

Approved: 3/14/94
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Chairperson Ben Vidricksen at 9:00 a.m. on March 10, 1994 in Room 254-E of the Capitol.

All members were present except:

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:

Ken Gudenkauf - KDOT
Mary Turkington - Kansas Motor Carriers Association
John Bottenburg - Bottenburg and Associates
Jim Tobaben - KDOT
Bob Totten - Kansas Contractors Association

Others attending: See attached list

HB 2780 - Concerning the length of certain vehicles

Ken Gudenkauf testified in support of this bill stating that the Federal Highway Administration requires the state's size and weight restrictions for commercial motor vehicles to be consistent with federal laws and regulations. This amended legislation would comply with federal regulations. (Attachment 1)

Mary Turkington explained that this would allow the custom harvesters to transport equipment and be in compliance with federal requirements. A balloon version of amendments for this was distributed. (Attachment 2)

John Bottenburg distributed an amendment stating that "no motor vehicle operated on the highways of this state shall be equipped with television-type receiving equipment so located that the viewer or screen is visible from the driver's seat." (Attachment 3)

The Highway Patrol stated that they had no problem with these amendments which would in fact, clarify some problems that they encounter with these situations.

After some discussion a motion was made by Senator Tiahrt and seconded by Senator Burke to accept both amendments to the bill. Motion carried.

A motion was made by Senator Jones to recommend this bill favorable for passage as amended. A second was made by Senator Tiahrt. Motion carried.

HB 2781 - Concerning road construction zones

Jim Tobaben addressed the Committee on behalf of KDOT pointing out that accidents in highway work zones in Kansas have nearly doubled over the last several years. This bill is a strategy for safer construction zones. It would double all fines assessed for certain violations in construction work zones. A couple of amendments were proposed. One would reconcile the provisions of the Uniform Act Regulating Traffic on Highways that address traffic restrictions, including traffic control in road construction zones, with K.S.A. 68-2104, which authorizes the Secretary or local municipalities to regulate and control traffic in areas undergoing construction or maintenance work. A second amendment is an attempt to make the language of the existing statute consistent with that found in the current version of **HB 2781**. The Revisor's Office is preparing the amendments.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES, Room 254E-Statehouse, at 9:00 a.m. on March 10, 1994.

Bob Totten stated the Kansas Contractors Association supports these amendments.

The Chairman stated that **HB 2781** would be held until the amendments were ready.

Senator Papay made a motion to approve the minutes of the March 9 meeting. A second was made by Senator Tiaht. Motion carried.

The meeting was adjourned by the Chairman.

The next meeting is scheduled for March 14, 1994.



Michael L. Johnston
Secretary of Transportation

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Joan Finney
Governor of Kansas

**TESTIMONY BEFORE
SENATE TRANSPORTATION AND UTILITIES COMMITTEE
March 10, 1994**

REGARDING HOUSE BILL 2780

Mr. Chairman and Committee Members:

On behalf of the Kansas Department of Transportation, I am here today to provide testimony in support of the proposed legislation.

The Federal Highway Administration requires the State's size and weight restrictions for commercial motor vehicles to be consistent with federal laws and regulations. The proposed legislation would amend K.S.A. 8-1904 to comply with federal regulations for saddlemount vehicle transporter combinations that took effect in August 1990. The discrepancy between the state statute and federal regulations was recently drawn to KDOT's attention. A saddlemount vehicle transporter combination that complied with federal requirements, but exceeded the State's length limitation of 65 feet, was stopped at a motor carrier inspection station. A Federal Highway Administration official was contacted and the discrepancy between the two sets of requirements was confirmed.

The Department of Transportation initiated the proposed legislation to amend the statute to comply with the federal regulation; therefore, I recommend passage of this bill.

This concludes my testimony. I will be glad to try and respond to any questions.

