Approved: _	March 22, 2005		
	Date		

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 A.M. on March 8, 2005 in Room 527-S of the Capitol.

All members were present except:

Anthony Hensley- excused

Committee staff present:

Hank Avila, Kansas Legislative Research Department Bruce Kinzie, Revisors of Statutes Maggie Breen, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Kansas Motor Carriers Association Tim Sowton, R. L. Polk & Company John Hecklinger, CARFAX

Others attending:

See attached list.

HB 2297 - Interstate motor fuel use act, exemptions

Proponent:

Tom Whitaker, Executive Director, Kansas Motor Carriers Association, appeared asking for the committee's support of HB 2297. It's a rather unique bill as it has a positive fiscal note yet doesn't tax Kansans. Currently, a Kansas farm registered truck weighing over 26,000 pounds or having three or more axles must have a fuel permit or what is called an Interstate Motor Tax Agreement (IFTA) license to operate in our surrounding states. Yet, Kansas law allows a farm truck registered in another state to enter Kansas without purchasing a fuel permit or having an IFTA license. In addition, Missouri based vehicles that operate into Kansas in an area known as the Kansas Commercial Zone do not pay fuel tax to Kansas for the miles operated in Kansas. However, Kansas based vehicles do pay Missouri fuel tax for the miles operated on the Missouri side of the border. This bill corrects these inequities. The end result could be reciprocity agreements with the other states for our farm trucks and our commercial zone or, if the fiscal note comes in with enough money, they would come back to the committee and ask for a single tag. There would be a one time fee for trailers and they would take care of the county treasurers to make sure they are held harmless. (Attachment 1) Mr. Whitaker also handed out a booklet titled 2004 Truckin' Through Kansas. A copy is located in Chairman Donovan's office.

Senator Wilson moved to pass the bill out favorably. Senator Petersen seconded the motion. Motion carried.

Final Action on HB 2215 - Commercial driver's licenses, hazmat fee fund

Chairman Donovan reminded the committee that amendments to the bill were approved at the last meeting but final action was delayed at the request of Senator Petersen. Chairman Donovan asked Senator Petersen if his questions had been answered. Senator Peterson said they had been fully answered and he is fully supportive of the bill.

Senator Petersen moved to pass the bill favorably as amended. Senator O'Connor seconded the motion. Motion carried. Senator Petersen will carry the bill.

Briefing on Vehicle Inspection Reports

Tim Sowton, Regional Director, Governmental Relations, said his company, R. L. Polk & Company, is the parent company of CARFAX. Polk is a company that was founded in 1870. In the past they were best know for the Polk business directories. What they're most known for today is their affiliation with the automobile industry including: automotive statistical reports, recall efforts, and CARFAX - Used Vehicles History Reports. In fact, the CARFAX product is probably the star pupil of the Polk line of products. He introduced

CONTINUATION SHEET

MINUTES OF THE Senate Transportation Committee at 8:30 A.M. on March 8, 2005 in Room 527-S of the Capitol.

John Hecklinger.

John Hecklinger, Director, Data Acquisition CARFAX, said they are the nation's leading vehicle history company. They exist to assist buyers and sellers of used cars, whether consumers or businesses, make smarter decisions regarding those cars. They were born in Columbia, Missouri in 1986 and still have a large data facility there but their headquarters are in Fairfax, Virginia. They are a consumer company and a business-to-business company. They have over 25 million website visitors to carfax.com every year and over 26,000 businesses use CARFAX everyday. Primarily, these are businesses like Senator Donovan's car dealership who are using CARFAX to evaluate trade-ins and, increasingly, to use a CARFAX report in the sales process so the consumer feels better about buying the car, making the transaction more valuable for everybody. They also partner with over 1,500 law enforcement agencies, including 36 agencies in Kansas. CARFAX provides a complimentary report service which enables law enforcement to help fight vehicle fraud. Whether it's a stolen vehicle, cloned vehicle, or an exported vehicle, they work with law enforcement to stamp out vehicle fraud. (Attachment 2)

CARFAX guarantees their information. As a consumer, when you run a report at carfax.com, if you're not satisfied with the report, you are offered your money back guaranteed. Just tell them you're dissatisfied and your money will be refunded. Also, if a big mistake is made, such as running a report and being told there's no branded title, no salvage title, or rebuilt title, and you find out later they were wrong about that, your car will be bought back for what you paid for it. CARFAX recently bought back their first car, which unfortunately happened to be a Corvette in Texas. Their database has over 3.5 billion unique vehicle events, they have over 6,300 different sources of information, and they can produce a report on almost any vehicle in the U.S. post 1981 model year. Very importantly, they are about cars, not people. They do not collect, store, or use any personal identifiable information in their database. It is strictly based on the VIN. They are not collectors of personal information in any way. They do purchase, with Polk, title information from Kansas along with police reported accidents so they appreciate Kansas' contribution to consumer protection.

