

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Les Donovan at 8:30 a.m. on February 28, 2001 in Room 245-N of the Capitol.

All members were present except: Senator Pugh

Committee staff present: Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee: Rep. Gary Hayzlett
Michael Lothamer, Olathe, Ks.
Ken Gudenkauf, KDOT
John Federico, Recreational Vehicle Industry

Others attending: See attached list.

HB 2144: Re vehicle registration exemption: concrete pump with boom

Representative Gary Hayzlett explained that basically this bill is to provide the same exemption for permanently mounted concrete pumps as already exists for similar types of equipment (No written testimony). Michael Lothamer, Concrete Pumping Equipment, Service & Supplies, Olathe, Kansas, provided testimony in support of the exemption for a truck mounted concrete pump with hydraulic boom (Attachment 1). Sheila Walker, Director, Division of Motor Vehicles, Kansas Department of Revenue provided written testimony to further clarify the bill and explain the House Amendment which more narrowly defines "self-propelled cranes" (Attachment 2).

Ken Gudenkauf, Assistant Bureau Chief of the Bureau of Traffic Engineering, Kansas Department of Transportation, testified against the bill. The Department opposes any further erosion of projected revenues for the Comprehensive Transportation Program (Attachment 3). No additional conferees appeared on this bill and the hearing was closed.

HB 2184: Re traffic; width of certain vehicles

John Federico, Recreational Vehicle Industry Association, a proponent of the bill addressed the need for uniformity to state statutes across the country. This bill would eliminate the need to apply for special permits to drive RV's with retractable awnings or other appurtenances that extend the width beyond 102 inches in width (Attachment 4). Members agreed this is a very simple bill and believe it is of a non-controversial nature. Senator Salmans moved to recommend HB 2184 be passed and placed on the Consent Calendar. Senator Goodwin seconded the motion. Motion carried.

HB 2144: Re vehicle registration exemption: concrete pump with boom

Discussed the types of vehicles now exempt and non-exempt. A small number of vehicles are in the class addressed in this bill. These are extremely expensive pieces of equipment which are taxed at the 25% rate. They consume large quantities of fuel which is also a source of revenue for the state. Senator Goodwin moved to recommend HB 2144 be passed. Senator Salmans seconded the motion. Motion carried.

Approval of minutes

Senator Salmans moved to approve the February 20 and 21, 2001 minutes. Senator Goodwin seconded the motion. Motion carried.

The meeting adjourned at 9:15 a.m.

The next meeting is scheduled for Thursday, March 1, 2001.