HOUSE BILL No. 2780

By Committee on Transportation

1-28

AN ACT regulating traffic; concerning the length of certain vehicles;
amending K.S.A. 8-1904 and repealing the existing section.

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

Section 1. K.S.A. 8-1904 is hereby amended to read as follows:

8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by subsection (e) of K.S.A. 8-1902, and amendments thereto, may be loaded with such bales secured to a height not exceeding 14½ feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 42½ feet extreme overall dimension, inclusive of front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915 and subsections (d), (e), (f) and (g), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59½ feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and trailer shall exceed 28½ feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with

relating to vehicle navigation systems;

8-1748 and

sections

Section 1. K.S.A. 8-1748 is hereby amended to read as follows: 8-1748. (a) No motor vehicle operated on the highways of this state shall be equipped with television-type receiving equipment so located that the viewer or screen is visible from the driver's seat.

(b) This section does not prohibit: (1) The use of television-type receiving equipment used exclusively for safety or law enforcement purposes, if such use is approved by the superintendent of the Kansas highway patrol; or (2) electronic displays used in conjunction with vehicle navigation systems.

Sec. 2.

1 the superintendent of the Kansas highway patrol for such purpose,
 2 and in such event, the superintendent or any designee of the su-
 3 perintendent may issue such special permit pursuant to the terms
 4 and conditions of the contract. The limitations in this section shall
 5 not apply to vehicles transporting such objects operated at nighttime
 6 by a public utility when required for emergency repair of public
 7 service facilities or properties or when operated under special permit
 8 as provided in K.S.A. 8-1911, and amendments thereto, but in re-
 9 spect to such night transportation every such vehicle and the load
 10 thereon shall be equipped with a sufficient number of clearance
 11 lamps on both sides and marker lamps upon the extreme ends of
 12 any projecting load to clearly mark the dimensions of such load.

13 (f) The limitations of this section governing the maximum length
 14 of combinations of vehicles shall not apply to a combination of ve-
 15 hicles consisting of a truck tractor towing a house trailer, if such
 16 combination of vehicles does not exceed an overall length of 97 feet.

17 (g) The length limitations of this section shall not apply to stinger-
 18 steered automobile or boat transporters or drive-away saddle-mount
 19 vehicle transport combinations. No stinger-steered automobile or
 20 boat transporter or drive-away saddle-mount vehicle transport com-
 21 bination shall exceed an overall length limit of 75 feet, exclusive of
 22 front and rear overhang.

23 Sec. 2^b K.S.A. 8-1904 is hereby repealed.

24 Sec. 3^a This act shall take effect and be in force from and after
 25 its publication in the statute book.

, or to one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine to be engaged in farm custom harvesting operations, as defined in subsection (d) of K.S.A. 8-143j, and amendment thereto

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or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine to be engaged in farm custom harvesting operations, as defined in subsection (d) of K.S.A. 8-143j, and amendment thereto,

not

8-1748 and 8-1904 are

ELECTRONIC INDUSTRIES ASSOCIATION



For Your Information
JOHN C. BOTTENBERG

Issue: The introduction of vehicle navigational devices (VND) in the United States may violate numerous broadly written state laws regulating the use of televisions in automobiles.

Background: Many states have laws which regulate automobiles with televisions that receive television broadcasts. These state do not allow the television to be visible to the driver. However, some ten states (FL, KS, MD, MN, NV, PA, TN, TX, UT, WY) have laws that prohibit automobiles from having "television-type receiving equipment," "television screens or other devices of a similar nature," or television screens upon which images may be projected," that are visible to the driver.

Vehicle navigational devices are small monitors of about seven inches in diameter, that display maps of towns and cities to drivers of automobiles. They display information that is either stored on compact discs or received through satellite feeds.

Problem: The monitors for vehicle navigational devices must be located in an area that allows both easy access and visibility for the driver. Depending on the interpretation of state laws regulating televisions in automobiles, these laws may prohibit the use of VND.