

To: Senate Transportation Committee

From: Deborah Barnes, Staff Attorney

Date: February 10, 2020

RE: SB 267 NEUTRAL TESTIMONY

I want to thank Chairman Petersen and the members of the Committee for giving the League of Kansas Municipalities the opportunity to provide neutral testimony on SB 267.

HB 267 seeks to classify violations of securing loads on vehicles as a traffic infraction.

The League respectfully draws the committee's attention to provisions already in statute in article 19 of K.S.A Chapter 8. Article 19 is a Uniform Act regulating traffic, specifically the size, weight and load of vehicles. Under K.S.A. 8-1901, it is unlawful for a person to violate any of the provisions of article 19. That includes improperly securing a load, as provided for in K.S.A. 8-1906. K.S.A. 8-1901 provides that any person violating any of the provisions of article 19, except for some provisions that are not relevant to securing loads, shall upon conviction be fined an amount not to exceed \$500.

The prohibition against spilling loads on highways is included in Section 179 of the League's Standard Traffic Ordinances for Kansas Cities (STO), published annually. Many cities have codified the prohibition against spilling loads on the highway by adopting the Standard Traffic Ordinances.

The League requests that the committee consider whether this bill is necessary, given that existing statutes already spell out that improperly securing a load violates the law and is subject to a fine of up to \$500, and that the law is being enforced in municipal courts.