			PP		Date	
MINUTES OF THESENATE	COMMITTEE ON	TRA	NSPORTATION	AND I	UTILITIES	,
The meeting was called to order by	SENATOR	ROBERT V.	TALKINGTON			at
			Chairperson			
9:00 a.m. Tuesd	ay, March 29		, 19 <sup>83</sup> in	room	254-E	of the Capitol.
All members were present except:		,		~	. 8	
Senator Burke			slet.	à	effe	
Committee staff present:					$\bigcirc$	
Arden Ensley						

March 29, 1983

Approved

Conferees appearing before the committee:

Hank Avila Rosalie Black

SB 417 - John Kemp, Secretary of Transportation
Mary Turkington, Kansas Motor Carriers Association

The meeting was called to order by Senator Talkington, Chairman, who introduced John Kemp, Secretary of Transportation to discuss Senate Bill 417.

## SENATE BILL 417 - HEARING AND ACTION

Secretary Kemp indicated the proposed legislation is a result of the Federal Surface Transportation Assistance Act of 1982 which provides a five cent increase in federal motor fuel taxes and adjustments in other highway user fees which will provide funds for the expanded federal highway and safety program. The act increases the tax on new trucks and trailers and mandates that states must accept federal truck size and weight limits on interstate highways and selected federal—aid primary roads by October 1, 1983.

In answer to questions from Senator Meyers and Senator Morris, Secretary Kemp said there would be no adverse effects to highway safety or deterioration since vehicles would be wider under new federal regulations but not heavier. (See Attachment 1.)

Mary Turkington stated that motor carriers support SB 417 even though they did not seek such legislation, however, there is a realization by the industry of the necessity of accepting the federal act. Agreeing with Secretary Kemp, she noted there would be no damage to highways as a result of regulation change since weights and axle limits do not increase.

Senator Morris moved to amend SB 417 in Line 78, changing 52 feet to 53 feet; deletion of Lines 160-163; and in Line 149, Page 8, change K.S.A. 8-1912 to K.S.A. 8-1911; seconded by Senator Hayden. The motion carried.

After Senator Hayden pointed out that Line 527 should be deleted, Arden Ensley

## CONTINUATION SHEET

MINUTES	OF THE SENATE	COMMITTEE ON	TRANSPORTATION AND UTILITIES	
room 254-		9:00 a.m.m./p.m. on	March 29	19 83

## SENATE BILL 417 (continued)

indicated a mechanical error in this line.

Senator Hayden moved to strike Line 527 if needed and not a printer's error; seconded by Senator Kerr. The motion carried.

Senator Morris moved to insert House Bill 2225 into Senate Bill 417 since they amend the same sections; seconded by Senator Meyers. The motion carried.

<u>Senator Morris moved that Senate Bill 417 be reported favorable for passage as amended; seconded by Senator Hayden and passed.</u>

Senator Morris moved to approve minutes to date; seconded by Senator Norvell. The motion carried.

The meeting adjourned at 9:40 a.m.

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

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† !	NAME	ADDRESS	ORGANIZATION		BILL NO.
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## KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING-TOPEKA, KANSAS 66612

JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO:

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

FROM:

JOHN B. KEMP, P.E.

SECRETARY OF TRANSPORTATION

DATE:

MARCH 29, 1983

**REGARDING:** 

SENATE BILL 417 - AN ACT CONCERNING VEHICLES; SIZE AND LOADS THEREON; WEIGHT LIMITATIONS;

AMENDING K.S.A. 8-1902, 8-1904, 8-1908 AND 8-1909

## STAA REQUIREMENTS

THE FEDERAL SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 PROVIDES A FIVE CENT INCREASE IN FEDERAL MOTOR FUEL TAXES, AND ADJUSTMENTS IN OTHER HIGHWAY USER FEES WHICH WILL PROVIDE FUNDS FOR THE EXPANDED FEDERAL HIGHWAY AND SAFETY PROGRAM.

THE ACT REPEALS FEDERAL CHARGES ON LUBRICATING OIL AND TRUCK PARTS; BUT INCREASES THE TAX ON NEW TRUCKS AND TRAILERS.

