

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary Hayzlett at 1:30 p.m. on February 18, 2003 in Room 519-S of the Capitol.

All members were present except:

Representative John Ballou, excused  
Representative Jeff Jack, excused

Committee staff present:

Bruce Kinzie, Revisor  
Hank Avila, Legislative Research Dept.  
Mary Galligan, Legislative Research Dept.  
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Executive Director, KS Motor Carrier Association  
Woody Moses, Managing Director of the KS Aggregate Producers' Association

Others attending:

See attached list

### **HB 2158 - Authorized emergency vehicles, wreckers, tow trucks or car carriers**

Chairman Hayzlett introduced Tom Whitaker who explained **HB 2158**. (Attachment 1) Currently law requires the driver of a motor vehicle approaching an authorized emergency vehicle on the roadside to move to the furthest lane of traffic or, if changing lanes is not possible, to reduce speed and proceed with due caution. **HB 2158** specifically designates wreckers, tow trucks or car carriers that are properly registered with the state corporation commission, as "authorized emergency vehicles." This designation will allow these vehicles to have the red and blue, or red and white emergency lighting. The bill limits the use of the emergency lighting to a stationary vehicle providing wrecker or towing service at the scene of an accident or providing emergency service on the side of the road.

There were no additional proponents and no opponents to this bill. After discussions the Chairman closed the hearing on **HB 2158**.

### **HB 2159 - Registration of certain vehicles**

The Chairman opened hearings on **HB 2159** introducing Tom Whitaker who explained the bill. (Attachment 2) **HB 2159** would allow the Wichita Area Technical School to lease a tractor trailer for its truck driving program and register this vehicle under the provision governing all other school district vehicles. Without this change in Kansas law, if the school district were to lease this vehicle, the vehicle would have to be registered under the provisions of 8-143 and the school district would have to pay the \$1,770 annual registration fee. In addition, in order to meet the current school district vehicle registration requirements, the WATS would have to purchase, not lease the combination vehicle at a cost of approximately \$100,000 lump sum.

Mr. Whitaker responded to questions from the Committee. There being no other proponents and no opponents the Chairman closed the hearing on **HB 2159**.

### **HB 2166 - Regulating traffic; concerning certain axles**

Chairman Hayzlett opened hearings on **HB 2166** and introduced the first proponent which was Tom Whitaker. (Attachment 3) According to Mr. Whitaker, **HB 2166** will correct a recent interpretation of Kansas law concerning weight bearing axles. In 1986, K.S.A 8-1908 was amended to require that any axle located within seven feet of an adjacent axle shall be a weight bearing axle. This amendment addressed the situation where an individual welded a non-weight bearing pickup truck axle to the bottom of a trailer to gain additional loading capabilities. Since that time, the addition of air lift axles has become

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common place for use on trucks and trailers. These axles are forced to the road surface by air pressure and support their proportionate part of the load. When the vehicle is empty, these axles are raised above the road surface. The way the current statute reads would indicate that the air lift axle must remain on the road surface at all times.

The Committee had no questions for Mr. Whitaker. There were no other proponents or opponents present.

Written testimony had been submitted by Woody Moses, Managing Director of the Kansas Aggregate Producers' Association and the KS Ready Mixed Concrete Association. (Attachment 4)

The Chairman closed the hearing on **HB 2166**.

The Chairman called for final action on **HB 2158**. A motion was made by Representative Wilk to pass the bill out favorably and seconded by Representative Ballard and the motion carried.

Chairman Hayzlett called for final action on **HB 2159**. A motion was made by Representative Yonally and seconded by Representative Davis and the motion carried.

The Chairman called for final action on **HB 2166**. A motion was made by Representative Dreher to pass out favorably, seconded by Representative Toelkes and the motion carried.

Chairman Hayzlett opened discussions on **HB 2119**. Bruce Kinzie gave a brief review of what the bill was about. A motion was made by Representative Larkin that the bill be passed out favorably and seconded by Representative Miller. Discussion followed. A substitute motion was made by Representative Davis seconded by Representative Ballard that if a citation is issued for violating the provision of this act the citation issued shall list the violation that initially caused the officer to effect the enforcement stop. The motion carried. Discussion followed on the motion to pass out favorably as amended. There being no motions made to pass **HB 2119** as amended, the bill died in Committee.

The Chairman adjourned the meeting at 2:40 p.m. The next meeting of the House Transportation Committee will be held on Wednesday, February 19, 2003.