**CONCRETE PLACEMENT
INC.**

DIVISION OF BRUNDAGE-BONE CONCRETE PUMPING

1-29-01

Testimony on Mobile Hydraulic Boom Concrete Pumping Units

A Truck mounted Concrete Pump with Hydraulic Boom is usually mounted on a carrier which is modified to accept this unit so that the weight of the finished pumping unit will be properly set up for the weight distribution of the Concrete Pumping Boom unit. The frame of the unit is double walled and made deeper to accommodate the stress put on the frame by the operation of the boom of the unit. The sub frame is also fish plated to the chassis and welded to provide the necessary structural integrity for this operation. Two rear cross frames are removed and 12-18 mounting plates are added. Integral with the chassis, a Concrete Pumping Unit is added and a transfer case is installed and the drive lines are altered to accommodate this modification. Outriggers are added in the front and rear of the chassis to eliminate vibration and increase stability during the operation of the boom. This makes it very difficult to dismount this unit, and a great deal of modification would be required to make this into a truck chassis that could haul something. The Truck Mounted Boom type Concrete Pump has no product that it hauls to or from job sites, which makes it significantly different from a Concrete Mixer attached to a truck that is used to transport concrete to and from jobs. The Concrete Pump performs a construction operation, is permanently welded to the chassis, and the operation of the equipment is unrelated to the highway transportation function of the vehicle. The chassis has been specifically modified to serve as a mobile mount and power source for the pumping equipment and boom operation, and the chassis would require substantial modification before it could be used as a component of a cargo carrying highway vehicle. The Concrete Pump uses the roadways only as a means to get from job site to job site. In many instances the Concrete Pump is on a job site for months or even years, and in some cases it goes from job site to jobsite in a single day. The unit also uses the roads to get to and from a place of storage or a place for repair work. I believe that a Concrete Pump is definitely a vehicle which falls under K.S.A. 2000 Supp. 8-128 which defines equipment that need not be registered. The Concrete Pumping equipment is also something which we believe falls into the category of yearly permitted equipment. In regards to this we feel that since we are used, almost exclusively, to place concrete on the Bridges of Kansas, that are new construction or replacement construction, we should be granted continuous movement to accommodate the schedules that are needed to pour this type of construction. The heat of the summer requires the contractors of this type of construction to start pouring concrete in the early morning hours. A typical start time would be 1:00 AM to take advantage of the cool down of night and the coolest hours before dawn. Therefore we would like to ask for continuous movement for equipment that falls under the State definition of yearly permitted equipment. The Concrete Pump with a hydraulic boom is most closely associated with mobile cranes which are included in K.S.A. 2000 Supp. 8-128, and we feel that the amendment is proper due to the definition of a Crane which is not spelled out in Kansas Law, but Websters dictionary says it is "a machine for lifting or moving heavy weights, using a moveable projecting arm or a horizontal traveling beam". The truck mounted Concrete Pump with a hydraulic boom fits this description almost perfectly, as it uses a moveable projecting arm to lift a heavy weight, in this case Concrete which weighs approximately 4,000 lbs. per cubic yard.

Edward Lothamer

- SENATE TRANSPORTATION
COMMITTEE -DATE: 2-28-01 - 1-1
ATTACHMENT: 1

CONCRETE PUMPING EQUIPMENT, SERVICE & SUPPLIES

19945 W. 157th STREET • OLATHE, KS 66062 • PHONE (913) 390-9233 • FAX (913) 393-2873

Definition of Self-Propelled Cranes

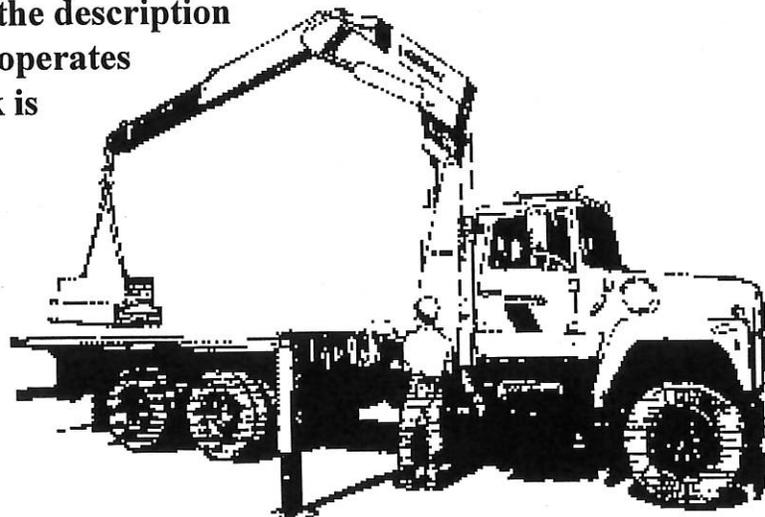
(Amendment to House Bill 2144)

The crane operator on a job site works from a housing or module on the crane and is not standing beside the rig, and the crane is not constructed for the transportation of property, except the property that is required for the crane itself.



This truck type fits the description above. The crane operator operates from a housing or module, and the truck is not constructed to haul a load.

This truck type does not fit the description above. The crane operator operates beside the rig, and the truck is constructed to haul a load.



