

HOUSE BILL No. 2146

By Committee on Transportation

1-29

9 AN ACT regulating traffic; concerning permits for oversize or overweight
10 vehicles; fees; amending K.S.A. 2008 Supp. 8-1911 and repealing the
11 existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2008 Supp. 8-1911 is hereby amended to read as
15 follows: 8-1911. (a) The secretary of transportation with respect to high-
16 ways under the secretary's jurisdiction and local authorities with respect
17 to highways under their jurisdiction, in their discretion, upon application,
18 may issue a special permit, which term shall include an authorization
19 number, to the owner or operator of an oversize or overweight vehicle.
20 The special permit shall authorize the special permit holder to operate
21 or move a vehicle or combination of vehicles which exceed the limitations
22 of this act, on a route, or routes, designated in the special permit and in
23 accordance with the terms and conditions of the special permit.

24 (b) The application for the permit shall describe the vehicle, or com-
25 bination of vehicles and all loads or cargo for which the special permit is
26 requested, the route or routes on which operation is sought and whether
27 a single trip or annual operation is requested. One special permit may be
28 issued for a vehicle or combination of vehicles, that are both oversize and
29 overweight. A special permit under this section may be for a single trip
30 or for annual operation. The special permit shall designate the route or
31 routes that may be used and any other terms, conditions or restrictions
32 deemed necessary. The secretary of transportation shall charge a fee for
33 each permit or authorization number issued as provided for in subsection
34 (f). No permit shall be required to authorize the moving or operating
35 upon any highway of farm tractors, combines, fertilizer dispensing equip-
36 ment or other farm machinery, or machinery being transported to be used
37 for terracing or soil or water conservation work upon farms, or vehicles
38 owned by counties, cities and other political subdivisions of the state,
39 except that this sentence shall not: (1) Exempt trucks owned by counties,
40 cities and other political subdivisions specifically designed and equipped
41 and used exclusively for garbage, refuse or solid waste disposal operations
42 from the maximum gross weight limitations contained in the table in
43 K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on inter-

1 state highways.

2 (c) A permit shall be valid only when the registration on the power
3 unit is equal to or exceeds the total gross weight of the vehicle. When the
4 gross weight of the vehicle exceeds the upper limit of the available reg-
5 istration, the maximum amount of registration must be purchased. The
6 provisions of this subsection shall not apply to a wrecker or tow truck, as
7 defined in K.S.A. 66-1329, and amendments thereto, and registered in
8 accordance with the provisions of K.S.A. 8-143, and amendments thereto.

9 (d) The secretary or local authority may issue or withhold the permit
10 at the secretary's or local authority's discretion or may limit the number
11 of trips, or establish seasonal or other time limitations within which the
12 vehicles described may be operated on the highways, or may otherwise
13 limit or prescribe conditions of operations of such vehicle or combination
14 of vehicles, when necessary to assure against undue damage to the road.
15 The secretary or local authority may require such undertaking or other
16 security as may be deemed necessary to compensate for any injury to any
17 roadway or road structure.

18 (e) Every permit shall be carried in the vehicle or combination of
19 vehicles to which it refers and shall be open to inspection by any police
20 officer or authorized agent of any authority granting the permit. It shall
21 be unlawful for any person to violate any of the terms or conditions of
22 special permit.

23 (f) The secretary of transportation shall charge and collect fees as
24 follows:

- 25 (1) ~~Five~~ *Twenty* dollars for each single-trip permit;
26 (2) *thirty dollars for each single-trip permit for a large structure, as*
27 *defined by rules and regulations;*
28 (3) *fifty dollars for each single-trip permit for a superload, as defined*
29 *by rules and regulations;*
30 ~~(2)~~ (4) twenty-five dollars for a five-year permit for vehicles author-
31 ized to move bales of hay under subsection (j) on noninterstate highways;
32 ~~(3)~~ (5) one hundred and ~~twenty-five~~ *fifty* dollars for each annual per-
33 mit; or
34 ~~(4)~~ (6) two thousand dollars per year for each qualified carrier com-
35 pany for special vehicle combination permits authorized under K.S.A. 8-
36 1915, and amendments thereto, plus \$50 per year for each power unit
37 operating under such annual permit.

