

Approved: 4/1/93
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Chairperson Ben Vidrickson at 9:00 a.m. on March 11, 1993 in Room 254-E of the Capitol.

All members were present except:

Senator Brady-Excused
Senator Burke-Excused

Committee staff present: Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Everett Hartman, Farmer and Custom Harvester, Conway Springs
Rick Farris, Custom Harvester, Edson
Jim Diebbert, Harvester, Colby
Karen Preisser, Farmer, Cunningham
Edgar Peck, Anderson-Peck Insurance Agency
Gene Martin, Martin Harvesters, Viola
Steven Berry, Big Sky Agri-Business, Inc., Lenora
Mark Wade, Fort Scott
Mary Turkington, Kansas Motor Carriers Association
Betty McBride, Division of Vehicles
Mike Torrey, Kansas Fertilizer and Chemical Assn. Inc., Topeka

Others attending: See attached list

Numerous people were in attendance for the hearing on **SB 329**, relating to the age requirements for commercial drivers' licenses, which began with a staff briefing. Everett Hartman spoke in support of the bill saying it would give young rural Kansans a chance for summer jobs. He pointed out that you can't pass laws to make a safe driver but you can educate and train a person to be a safe driver. (See Attachment A)

Richard Farris spoke in support of this bill and explained that the commercial drivers license has taken the traditional source of employees from custom harvesters. By allowing them to use younger people it will enable them to test earlier while the trucks are available for that use. He pointed out that the time required to train employees to take the CDL makes it difficult to hire college students as their school is not finished soon enough. He would also like to be able to test for a Class A license that will eliminate retesting at 18. He expressed concern that the CDL license requirement might force the state into crisis management at harvest time. (See Attachment B)

Jim Deibert explained that custom harvesting gives a lot of young people the summer jobs they need to help pay for their education. He wants to be able to use these young people as safe operators and felt it would further insure a safe driver by giving them additional training to pass CDL tests. (See Attachment C)

A petition, signed by 108 Custom Harvesters from Kansas who would support a bill to enable 16 and 17 year olds to acquire a CDL to permit them to move harvest equipment, was submitted by Karen Preissner. She stated they had their best experience with younger help as they were more conscientious with equipment and eager to learn and meet approval. (See Attachment D)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES, Room 254-E Statehouse, at 9:00 a.m. on March 11, 1993.

Edgar Peck spoke in support of this bill as an insurance agent. He explained that many of the young farm drivers used in the custom harvest operation are naturally much more familiar with driving trucks and combines than older youth, with other backgrounds, because they had grown up with the farming lifestyle and experience. He summarized by saying that if there had been a pattern that indicated 16 year old drivers were causing a disproportionate share of claims, the insurance companies would have placed age restrictions for all operators of motor vehicles involved with custom harvesting. (See Attachment E)

Gene Martin also spoke in support of **SB 329** citing his experience in hiring and training young people in harvesting who are careful, conservative and attentive. (See Attachment F)

Steven Berry reiterated that a safe driver is not made by age or a license, but is developed by attitude and supervision. He felt that young people were being subjected to more potential harm by not allowing them to work on custom harvesting crew then would be done by restricting them by age. He emphasized the importance of meaningful employment for these youth and urged the committee to adopt **SB 329**. (See Attachment G)

Mark Wade also urged support for this bill saying that he needed the additional labor force.

Mary Turkington stated they could support the bill as amended and Betty McBride took no position, saying they could administer it in the amended form. A Fiscal Note was distributed. (See Attachment H)

Attention was then turned to **HB 2189** relating to seasonal commercial drivers' licenses. Mike Torrey explained that the current law addresses Kansas agribusinesses during the summer and fall but they also employ seasonal help during a time frame not covered under this statute. The new legislation would provide employers the needed flexibility if they choose to license their employees during that time. (See Attachment I)

A motion was made by Senator Papay to approve the minutes of the March 10th meeting. A second was made by Senator Tiahrt. Motion carried.

The meeting was adjourned by the chairman.

The next meeting is scheduled for March 12, 1993.