Also, there is a new pilot program in place where CARFAX reports are being offered at the Department of Motor Vehicles (DMV's) in a number of Kansas counties right now, so they are hoping to expand the partnership with the State of Kansas and hopefully bring some revenue back to the state. It's a brand new program and starting slow but he is confident that it can be a very big success going forward. It's also worth mentioning that Pinegar and Smith represents Polk and CARFAX here in Kansas and they appreciate that partnership as well.

Senator Journey asked what the revenue split was with the DOR. Toni Roberts, DOR, said currently they entered into an agreement to do a 120 day pilot with CARFAX and it involves five different county treasurer's offices. CARFAX asked that they pay them \$10 of the \$20 that they receive for the sale of the history report. The county treasurer's office keeps \$5 and sends \$5 to the state. Toni said brochures have been provide by CARFAX free of charge and it has been working out well.

Chairman Donovan asked if CARFAX or the state plans on doing any advertising to let the public know of the service. Toni said that currently the Department didn't have a budget for the marketing aspect of it but general press release type information had been provided and utilized as well as signage and the brochures. Chairman Donovan asked what CARFAX's thoughts were on doing some advertising. John Hecklinger said it really is a fantastic partnership so he'd bring home the message that there is a desire to do more in terms of PR and advertising.

Senator Palmer asked what counties were participating in the pilot. Toni said Riley, Smith, Shawnee, Anderson, and Ford. Senator Petersen asked if the consumer could register for the guarantee as well as obtain the report. Toni said yes.

Senator O'Connor moved to approve the committee minutes of March 3, 2005. Senator Wilson seconded the motion. Motion carried.

Meeting adjourned at 9:02 a.m. The next meeting is scheduled for March 9, 2005.

SENATE TRANSPORTATION COMMITTEE GUEST LIST

DATE:	March	8,	2005	

NAME	REPRESENTING
Tom WhITAKER	KMCA
John D. Pinegar	Car Fax and R.L. Polk
Tim Sowton	R.L. Polk
JOHN HECKLINGER	CARFAX
Whitney Damon	FS Awhomobile Deders Asin
Deann Williams	KMCA
Ken Gudenkant	KDOT
CARMEN ALLORITE	KDOR
TOWI ROBERTS	KDOR
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KANSAS MOTOR CARRIERS ASSOCIATION

P.O. Box 1673 ■ Topeka, Kansas 66601-1673 ■ 2900 S. Topeka Blvd. ■ Topeka, Kansas 66611-2121 Telephone: (785) 267-1641 ■ FAX: (785) 266-6551 ■ www.kmca.org

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JERRY ARENSDORF Arensdorf Trucking, Inc. ATA State Vice President

KEN LEICHT Frito Lay Service & Distribution ATA Alternate State Vice President

MIKE ROSS Ross Truck Line of Salina, Inc. ProTruck PAC Chairman

KELLY KILE Wal-Mart Stores, Inc. Public Relations Chairman

BLAKE MANN Central Detroit Diesel-Allison Allied Industries Chairman

WILLIAM H. GRAVES Member Emeritus

TOM WHITAKER Executive Director

LEGISLATIVE TESTIMONY

before the

SENATE TRANSPORTATION COMMITTEE Sen. Les Donovan, Chairman Tuesday, March 8, 2005 State Capitol – Topeka, Kansas

MR. CHAIRMAN AND MEMBERS OF THE SENATE TRANSPORTATION COMMITTEE:

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this afternoon representing our 1,200 member companies in support of House Bill No. 2297 which amends the interstate motor fuel tax act.

Current Kansas law allows a farm truck registered in another state to enter Kansas without purchasing a fuel permit or having an Interstate Motor Tax Agreement (IFTA) license. This privilege for out-of-state farm registered vehicles is not accorded to Kansas farm registered vehicles when they operate in the surrounding states. HB 2297 would create a "level playing field" for Kansas based farm registered vehicles and those out-of-state vehicles.

In addition, Missouri based vehicles that operate into Kansas in an area known as the Kansas City Commercial Zone do not pay fuel tax to Kansas for the miles operated in Kansas. However, Kansas based vehicles do pay Missouri fuel tax for the miles operated on the Missouri side of the border. HB 2297 corrects this inequity between Kansas and Missouri based carriers.