THE ACT FURTHER MANDATES THAT STATES MUST ACCEPT FEDERAL TRUCK SIZE AND WEIGHT LIMITS ON INTERSTATE HIGHWAYS AND SELECTED FEDERAL-AID PRIMARY ROADS OF FOUR OR MORE LANES OF FULL-CONTROL ACCESS. STATES ARE ALLOWED TO DESIGNATE ADDITIONAL ROUTES WHICH WOULD ACCOMODATE THE NEW VEHICLES.

THESE CHANGES MUST BE ENACTED NO LATER THAN OCTOBER 1, 1983.

Alsh. 1

ON MARCH 7, 1983 THE DEPARTMENT RECEIVED CORRESPONDENCE FROM THE CHIEF COUNSEL FOR THE FEDERAL HIGHWAY ADMINISTRATION (FHWA), CONCERNING CERTAIN PROVISIONS OF THE KANSAS VEHICLE WEIGHT LAWS. IN THE FHWA COMMUNIQUE, IT WAS NOTED THAT KANSAS WAS OUT OF COMPLIANCE WITH THE FEDERAL INTERNAL BRIDGE WEIGHT FORMULA AND THE FEDERAL DEFINITION FOR TANDEM AXLES.

THE INTERNAL BRIDGE WEIGHT FORMULA MEASURES THE WEIGHT DISTRIBUTION ON VEHICLES NOT ONLY FROM ONE EXTREME AXLE TO THE OTHER EXTREME AXLE AS IN THE FIRST ILLUSTRATION, BUT ALSO MEASURES THE VARIOUS OTHER AXLE COMBINATIONS ON THE VEHICLE AS IN THE SECOND ILLUSTRATION. (SEE ATTACHMENT I) KANSAS DOES NOT PRESENTLY FOLLOW THE INTERNAL BRIDGE SYSTEM.

THE FHWA CHIEF COUNSEL FURTHER NOTIFIED THE DEPARTMENT THAT KANSAS MUST ENACT THE NECESSARY CHANGES BY OCTOBER 1, 1983.

## TRUCK WIDTHS

#### **RECOMMENDATION:**

+ ALLOW VEHICLES WITH A WIDTH OF EIGHT FEET SIX INCHES ON ALL ROUTES. (SB 417, LINE 0023)

#### REVIEW:

THE DEPARTMENT'S PROPOSAL TO ALLOW THE WIDER VEHICLES ON ALL ROUTES IS CONSISTENT WITH THE FEDERAL REQUIREMENTS IN THE 1982 DOT APPROPRIATIONS ACT. THE AGENCY HAS CONCLUDED THAT THE ESTABLISHMENT OF VARIOUS WIDTH REQUIREMENTS WOULD CAUSE SIGNIFICANT ADMINISTRATIVE PROBLEMS AND COULD HAVE AN ADVERSE EFFECT ON SERVICE TO SOME COMMUNITIES.

## TRUCK LENGTH

## **RECOMMENDATIONS:**

- + EXCLUDE TRUCK TRACTORS FROM THE 42½ FOOT MOTOR VEHICLE LENGTH LIMITATION. (SB 417, LINE 0076)
- + ALLOW SEMITRAILERS IN A TRUCK TRACTOR-SEMITRAILER
  COMBINATION TO BE UP TO 53 FEET IN LENGTH. (SB 417,
  LINE 0078) (PROPOSED COMMITTEE AMENDMENT)

Change 1 H.

- + ALLOW SEMITRAILERS AND TRAILERS IN A TRUCK TRAC-TOR-SEMITRAILER-TRAILER COMBINATION TO BE UP TO 28½ FEET IN LENGTH. (SB 417, LINE 0081)
- + ALLOW THE ABOVE VEHICLE COMBINATIONS ON ALL ROUTES.

#### **REVIEW:**

FEDERAL REQUIREMENTS IN THE STAA PROHIBIT STATES FROM IMPOSING "A LENGTH LIMITATION ON THE TRACTOR PORTION OF TRUCK COMBINATIONS ... BECAUSE IT COULD HAVE THE PRACTICAL EFFECT OF IMPOSING AN OVERALL LENGTH LIMITATION ON THESE TRUCK COMBINATIONS." THE STAA PROHIBITS STATES FROM IMPOSING OVERALL LENGTH LIMITATIONS ON TRUCK COMBINATIONS.