GUEST LIST

SENATE TRANSPORTATION COMMITTEE

DATE: March 11, 1993

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Betty McBride	Topeka	KDOR
John W. Smith	Topeka	KDOR
Bill R. Fuller	Manhattan	Kansas Farm Bureau
GARY DAVENPORT	TOPEKA	KS MOTOR CARRIERS ASSN
Mary E. Turkington	"	"
Edgar B. Peck	"	Anderson Peck Ins. Agency
Anna Alexander	Strong City	FHSA - FNPS
Garry Preisser	Cunningham	Preisser Farms & Harvest
Garen Preisser	Cunningham	Preisser Farm & Harvesting
Steve Kahrs	Clay Center KS	Harvester
Jerome Heimerman	Conway Springs KS	Harvester & Farmer
Gene Spartin	Viola, Kans.	Custom Harvester
Wade Wade	R1 Fulton KS 66738	Wade Custom Harvesting US Custom Harvesting
Everett Hartman	Conway Springs	KS Farm Bureau Custom Harvest
Steven J. Benz	Lenora, KS 67645	US Custom Harvesters Inc. Rangers Wheat Growers
Jim Deibert	Colby KS 67701	US Custom Harvesters
Dan Haegele	Lucas, KS	USCHI
Ron Hardong	Goodland, Kansas	Goodland C of C
Mike Torrey	Topeka	KS. Fert. & Chem. Assn.

RE: Committee Members

I am Everett Hartman. I live on a farm near Conway Springs, Kansas in Sumner County. I am a farmer and custom harvester.

I am in favor of the passage of this bill. The passage of this bill will give the young kids of rural Kansas a chance for a summer job. In past years, custom harvesters could hire 16 year olds to drive trucks.

The first time that I went on harvest was 1952. I was 17 years old. Now we tell our young people that they can't work because they aren't old enough.

The government passed legislation that all truck drivers will have a CDL. The reason for this was some drivers had more than one drivers license. This law has been a hardship on our business. It is difficult to hire help. When people answer our ads for help, and you tell them that they have to get a CDL before they can work for you, you don't hear from them again.

The government is trying to legislate safety by making all drivers take a CDL test. You can't pass laws to make a driver be a safe driver. You can educate or train a person to be a safe driver. It is a lot easier to train a young person to be a safe driver than a older person.

Did you as a legislator have to take a test to see if you were qualified to be a legislator? This is what the government has done to our business. We now have to keep log books, we can't work over 70 hours in a 8 day period. These types of legislation are good for the over the road drivers, but puts a hardship on the custom harvester. As a farmer, I am exempt from these rules. As a custom harvester, I have to comply. This is why I am asking you to pass the Senate Bill No. 329.



Farris Brothers, Inc.
Custom Harvesting

Box 205 Edson, Kansas 67733
Phone 913-899-2652
March 11, 1993

SENATE BILL 329 Comments by Richard Farris

My name is Richard Farris, I am a custom harvester from Edson Kansas. I am a past president of U. S. Custom Harvesters Inc., which is a trade organization. We have been seeking relief from the commercial drivers license (CDL) for our industry. What we need is a complete exemption, however the Federal Highway Administration is very reluctant to grant this exemption even after legislation. FHWA's contention is that we have not exhausted all options available to us at the state level. That is why I requested the ruling in the attached letter from the FHWA which states that states can issue a CDL to persons younger than 18 if they are employed by a custom harvester as defined in 49CFR 391.2a.

I have been involved in our organization's safety program from its inception in 1986. We have seen improvements in our safety every year until 1992. I ask my insurance agent to keep records to see if our safety problems could be identified. In 1989 60% of our workforce was 21 or less, the average claim was less than \$1,800.00 and our 21 and under drivers only accounted for 11% of the dollars paid out. In 1992 we had a modest increase in accident frequency but the average claim was over \$6,000.00. One small claim involved a 20 year old and all of the remaining claims involved older drivers. The CDL has taken our traditional source of employees and we are struggling to adjust our hiring practices. We have experienced an inverse relationship between age and accidents. We believe that this is due to two factors. 1. We closely supervise our employees as they are always in close contact by 2 way radios and the majority of our driving is done in rural areas between the harvest field and the local storage point. 2. Not many people are available to do seasonal work and those with CDLs are either trucking company rejects or their driving record makes them unacceptable to our insurers.

Our statistics show that allowing us to use some younger people will enhance our safety. It will enable us to hire more local people as we will be able to test them in the spring while we still have trucks at home for them to use in the CDL testing. The time required for us to train our employees to take the CDL makes it very difficult for us to hire Kansas college students as their school is not finished soon enough. I have talked to several harvesters who were unable to use a good young person because their 18th birthday was too late to get them tested in a timely manner. I would also like to be able to test for a class A license as that will eliminate retesting at 18. I hope that you will offer an amendment that will allow this testing.