This legislation only effects motor vehicles: (1) having two or more axles and a gross vehicle weight or registered gross weight exceeding 26,000 pounds; or, (2) having three or more axles regardless of weight; or, (3) is used in combination, when the weight of such combinations exceeds 26,000 pounds gross vehicle weight or registered gross vehicle weight.

HB 2297 should produce a positive fiscal note for the State Highway Fund. We have supplied the Committee with the *Truckin' Through Kansas* which explains the requirements for operating trucks in and through Kansas. Also attached to this testimony are the responses from the surrounding state concerning the collection of fuel tax. KMCA supports HB 2297 and we ask for your favorable consideration of the bill. I would be pleased to answer any questions you may have.

Missouri Mary Jo Pointer

Do you allow farm-plated vehicles from Kansas into Missouri with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Do you honor the Commercial Zone between Kansas and Missouri?

Not for fuel taxes we would require them to have a trip permit or IFTA License. If they do not we fine them.

Colorado Rich Hall

Do you allow farm-plated vehicles from Kansas into Colorado with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction. If buy fuel in Colorado that exceeds trip permit we will give refund of the trip permit, does not happen very often but have done it a couple of times. Trip Permits explains how to get refund. We recommend that they get IFTA with base jurisdiction.

Nebraska Brenda

Do you allow farm-plated vehicles from Kansas into Nebraska with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Oklahoma Gene Gilstrap

Do you allow farm-plated vehicles from Kansas into Oklahoma with out having IRP or IFTA?

IRP- Yes have reciprocity with Kansas

IFTA- No require them to get Trip Permit or have IFTA from base jurisdiction.

Information was obtained and verified during a meeting with the Kansas Department of Revenue and Kansas Motor Carriers Association.

1/26/05



EADER



Senate Transportation 3-08-05 Attachment 2



ARFAX® VEHICLE H. STORY REPOR

A TRUSTED BRAND

hicle History Report is based only on information إلى CAREAX_Other_information about this yellow not have been reported to CARFAX. Use this report as one in er decision about your next used car.

25 MILLION VISITORS EVERY YEAR

CARFAX BUYBACK GUARANTEE

with a vehicle inspection

(Report Summary



Good News — This vehicle qualifies for the CARFAX Buyback Guarantee!

No severe problems (major accidents, fire, flood damage, major odometer problems or lemon history) were ever reported by a Department of Motor Vehicles (DMV) for this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74). If you find that any of these severe problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back.

You must register at www.carfax.com to activate this free guarantee!

CARFAX Talking CarTM

The story of this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74) according to our interpretation of the information reported to CARFAX:

USED CARS DO TALK!

- This station wagon has had 2 owners and was owned in New York and Pennsylvania. It was originally registered by the owner for personal use.
- It was involved in an accident in New York that was reported to the police.
- It has had no DMV-reported total loss events, like a major accident, fire or flood.
- It has not been reported by a DMV as having an Exceeds Mechanical Limits or Not Actual Mileage title.
- It has a consistent mileage history with no indication of an odometer rollback. It was driven an average of 8,275 miles per year, which is lower than the industry average of 15,000. The last odometer reading, reported on 12/01/2004, was 26,276 miles.
- It was not reported by a DMV as a Manufacturer Buyback (LEMON).
- It has no recalls that still require repair.
- Go to the <u>Detailed Vehicle History</u> for the complete history and a <u>glossary</u> of terms.

Report Summary

1. ACCIDENT CHECK

ALL THE INFO YOU NEED AT-A-GLANCE

Total Loss Check

Accident Indicator Reported

Other Accident Indicators

2. MILEAGE ACCURACY CHECK

Truth-In-Mileage Check

No Odometer Problems Reported by a DMV - Buyback Guarantee!

re Accidents Reported by a DMV - Buyback Guarantee!