THE AGENCY HAS CONCLUDED THAT RESTRICTING THE PROPOSED TRUCK LENGTHS TO SPECIFIC ROUTES WOULD CREATE ADMINISTRATIVE PROBLEMS AND COULD CREATE AN ADVERSE EFFECT ON SERVICE TO SOME COMMUNITIES.

UNDER THE REQUIREMENTS IN THE SURFACE TRANSPORTATION ACT, STATES CANNOT LIMIT SEMITRAILERS IN A TRUCK TRACTOR-SEMITRAILER COMBINATION TO LESS THAN 48 FEET AND SEMITRAILERS OR TRAILERS IN A TRUCK TRACTOR-SEMITRAILER-TRAILER COMBINATION TO LESS THAN 28 FEET. THE ACT PROVIDES AN EXCEPTION TO THESE MINIMUM REQUIREMENTS BY ALLOWING THOSE TRAILER UNITS WHICH EXCEED THE 48 AND 28 FEET LIMIT, AND WHICH WERE LEGALLY REGISTERED AND OPERATING IN THE STATE AS OF DECEMBER 1, 1982, TO CONTINUE THEIR OPERATION. THE KDOT HAS DETERMINED THAT SEMITRAILERS AND TRAILERS WITH DIMENSIONS OF APPROXIMATELY 52 AND 28½ FEET RESPECTIVELY, HAVE BEEN

OPERATING WITHIN THE STATE AS OF DECEMBER I, 1982. THERE-FORE, THE DEPARTMENT'S RECOMMENDATION TO ALLOW SEMI-TRAILERS UP TO 52 FEET IN LENGTH AND TRAILERS UP TO 28½ FEET IN LENGTH IS CONSISTENT WITH FEDERAL REQUIREMENTS. AS WE NOW ARE IN RECEIPT OF NOTICE THAT SOME SEMITRAILERS OF 53 FEET ARE CURRENTLY LEGALLY OPERATING IN KANSAS, WE RECOMMEND THE COMMITTEE AMEND SECTION 2 (D) (LINE 0078) OF THE BILL TO PROVIDE FOR 53 FEET THEREBY ALLOWING THESE TRAILERS TO CONTINUE TO OPERATE.

Tell of the state 
ops, - a balo.

## SAFETY DEVICES

## **RECOMMENDATION:**

PROVIDE THAT THE SECRETARY SHALL DESIGNATE BY RULES AND REGULATIONS SAFETY OR OTHER DEVICES WHICH MAY EXTEND OUT ON EITHER SIDE OF VEHICLES. (SB 417, LINE 0050)

#### **REVIEW:**

THE FEDERAL HIGHWAY ADMINISTRATION HAS ESTABLISHED THAT STATES MAY SPECIFY SUCH SAFETY OR OTHER DEVICES WHICH MAY EXTEND OUT ON EACH SIDE OF VEHICLES. THE DEPARTMENT'S PROPOSAL IS CONSISTENT WITH THIS PROVISION.

## VEHICLE WEIGHTS

## **RECOMMENDATIONS:**

+ REVISE THE DEFINITION FOR "TANDEM AXLES" (FROM "40
INCHES AND NOT MORE THAN 90 INCHES APART" TO "40
INCHES AND NOT MORE THAN 96 INCHES APART".) (SB 417,
LINE 0146)

- + REVISE THE DEFINITION FOR "TRIPLE AXLES" (FROM "90 INCHES AND NOT MORE THAN 120 INCHES APART" TO "96 INCHES AND NOT MORE THAN 120 INCHES APART.") (SB 417, LINE 0151)
- + DELETE WEIGHT PROVISIONS FOR TRIPLE AND QUAD AXLES.