The enforcement people started spot checking for CDLs in July and August which caused a shortage of combines in North Dakota. Their Governor suspended all requirements for harvesters in an effort to get harvesters to help get out their wheat crop. I'm concerned that the CDL license requirement will force more states into this type of crisis management.

Two Kansas insurance agencies insure nearly 1/2 of all harvesters that are properly insured. They have been my best sources of information regarding losses and age of drivers. They are Ed Peck at Anderson Peck agency in Topeka, phone 800 628 0595 and Larry Minner at Western Insurance Agency in Goodland, phone 800 537 2594. You can contact either of these agents if you need any safety information concerning our industry.

ATTACHMENT B

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B-1



U.S. Department
of Transportation
**Federal Highway
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DEC 31 1992

Refer to: HCS-20

Dear Mr. Farris:

Thank you for your inquiry regarding the existing custom-harvesting waiver in 49 CFR 391.2(a) as it relates to State procedures for issuing commercial drivers' licenses (CDLs).

We understand the second sentence in 49 CFR 383.71(a)(1) to mean: "A person who operates or expects to operate entirely in intrastate commerce, or [as in the case of custom-harvesting operations in 49 CFR 391.2(a)] is otherwise not subject to Part 391, is subject to State driver qualification requirements and must certify that he/she is not subject to Part 391."

Thus, a custom-harvesting employee should certify that he or she is not subject to Part 391. The employee would then be subject to the qualification requirements of the State of licensure, which need not include a minimum age of 21. Moreover, there is no Federal prohibition against administering the CDL hazardous materials endorsement test to persons under 21 years of age, nor do we prohibit CDL testing of persons under 18 years old. In fact, the CDL program in and of itself contains no minimum or maximum age limits; for drivers not subject to 49 CFR Part 391, these matters are at the discretion of the State of licensure.

The FHWA does not insist that States apply their own intrastate driver qualification requirements to drivers involved in custom harvesting operations, because these drivers are specifically exempted in the Federal regulation which sets standards for qualification of drivers in interstate and foreign commerce. Therefore, a State that exempts custom harvesters from its own intrastate age and medical requirements will not run the risk of losing Motor Carrier Safety Assistance Program or any other FHWA funding.

We understand that some States are issuing "intrastate only" restrictions to CDL applicants who do not meet the driver qualification requirements of 49 CFR Part 391. For employees of custom harvesting operations driving commercial motor vehicles covered by the Section 391.2(a) exemption, the "intrastate only" restriction is not necessary.

Because your underlying problem centers on State treatment of the existing custom-harvesting exemption in the CDL context, I am providing a copy of this letter to the American Association of Motor Vehicle Administrators for electronic dissemination to all State licensing officials.

I trust this will resolve the questions you have raised. If there is anything more we can do to assist your ongoing efforts to comply with the CDL regulations, please do not hesitate to call upon me or my staff.

Sincerely yours,

James E. Scapellato, Director
Office of Motor Carrier Standards

cc: John Strandquist - AAMVA



HARVESTING

Rt. 3 - Box 125
Colby, Kansas 67701

SHOP: 913-462-7693

RES: 913-462-8147

Greetings:

The reason that I am here is to ask for your support of SB329. This bill asks you to allow 16 and 17 year olds to take the Commercial Driver's License test. Upon completion of both the written and skills test, they would be issued a CDL for use in custom harvesting operations.

The first question you will have is "Does the Federal Highway Administration allow it?" Yes, the letter attached to this testimony is evidence. I quote from paragraph four, "The FHWA does not insist that states apply their own intrastate driver qualification requirements to drivers involved in custom harvesting operations, because these drivers are specifically exempted in the Federal Regulations which sets standards for qualifications of drivers in interstate and foreign commerce. Therefore, a state that exempts custom harvesters from its own intrastate age and medical requirements will not run the risk of losing Motor Carrier Safety Assistance Program or any other FHWA funding."

In this letter they tell us that it is permissible to give the CDL test to young drivers.

Another question you might ask would be "Does any other state do this?" Yes, Nebraska allows 16 year olds a Class C license that allows them to haul grain and have a haz mat endorsement to haul diesel fuel in service trucks, but restricts them to no semi's and no combination vehicles with over a 10,000 pound trailer.

This will not be a lot of individuals in my opinion, but there are some young people out there who want to do this work. We would like to be able to use these young people.

