weight rating (GVWR), gross vehicle weight (GVW) or gross combination weight (GCW)" in conjunction with GCWR.

As drafted, law enforcement at roadside are unable to enforce the CDL regulation as intended. This allows drivers to avoid the requirement to obtain a CDL even though they are operating larger commercial motor vehicles (CMVs), putting the motoring public at risk. One scenario our agencies have encountered include:

- A driver operating a pick-up truck and trailer with a GVWR of 26,000 lbs., but when loaded the combination has an actual weight of 29,000 lbs. Current state law would not require the driver to have a CDL.

The Commission's Special Investigators have also discovered these same issues during compliance investigations of motor carriers and have therefore been unable to cite this violation.

We join the Kansas Highway Patrol and support HB 2681 if it were amended so that both K.S.A. 8-2,128 and K.S.A. 8-234b have the same definition of "CMV" as previously mentioned

This would maintain consistency between state and federal definitions and all enforcement of motor carrier safety laws and regulations as intended.

Thank you for the opportunity to provide proponent testimony with regard to House Bill 2681.