  (SB 417, LINES 0160-0163) (PROPOSED COMMITTEE AMEND-MENT)
- + COMBINE PROVISIONS IN THE PRESENT STATUTORY WEIGHT TABLE WITH THE PROVISIONS OF THE FEDERAL INTERNAL-BRIDGE WEIGHT. INTERSTATE TRAFFIC WOULD CONTINUE TO BE LIMITED TO 80,000 LBS. MAXIMUM GROSS WEIGHT, WITH TRAFFIC ON ALL OTHER ROADS FALLING UNDER THE CURRENT STATE LIMIT OF 85,500 POUNDS. (SB 417, LINES 0167-0511, 0524-0526)

#### **REVIEW:**

AS MENTIONED PREVIOUSLY, THE FHWA'S CHIEF COUNSEL PROVIDED NOTIFICATION TO THE KDOT THAT SECTIONS OF THE KANSAS LAW WHICH REGULATE VEHICLE WEIGHTS, WERE OUT OF CONFORMITY WITH FEDERAL WEIGHT REQUIREMENTS FOR INTERESTATE TRAFFIC. THE DEPARTMENT'S RECOMMENDATIONS, REGARDING THE TANDEM AXLE DEFINITION AND INCORPORATION OF FEDERAL INTERNAL-BRIDGE SPECIFICATIONS INTO THE KANSAS WEIGHT SCHEDULE, ARE INTENDED TO ADDRESS THE FHWA CONCERNS AND BRING KANSAS INTO CONFORMITY.

RECOMMENDED CHANGES TO THE TRIPLE AXLE DEFINITION RESULTED FROM CHANGES TO THE TANDEM AXLE DEFINITION. NO CHANGE IS PROPOSED TO THE QUAD AXLE DEFINITION.

IN A LETTER DATED MARCH 25, 1983, DELETION OF WEIGHT SPECIFICATIONS FOR TRIPLE AND QUAD AXLES WAS RECOMMENDED BY THE FHWA TO BRING KANSAS INTO CONFORMITY WITH THE FEDERAL WEIGHT REQUIREMENT. THE KDOT CONCURS AND ASKS THE COMMITTEE TO AMEND THE BILL BY DELETING LINES 0160 THRU 0163. AXLE LOAD LIMITS WOULD BE SPECIFIED WITHIN THE INTERNAL - BRIDGE TABLE.

THE ALTERNATIVE TO THE PROPOSED CHANGE IN THE WEIGHT TABLES WOULD BE TO ESTABLISH SEPARATE WEIGHT SCHEDULES - ONE APPLIED TO THE INTERSTATE AND THE SECOND APPLIED TO ALL OTHER ROADS. IT IS THE DEPARTMENT'S CONCLUSION THAT THE ESTABLISHMENT OF DUAL WEIGHT SCHEDULES WOULD CAUSE SIGNIFICANT ADMINISTRATIVE PROBLEMS.

## NONCOMPLIANCE - FEDERAL PROVISIONS

KANSAS MUST COMPLY WITH EACH OF THESE PROVISIONS NO LATER THAN OCTOBER I, 1983. SHOULD KANSAS BE DESIGNATED BY THE FHWA AS BEING OUT OF CONFORMITY, THE STATE'S FEDERAL-AID INTERSTATE APPORTIONMENT COULD BE WITHHELD FOR THE FOLLOWING FISCAL YEAR. ESTIMATES OF THE FISCAL YEAR 1986 KANSAS APPORTIONMENTS PLACE THE FEDERAL-AID AMOUNT AT AROUND \$61 MILLION FOR INTERSTATE APPORTIONMENTS.

## CLEAN-UP AMENDMENT

IN A FINAL REVIEW OF SENATE BILL 417, STAFF DISCOVERED A TECHNICAL ERROR IN A STATUTE CITATION CARRIED OVER FROM CURRENT LAW WHICH NEEDS TO BE REMEDIED. ON PAGE EIGHT (8), LINE 0149, THE CORRECT STATUTE SHOULD BE K.S.A. 8-1911 WHICH APPLIES TO SPECIAL PERMITS.

## CONCLUSION

I ENDORSE THE RECOMMENDATIONS PRESENTED HERE TODAY AND URGE THE COMMITTEE TO RECOMMEND SENATE BILL 417 FAVORABLE FOR PASSAGE. THANK YOU.