ATTACHMENT C

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As it stands now, Kansas farmers can hire 16 and 17 year olds. These drivers may drive the farmer's wheat truck to the same elevator we haul to and drive the farmer's pickup loaded with diesel fuel on the same roads we drive.

I want to be able to use these same young people in my operation, yet I want to make sure that they possess skills and knowledge before we put them on the road. I am not saying that the farmers aren't safe, but I feel we are going further to insure a safe driver by giving them additional training to pass these CDL tests.

I contacted my insurance agent who is Larry Minner of Western Insurance Agency of Goodland, Kansas. According to him, the younger drivers have no correlation with the number of accidents. I have evidence of 32 different accidents his agency covered. In these the youngest age was 20 years of age, so you can see age is not the factor.

Custom harvesting traditionally gives a lot of young people the summer jobs they need so they can help pay for their education. We need these young people because their summer vacation fits the time we need employees.

I hope that you will agree with me and pass SB329. I will try to answer any questions you may have.

Sincerely,

Jim Deibert

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3/11/93
C-2



U.S. Department
of Transportation
**Federal Highway
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DEC 31 1992

Refer to: HCS-20

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I trust this will resolve the questions you have raised. If there is anything more we can do to assist your ongoing efforts to comply with the CDL regulations, please do not hesitate to call upon me or my staff.

Sincerely yours,

James E. Scapellato, Director
Office of Motor Carrier Standards

cc: John Strandquist - AAMVA

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3/11/93
C-3

AGE

- 20 - Collision with parked car
- 20 - Shoulder - rollover
- 21 - Bridge collapse
- 23 - Stop sign - collision
- 24 - Combine rollover
- 24 - TK rollover
- 26 - Turn too sharp - collision
- 27 - Ran out of gas - rolled back down hill
- 27 - Lane change collision

- 34 - Combine hit power line
- 34 - Wide load collision
- 34 - Left turn collision

- 41 - Backing collision
- 41 - Bridge collision
- 42 - Backing collision
- 42 - Stop sign collision
- 46 - Trailer house fire
- 47 - Lost control holding dog
- 48 - Truck fire
- 48 - Auger swung out while moving on trailer
- 49 - Wide load collision

- 50 - Rolled grain cart
- 52 - Collision with motorcycle
- 52 - Backing collision
- 52 - Collision with railroad track crossing
- 52 - Collision with motorcycle
- 53 - Collision with bike
- 55 - Wide load collision
- 58 - TK jumped into gear - collision with PU
- 59 - Collision with deer

- 61 - Collision - took ditch to avoid car
- 62 - Stop sign collision
- 66 - Truck rollover

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SUBMITTED: a petition signed by 108 U.S. Custom Harvesters from Kansas who would support a bill to enable 16 and 17 year olds to acquire a CDL, permitting them to drive Class B vehicles pulling harvest-support equipment.

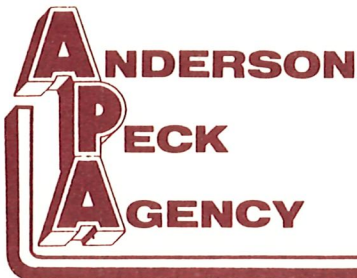
By Karen Preisser, Cunningham, Ks
Farmer from South-Central Ks and Custom Harvester for 22 years

- I. Best Experience with Younger Help
- A. More conscientious with maintenance and equipment
 - B. Eager to learn and meet approval

- II. Family Harvest Crews
- A. Born and raised around equipment
 - B. Daily observance in handling vehicles
 - C. Use of common sense
 - D. Safety engrained in the family members

III. Why CDL is needed for 16 and 17 year olds

- A. To move equipment
- B. To save time and money
- C. Job efficiency



TEL:913/267-4840
1-800-628-0595

3645 SW BURLINGAME RD. • TOPEKA, KANSAS 66611-2093

INTRODUCTION:

My name is Edgar Peck. I am an independent insurance agent located here in Topeka. I have been an agent for 26 years and currently am the co-owner of Anderson Peck Agency.

PRO POSITIONS ON THIS ISSUE:

I have written insurance covering custom harvesters since 1984 thru the USF&G Insurance Company. The insurance company has never placed any age restrictions on drivers since we began writing vehicle insurance.

As an agent whose responsibility is to monitor loss trends, we have not been able to determine that youthful operators were involved in or caused any more accidents than any other age group.

Many of our vehicle claims come from truck roll overs which are normally caused by carelessness and improper judgment of road conditions. Where there are liability claims, most are acts of negligence such as backing into other vehicles, turning into other vehicles or catching overhead power lines.