38 No fees shall be charged for permits issued for vehicles owned by
39 counties, cities and other political subdivisions of the state. All permit
40 fees received under this section shall be remitted to the state treasurer
41 in accordance with the provisions of K.S.A. 75-4215, and amendments
42 thereto. Upon receipt of each such remittance, the state treasurer shall
43 deposit the entire amount in the state treasury to the credit of the state

1 highway fund. The secretary may adopt rules and regulations for payment
2 and collection of all fees. The secretary may adopt rules and regulations
3 implementing the provisions of this section to prescribe standards for any
4 permit program to enhance highway safety.

5 (g) If any local authority does not desire to exercise the powers con-
6 ferred on it by this section to issue or deny permits then such a permit
7 from the local authority shall not be required to operate any such vehicle
8 or combination of vehicles on highways under the jurisdiction of such
9 local authority, but in no event shall the jurisdiction of the local authority
10 be construed as extending to any portion of any state highway, any city
11 street designated by the secretary as a connecting link in the state highway
12 system or any highway within the national system of interstate and de-
13 fense highways, which highways and streets, for the purpose of this sec-
14 tion, shall be under the jurisdiction of the secretary.

15 (h) A house trailer, manufactured home or mobile home which ex-
16 ceeds the width as provided in subsection (a) of K.S.A. 8-1902, and
17 amendments thereto, may be moved on the highways of this state by
18 obtaining a permit as provided in this section, if:

19 (1) The width of such house trailer, manufactured home or mobile
20 home does not exceed 16½ feet;

21 (2) the driver of the vehicle pulling the house trailer, manufactured
22 home or mobile home has a valid driver's license; and

23 (3) the driver carries evidence that the housetrailer, manufactured
24 home or mobile home, and the vehicle pulling it, are covered by motor
25 vehicle liability insurance with limits of not less than \$100,000 for injury
26 to any one person, and \$300,000 for injury to persons in any one accident,
27 and \$25,000 for injury to property.

28 For the purposes of this subsection, the terms "manufactured home"
29 and "mobile home" shall have the meanings ascribed to them by K.S.A.
30 58-4202, and amendments thereto.

31 (i) Upon proper application stating the description and registration
32 of each power unit, the secretary of transportation shall issue permits for
33 a period, from May 1 to November 15, for custom combine operators to
34 tow custom-combine equipment on a trailer within legal dimensions or a
35 trailer especially designed for the transportation of combines or combine
36 equipment at the rate of \$10 per power unit. Each application shall be
37 accompanied by information as required by the secretary. The permit
38 shall allow custom combine operators to haul two combine headers on
39 designated interstate highways provided:

40 (1) The vehicle plus the load do not exceed 14 feet in width;

41 (2) the move is completed during the period beginning 30 minutes
42 before sunrise and ending 30 minutes after sunset; and

43 (3) the vehicle plus the load are not overweight.

- 1 (j) Except as provided in paragraph (2) of subsection (d) of K.S.A. 8-
2 1902, and amendments thereto, a vehicle loaded with bales of hay which
3 exceeds the width as provided in subsection (a) of K.S.A. 8-1902, and
4 amendments thereto, may be moved on any highway designated as a part
5 of the national network of highways by obtaining a permit as provided by
6 this section, if:
- 7 (1) The vehicle plus the bales of hay do not exceed 12 feet in width;
 - 8 (2) the vehicle plus the bales of hay do not exceed the height au-
9 thorized under K.S.A. 8-1904, and amendments thereto;
 - 10 (3) the move is completed during the period beginning 30 minutes
11 before sunrise and ending 30 minutes after sunset;
 - 12 (4) the vehicle plus the load are not overweight; and
 - 13 (5) the vehicle plus the load comply with the signing and marking
14 requirements of paragraph (3) of subsection (d) of K.S.A. 8-1902, and
15 amendments thereto.
- 16 (k) If it is determined by the secretary of transportation that a person
17 has been granted a permit and has not complied with the applicable pro-
18 visions of this section and the rules and regulations of the secretary of
19 transportation relating thereto, the secretary may cancel the permit and
20 may refuse to grant future permits to the individual.
- 21 Sec. 2. K.S.A. 2008 Supp. 8-1911 is hereby repealed.
- 22 Sec. 3. This act shall take effect and be in force from and after its
23 publication in the statute book.