**ATTACHMENTS** 

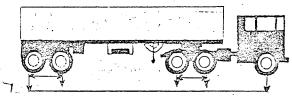
#### ATTACHMENT I

#### FEDERAL INTERNAL - BRIDGE WEIGHT MEASUREMENT METHOD VS. STATUTORY MEASUREMENT METHOD

- I. STATUTORY METHOD K.S.A. 8-1909 (CURRENT LAW)
  APPLICABLE PROVISIONS:
  - I) SINGLE AXLE WEIGHT NOT TO EXCEED 20,000 POUNDS.
  - 2) TANDEM AXLE WEIGHT NOT TO EXCEED 34,000 POUNDS.
  - 3) TRIPLE AXLE WEIGHT NOT TO EXCEED 42,000 POUNDS.
  - 4) QUAD AXLE WEIGHT NOT TO EXCEED 50,000 POUNDS.
  - 5) OVERALL WEIGHT PROVISIONS CONTAINED IN K.S.A. 8-1909(a)(2)

    SPECIFIED IN MEASURED FEET FROM THE FIRST AXLE TO THE

    LAST AXLE. TRUCK-TRACTOR SEMITRAILER



Statutory Measurement Illustration 1.

## II. FEDERAL INTERNAL - BRIDGE WEIGHT METHOD

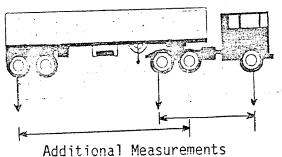
THE INTERNAL - BRIDGE METHOD OPERATES FROM THE FORMULA CONTAINED IN 23 USC 127 WHICH MEASURES NOT ONLY OVERALL WEIGHT IN RELATION TO TOTAL VEHICLE LENGTH AND AXLE WEIGHTS AS IN THE KANSAS STATUTES BUT ALSO AXLE COMBINATION WEIGHTS.

TRUCK-TRACTOR SEMI TRAILER

WEIGHT = 500 L N + 12 N + 36

WHERE L = LENGTH IN FEET BETWEEN AXLES

N = NUMBER OF AXLES



Additional Measurements Internal-Bridge Method

Illustration 2.

## ATTACHMENT II

## COMPARISON OF

# SURFACE TRANSPORTATION ASSISTANCE ACT REQUIREMENTS AND 1982 DOT APPROPRIATIONS ACT REQUIREMENTS

VS.

## KANSAS STATUTORY PROVISIONS ON TRUCK WIDTH, LENGTH AND WEIGHT

ITEM	FEDERAL REQUIREMENT	CURRENT STATUTORY PROVISIONS DEPAR	TMENT RECOMMENDATION
I. WIDTH	- 102 INCH MAXIMUM ON THE	- 96 INCH MAXIMUM. ALL VEHICLES - ALLOW	THE 102 INCH MAXIMUM ON ALL
(1982 DOT APPROPRIA-	INTERSTATE OR ON OTHER STATE	EXCEPT INTERCITY BUSES WHICH ROUTES	S.
TIONS ACT)	DESIGNATED ROUTES.	MAY BE 102 INCHES DESIGN	ATE ALLOWABLE SAFETY DEVICES
	- STATE MAY DESIGNATE SAFETY	- NO REFERENCE TO SAFETY DEVICES BY RUL	ES AND REGULATIONS.
	DEVICES WHICH MAY EXTEND OUT		
	ON EITHER SIDE OF THE VEHICLE.		
2. LENGTH			
A. TRUCK TRACTOR	- NO LENGTH RESTRICTION ON THE	- 42'6" MAXIMUM FOR ALL VEHICLES NO LEN	IGTH RESTRICTION ON ANY ROUTE.
	INTERSTATE OR ON OTHER STATE	TRUCK TRACTOR LENGTH NOT	
	DESIGNATED ROUTES.	SPECIFIED.	