The insurance companies recognized that many of the youthful drivers and operators are family members who literally have grown up with the custom harvest operation. They are much more familiar with driving trucks and combines than those who have come from city backgrounds, even though they might be older.

In summary, if there had been a trend or pattern that indicated 16 year old drivers were causing a disproportionate share of claims, the insurance companies would have placed age restrictions for all operations of motor vehicles involved with custom harvesting.

Respectfully Submitted,

Edgar B. Peck
Anderson Peck Agency, Inc.

ATTACHMENT E

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I wish to testify in regard to Senate Bill 329 allowing 16 and 17 year old employees to test for and obtain a CDL restricted license.

I have raised six children on the harvest and also have employed 16 and 17 year olds in the past. My three boys and three girls drove trucks and combines as they were growing up. This age group are by far more careful and listen when instructions are given as to the way we want and expect our equipment to be treated. We stress safety at all times, along with a 40 mph speed limit with a loaded truck and 50 mph with a empty truck.

These young people don't think they know it all and will listen. They want to work to further their education and are willing to do anything they are asked to. Most have been told of the valuable equipment they operate and are very conservative and careful. All drivers are screened by our insurance company in regards to driving records.

We have found this age group has not been exposed to drinking, drugs, or smoking and know we will not tolerate any of this.

We need these 16 and 17 year olds to work for us, but need them to drive our service vehicles and pickups. Without them being able to get the restricted CDL, we cannot hire them.

I sincerely recommend Senate Bill 329 to pass so I can hire 16 and 17 year olds.

Gene Martin

Martin Harvesters

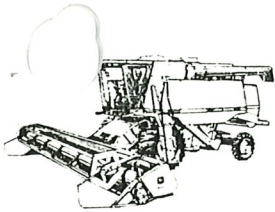
RR 1

Viola, KS

ATTACHMENT F

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FI



STEVEN L. BERRY
JONI K. BERRY

BIG SKY AGRI - BUSINESS, INC.
P.O. BOX 307
LENORA, KS. 67645

CUSTOM HARVESTER

- machinery kept in perfect condition
- references from satisfied, regular farming and ranching customers from Texas to Montana

March 11, 1993

Hello:

Thank you for allowing me the opportunity to speak to you. My name is Steve Berry. I live in Lenora, Kansas, which is a small community in southwest Norton county. Lenora is the headquarters for my farming operation, as well as, the base for my custom harvesting business. My father J. C. Berry started custom harvesting in 1948, and I have been on the custom harvesting run every year of my life. I graduated from Kansas State University, with a bachelors of science degree in Agricultural Engineering, in 1980. I have been happily married, to my wife Joni, for 17 years this coming April. We are the proud parents of three daughters, Amanda, who is 11, Kayla, who is 9, and Anna, who will be 7 in June. I am currently the president of U. S. Custom Harvesters, Inc..

U. S. Custom Harvesters is an organization formed by independent custom harvesters. The organizations goal is to protect the agricultural community and the custom harvesting industry. Our major problems have come directly from legislative actions, and are caused by misconceptions of the work we do, or misrepresentations of how we do our job. The legislative and bureaucratic attack, which seems to want to make the rural community conform to the needs of the urban environment is unbelievable. I often wonder if the smog has clouded our legislative vision or if the constant clamor has dulled our legislative brain.

The seasonal nature, of the custom harvesting industry, has provided a way for many young individuals to earn money, so they can attend school and further their education. The intimidation and confusion caused by the Commercial Drivers license has prompted many young people to give up on the idea of working on a custom harvesting crew. They must now seek seasonal employment in the urban area, where the unemployment rate is already alarmingly high. It is a shame, when a young person, can not find a job. They can become frustrated and vent their youthful energy in a nonproductive or criminal manner. Self esteem has always been a battle during the teenage and young adult years. This age group need to feel that their life is important. We must promote their self worth, which you will not be doing by limiting their opportunities for employment, especially when they are trying to cover the cost of their own education. The outcome of their frustration often times results in them dropping out. We all know that without an education the chances

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of finding meaningful employment is slim, at best. The custom harvesting industry is well suited for these young people because it provides employment, gives them the opportunity to see the most productive agricultural environment in the world, and provides an up close education on how a small business operates.