2-2



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E. Dean Carlson
Secretary of Transportation

Bill Graves
Governor

**TESTIMONY BEFORE THE
SENATE TRANSPORTATION COMMITTEE**

**REGARDING HOUSE BILL 2144
RELATING TO VEHICLE REGISTRATION, EXEMPTING TRUCK MOUNTED
CONCRETE PUMP WITH BOOM**

FEBRUARY 28, 2001

Mr. Chairman and Members of the Committee:

I am Ken Gudenkauf, Assistant Bureau Chief of the Bureau of Traffic Engineering. On behalf of the Department of Transportation, I am here to provide testimony to the committee regarding House Bill 2144. The proposed legislation amends K.S.A. 8-128 to exempt from registration, each truck permanently mounted with a hydraulic concrete pump and placing boom. With the registration exemption, these trucks must still comply with all other requirements of the law relating to motor vehicles.

Each exemption of this nature results in a reduction of revenue to the State Highway Fund. These specific vehicles are registered as trucks making it difficult to determine the exact number of vehicles involved.

Although the fiscal impact to the State Highway Fund would appear to be minor, our concern is with any additional exemptions. Any new exemption seems to encourage another, and any further reduction in funding sources for the Comprehensive Transportation Program is a concern to us.

Because there is now a very fine line between success and failure of the Comprehensive Transportation Program, we must oppose any further erosion of projected revenues and, therefore, oppose House Bill 2144.

SENATE TRANSPORTATION

COMMITTEE - DATE: 2-28-01

ATTACHMENT: 3

1-1



Testimony In Support Of HB 2184

Offered By John J. Federico, J.D.
Of Federico Consulting

On Behalf Of
The Recreational Vehicle Industry Association
(RVIA)

Senate Transportation Committee

February 28, 2001

Thank you Chairman Donovan, and Committee members for the opportunity to testify in support of HB 2184. My name is John Federico and I appear on behalf of the Recreational Vehicle Industry Association. Introduction of this bill is consistent with the RVIA's efforts in other states to lend some uniformity to state statutes across the country as they relate to recreational vehicles and allowable lengths and widths.

HB 2184 is a very simple bill. Current state law (K.S.A. 8-1902) restricts vehicles to 102 inches in width. HB 2184 seeks to change the law so that certain vehicles, (motor homes and travel trailers) can exceed 102 inches in width, if the excess width is attributable to certain appurtenances, (as defined in the bill on page 6). The bill further provides that the specific appurtenance shall not extend beyond 6 inches, and under no circumstances shall the total width of the above-mentioned vehicles be wider than 108 inches.

In short, we are seeking to amend Kansas law, as we are in other states, to eliminate the need to apply for a special permit to drive a recreational vehicle that is fashioned with a retracted awning, or other appurtenances that are integral parts of a motor home or travel trailer.

A few quick points worth considering:

1. Individual states, not the federal government, have the authority to set standards for vehicle widths for non-commercial, personal-use vehicles.
2. The bill before you was drafted in as narrow a manner as possible.

4-1

3. This effort in Kansas is consistent with the RVIA's efforts in other states to provide some uniformity as recreational vehicle users travel from state to state across the continental United States. (See attached map)
4. In the summer of 2002, Kansas will host the Family Motor Coach Association International Rally. This event will attract between 5,000-6,000 motor homes to the Kansas State Fairgrounds and is estimated to pump \$20 - \$30 million dollars into the area economy! (See attached article).