Odometer Rollback Check

No Potential Odometer Rollback Found

Mileage Consistency Check

No Inconsistent Odometer Reading Found

3. LEMON CHECK®

No Mfr. Buyback Reported by a DMV - Buyback Guarantee

4. OWNERSHIP CHECK

Number of Owners

2 Estimated Owners

Type of Owners

Originally Registered as a Personal Vehicle

5. RECALL CHECK

No Open Recall(s) Reported

DETAILED VEHICLE HISTORY

14 HISTORY RECORDS REPORTED

CARFAX Vehicle Des

iption

♠ Top

Mercedes-Benz

Certified Pre-Owned

Year/Make/Model:

Body Style:

Engine:

Fuel:

Driveline:

Manufactured in:

Safety Equipment:

Standard Equipment:

MAKE SURE THIS EQUIPMENT MEETS YOUR NEEDS 2002 MERCEDES-BENZ C320

SEDAN 4 DR

3.2L V6 PFI SOHC 18V

GASOLINE

REAR WHEEL DRIVE

UNITED STATES
4 wheel abs, Dual air bags front, head and

sides/active(manual) belts/rear dual air bags side

Power Windows, Power Steering, Air Conditioning, AM/FM,

Power Brakes, Tilt Wheel, 6-digit Odometer

CARFAX IS PART OF 15 OEM CERTIFIED PRE-OWENED PROGRAMS

n

CARFAX Accident Check

↑ Top [] Glossary 🖓





Good News! No severe damage events were ever reported by a DMV for this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74). If you find that any of the following severe problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back. You **must** register to activate this free guarantee!

Salvage Title

CLEARLY
DIFFERENTIATES
TOTAL LOSS
EVENTS FROM

OTHERS

Junk Title

Rebuilt/Reconstructed Title

ON Dismantled Title

Loss Due To Fire Title

R Flood Damage Title

Mail Damage Title

© Canadian Total Loss

Other Accident Indicators:



This 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74) had accident indicators reported to CARFAX from its sources. This section checks for accidents and/or related damage reported from many <u>public and private sources</u>. Not all accidents are reported to CARFAX. A vehicle inspection completed by your dealer or professional mechanic is recommended.

No Salvage Auction Record Reported

No Crash Test Vehicle Record Reported

No Fire Damage Record Reported

No Airbag Deployment Record Reported

Police Accident Record Reported

No Damage Disclosure Record Reported

Accident Report Date:

Source:

Detail:

02/04/1999

New York Police Report Accident Reported Vehicle involved in crash in Sullivan County with a guardrail

New York Police Reports:

· Do not include an assessment of damage severity

Are processed if the estimated damage exceeds \$1000

· Are released to CARFAX approximately 3 months after the accident date

TELLING
YOU MORE
ABOUT
ACCIDENTS

RELIED ON BY MORE THAN 1,500 LAW ENFORCEMENT AGENCIES

According to the National Safety Council, Injury Facts, 2003 edition, 12% of the 243 million registered vehicles in the U.S. were involved in an accident in 2002. Over 90% of these were considered minor or moderate.

CARFAX depends on public and private sources for its accident data. Each one of these sources has different processing times. CARFAX can only report what is in our database on 22.Feb.2005 12:21:34. New data will result in a change to this report.

Truth-In-Mileage Check:



Good News! No major odometer problems were ever reported by a DMV under the Tru Mileage Act for this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74). If you find to the following odometer problems were reported by a DMV and not included in this report will buy this vehicle back. You must register to activate this free guarantee!

50 PEOPLE DEDICATED TO SERVICING CUSTOMERS, PARTNERS & OEMS

Not Actual Mileage Title - issued by a DMV when the owner discloses mileage fraud or a broken odometer.

Exceeds Mechanical Limits Title - issued by a DMV when the owner discloses an odometer rollover.

Odometer Rollback Check:



CARFAX found no odomete rollbacks for this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74). Rollbacks reported in this section idings collected by a DMV or other verifiable source.

REAL ROLLBACK OR MAYBE A CLERICAL ERROR?

Mileage Consistency Check:



CARFAX found no inconsistent odometer readings in the mileage history of this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74).

Date:	Mileage:		
11/08/2001	15		
01/03/2003	9,335		
03/31/2004	20,165		
12/01/2004	26,276		

Average miles driven per year

ANNUAL AVERAGE

MILEAGE

8,275

CARFAX Advisor™ Compare this vehicle's average annual mileage to the industry average of 15,000 miles per year. Use this comparison to determine how this vehicle was driven.

CARFAX Lemon Check^o

◆ Top DGlossary PFAQs Next Report 具 Print



Good News! No manufacturer buyback was ever reported by a DMV for this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74). If you find a manufacturer buyback was reported by a DMV and not included in this report, CARFAX will buy this vehicle back. You must register to activate this free guarantee!

Ownership History:



CARFAX estimates that this 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74) had 2 owner(s). CARFAX analyzed this vehicle's title history and other supporting events to identify potential ownership transfers. In compliance with the U.S. privacy laws, CARFAX does not collect or report owner names or addresses.