The employees of a custom harvesting crew are very closely supervised, and the working and living environment is much the same as that of a large family. The crew typically stays in a mobile home. It is located next to the crew leaders mobile home, which doubles as a cafeteria, when the crew eats in town. When the crew eats at the job site, the crew leaders wife usually brings out the meal, and it is served buffet style, as she hands out the mail. The closeness carries over on the job. Business band radios have become common place for custom harvesting crews. They allow instant communication between all the crew members and the crew leader.

Safety is a concern that has been addressed by harvesters for years. We are doing everything possible to prevent any of our employees\friends from having an accident. We take on the responsibility for caring for our employees and it is an insult for someone to say that I am not running my business the safest way possible. It needs to be understood that the crew leader is typically in a service pickup, looking for hazards that may cause problems. If a problem is located, he communicates the presence of the potential hazard to the crew members. If a problem does arise the crew leader is immediately there to fix the problem and get the operator or unit going again. The crew leader having immediate access to a problem, not only is conducive to optimizing operational time, but most importantly makes the job safer because of his expertise and training.

A safe driver is not made by age or a license, but is developed by attitude and supervision. There exists a learning curve no matter what an individuals age. I believe we are subjecting anyone, who is capable of passing the Commercial Driver's License test, to more potential harm by not allowing them to work on a custom harvesting crew then we would be by restricting them by age. Safety is an attitude which is much easier to develop at a younger age, especially when nurtured in a family setting such as a custom harvesting crew. Having safe operators is primarily a humanitarian concern for custom harvesters, but it is also an economic one.

I hope you will adopt Senate Bill 329.

Thank you,

Steven L. Berry

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STATE OF KANSAS



DIVISION OF THE BUDGET

Room 152-E

State Capitol Building

Topeka, Kansas 66612-1504

(913) 296-2436

FAX (913) 296-0231

Joan Finney
Governor

Gloria M. Timmer
Director

February 26, 1993

The Honorable Ben Vidricksen, Chairperson
Committee on Transportation and Utilities
Statehouse, Room 143-N
Topeka, Kansas 66612

Dear Senator Vidricksen:

SUBJECT: Fiscal Note for SB 329 by Senate Committee on
Transportation and Utilities

In accordance with KSA 75-3715a, the following fiscal note
concerning SB 329 is respectfully submitted to your committee.

SB 329 would amend KSA 1992 Supp. 8-237 and 8-2,133, which
pertain to driver's licenses. The bill would allow the Division of
Vehicles of the Department of Revenue to issue a commercial
driver's license to persons 16 years of age or older for the
operation of commercial class B and C motor vehicles for farm
custom harvesting operations. Under current law, persons must be
at least 18 years old to obtain a commercial driver's license to
drive a commercial class A or B motor vehicle.

SB 329 has no fiscal effect on state revenues or expenditures.

Sincerely,

A handwritten signature in cursive script that reads "Gloria M. Timmer".

Gloria M. Timmer
Director of the Budget

cc: Steve Stotts, Department of Revenue

329.fn

ATTACHMENT H

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KANSAS FERTILIZER AND CHEMICAL ASSOCIATION, INC.

816 S.W. Tyler St. P.O. Box 1517 A/C 913-234-0463 Topeka, Kansas 66601-1517

STATEMENT OF THE
KANSAS FERTILIZER & CHEMICAL ASSOCIATION
TO THE
SENATE TRANSPORTATION & UTILITIES COMMITTEE
SEN. BEN VIDRICKSEN, CHAIRMAN
REGARDING H.B. 2189
MARCH 11, 1993

Mr. Chairman and Members of the Committee, I am Michael Torrey, Director of Legislative and Regulatory Affairs for the Kansas Fertilizer and Chemical Association. KFCA is the trade association of our state's agrichemical and fertilizer industry. Our 600 members include primarily retailers, but also distribution firms and manufacturer representatives and others which serve the industry. We appreciate the opportunity today to express our support for H.B. 2189 which amends the Kansas Commercial Drivers License Act by allowing the 180-consecutive day period to begin on the date of issuance of a Commercial Drivers License rather than April 15.

Last year, our Association supported legislation which allowed for a restricted use commercial drivers license for the agribusinesses which we represent. The current law addresses the needs of Kansas agribusinesses which employ seasonal help during the summer and fall. However, our industry also employs seasonal help during the months of February, March, November and December a time-frame not covered under the current statute. This legislation would provide employers the needed flexibility if they choose to license their employees during this time-frame.

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I appreciate the opportunity to appear before you today in support of this legislation and would welcome any questions you may have.

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