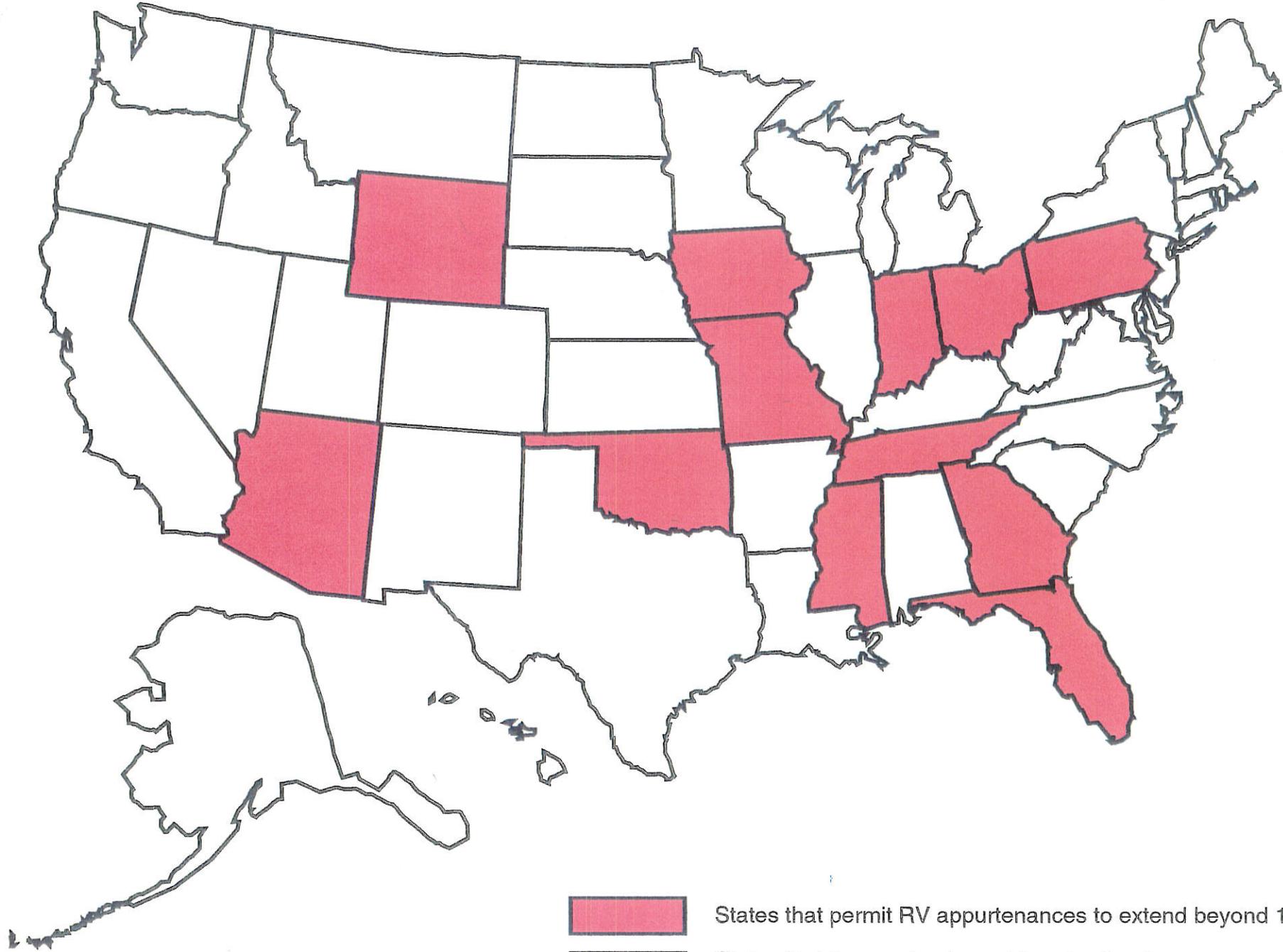
HB 2184 was heard in House Transportation on February 7th, was thought to be of a non-controversial nature and placed on the consent calendar before it was advanced to the Senate by a vote of 124-0. We respectfully ask for your support, and thank you for your consideration.

A handwritten signature in black ink, appearing to read 'John J. Federico', with a long horizontal line extending to the right.

John J. Federico, J.D.
Federico Consulting
On Behalf of the RVIA

States That Have Considered And Enacted Legislation Allowing RV Appurtenances To Extend Beyond 102"

4-3



States that permit RV appurtenances to extend beyond 102"



States that have not yet considered extending
RV Appurtenances beyond 102"