

Before the House Standing Committee on Transportation

Tuesday March 14, 2017

Proponent Testimony
On Senate Bill 36
Room 582

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

Chair Proehl, Vice Chair Francis, Ranking Minority Member Lusker and members of the Committee, thank you for the opportunity to appear before your committee today on behalf of the staff of the Kansas Corporation Commission (Commission). My name is Mike Hoeme and I am the Director of the Transportation Division.

This bill proposes changes to clarify and update three motor carrier statutes.

SB 36 proposes to amend the Commission's operating authority statutes, K.S.A. 66-1,109 and K.S.A. 66-1,139, to clarify that only those for-hire passenger vehicles that meet the definition of a "Commercial Motor Vehicle" (i.e. –have a Gross Vehicle Weight Rating (GVWR) of 10,001 pounds or more and/or carry more than 8 passengers) will be regulated as a CMV. The current statute is ambiguous in certain instances, which has led to some confusion in enforcement, resulting in citations of motor vehicles that do not meet the definition of Commercial Motor Vehicle.

Additionally, the proposed amendment updates K.S.A. 66-1,139, by striking the requirement for certain carriers (interstate exempt, private and for-hire motor carriers of property or passengers) to register their vehicles with the Commission and pay a regulatory fee of \$10.00 for each vehicle registered. The Commission no longer collects the fee or registers this class of vehicle because the regulatory fee was phased out several years ago by federal statute and no longer serves any purpose.

And finally the proposed amendments to K.S.A. 66-1,108 will update state motor carrier definitions to align with the federal motor carrier definitions. Generally, the Commission adopts the federal regulations through the Kansas Administrative Regulation process on an annual basis. Statutes are amended less frequently, which can create a conflict between the definitions in the Kansas statutes and the definitions found in the federal regulations. After suggestions made during Senate hearing discussions, the language of the bill was amended so the statutes now directly reference the Federal regulation where the definitions can be found.

The Kansas Motor Carrier's Association has joined the KCC as a proponent of statutory changes proposed in this bill.

Thank you for the opportunity to appear before you today in support of Senate Bill 36. I will gladly stand for questions at the appropriate time.