LITEM	RAL REQUIREMENT	CURRENT STATUTORY PROVISIONS	DEPARTMENT RECOMMENDATION
2. LENGTH (CONTINUED)			
B. OVERALL LENGTH	- NO LENGTH RESTRICTION ON THE	- 65 FEET OVERALL LENGTH LIMITA-	- NO LENGTH RESTRICTION WHERE
	INTERSTATE.	TION.	SPECIFIED.
C. SINGLE SEMITRAILER	- NO LENGTH LIMIT OF LESS THAN 48	- NOT ADDRESSED.	- FIFTY-THREE FOOT MAXIMUM LENGTH ON
	FEET ON THE INTERSTATE ROUTES		ALL ROUTES.
	AND ON OTHER STATE DESIGNATED	)	,
	ROUTES EXCEPT THAT THOSE UNIT	S	
	WHICH EXCEED THE 48 FOOT LIMIT	-	
	AND WHICH WERE LEGALLY OPERA	AT-	
,	ING IN THE STATE AS OF DECEMBER	₹	
	1, 1982 WILL BE ALLOWED.		
D. DOUBLE TRAILERS	- NO LENGTH LIMIT OF LESS THAN 28	- NOT ADDRESSED.	- 28½ FOOT MAXIMUM LENGTH ON ALL
	FEET ON THE INTERSTATE ROUTES		ROUTES.
	AND ON OTHER STATE DESIGNATED		
	ROUTES EXCEPT THAT THOSE UNIT	S	
	WHICH EXCEED THE 28 FOOT LIMIT	-	
	AND WHICH WERE LEGALLY OPERA	ΔT-	
	ING IN THE STATE AS OF DECEMBER	₹	
	I, 1982 WILL BE ALLOWED.		

ITEM	FEDERAL REQIREMENT	CURRENT STATUTORY PROVISIONS	DEPARTMENT RECOMMENDATIONS
3. SAFETY DEVICES	- STATES ARE TO DESIGNATE SAFETY -		SPECIFY BY ADMINISTRATIVE RULE AND
(便验 DOT APPROPRIA-	DEVICES WHICH MAY EXTEND OUT	SAFETY DEVICES ON INTERCITY	REGULATION THOSE SAFETY DEVICES
TION ACT)	ON EITHER SIDE OF A VEHICLE.	AND LOCAL URBAN BUSES. ALL	WHICH SHALL BE PERMITTED.
		VEHICLES ARE NOT ADDRESSED.	
4. VEHICLE WEIGHT	- ENFORCE THE PROVISIONS OF -	WEIGHT SCHEDULE MEASURES FROM -	ADOPT THE FEDERAL INTERNAL BRIDGE
	THE FEDERAL INTERNAL-BRIDGE	THE FIRST TO LAST AXLE. STATUTES	WEIGHT PROVISIONS, COMBINING THE
	WEIGHT FORMULA, AS CONTAINED	PROVIDE FOR 20,000 LBS. SINGLE AXLE	FEDERAL WEIGHT TABLE WITH THE STATE
	IN TITLE 23 USC 127, ON THE IN-	WEIGHT, 34,000 LBS. TANDEM AXLE	MAXIMUM GROSS WEIGHT LIMIT OF 85,000
•	TERSTATE SYSTEM.	WEIGHT, 42,000 LBS. TRIPLE AXLE	LBS.
	- REVISE THE DEFINITION FOR	WEIGHT, AND 50,000 LBS. QUAD AXLE -	REVISE THE DEFINITION OF TANDEM AXLES
	"TANDEM" AXLES.	WEIGHT, MAXIMUM GROSS WEIGHT IS	TO "NOT LESS THAN 40 INCHES AND NOT
		85,500 LBS. WITH AN 80,000 LB. MAXI-	MORE THAN 96 INCHES APART."
		MUM GROSS WEIGHT LIMIT ON THE -	REVISE THE DEFINITION OF TRIPLE AXLES
		INTERSTATE SYSTEM.	TO "NOT LESS THAN <u>96</u> INCHES AND NOT
	-	TANDEM AXLES DEFINED AS "NOT LESS	MORE THAN 120 INCHES APART."
		THAN 40 INCHES AND NOT MORE THAN -	REMOVE THE REFERENCE TO SPECIFIC
		90 INCHES APART."	AXLE WEIGHT LIMITS FOR TANDEM, TRIPLE
		TRIPLE AXLES DEFINED AS "NOT LESS	AND QUAD AXLES. AXLE WEIGHTS WILL BE
		THAN 90 INCHES AND NOT MORE THAN	CONTAINED IN THE REVISED WEIGHT
		120 INCHES APART."	TABLE.