Estimated Owners:

COUNTING THE NUMBER OF OWNERS

Date:

Location:

New York

11/08/2001 12/10/2004

Pennsylvania

Types of Owners:



1st owner

2nd owner

This 2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74) was checked for 8 types of registrations.

Personal Use Registration Reported

No Fleet Registration Reported

No Lease Registration Reported

No Commercial Registration Reported

No Rental Registration Reported

No Non-Profit Registration Reported

No Taxi Registration Reported

No Built to Non U.S. Standards Record Reported



ONLY CARFAX **TELLS YOU** ABOUT OPEN RECALLS

♠ Top 🗘 Glossary 🖓 FAQs 🏻 Next Report 📮 Print



This 2002 MERCEDES-BENZ C32

F2FFF74) has no recalls that still require repair.

Date:

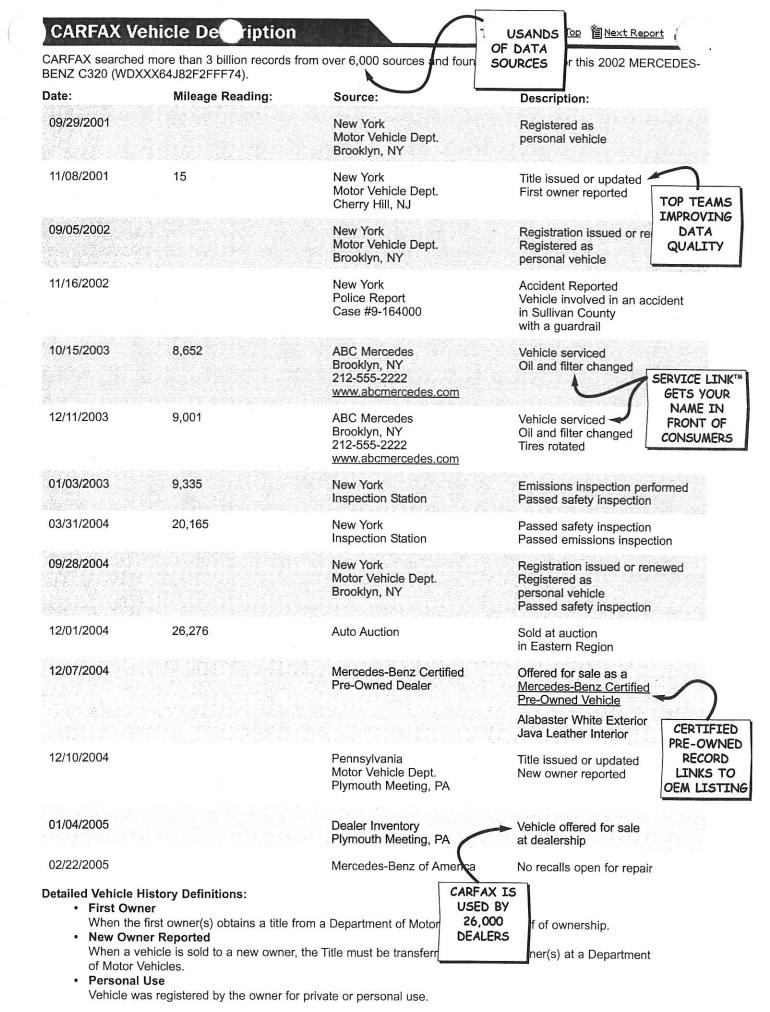
Source:

Description:

02/07/2005

MB USA

No recalls open for repair





CARFAX BUYBACK GUARANTEE COURTESY OF ABC MERCEDES

If you find that any of these severe problems were reported by a Department of Motor Vehicles and were not included in this report, CARFAX will buy this vehicle back.

ALL THIS...
AND THE
GUARANTEE
IS STILL
FREE

Severe Damage:	Odometer Problems:	Lemon History:
Salvage/JunkRebuilt/ReconstructedDismantledFire/Flood/HailCanadian Total Loss	Exceeds Mechanical Limits Not Actual Mileage	Manufacturer Buyback

Your CARFAX Buyback Coverage:

Vehicle:	Transferable Coverage:	Activation:
2002 MERCEDES-BENZ C320 (WDXXX64J82F2FFF74)	02/22/2005 – 02/22/2006	REQUIRED — ACTIVATE TODAY



No Internet Access?

Ask your dealer to help you activate this guarantee.

Terms and Conditions Apply

CARFAX agrees to buy this vehicle back from the holder of this Vehicle History Report if the report indicates the vehicle qualifies for the CARFAX Buyback Guarantee and a Branded Title, as fully defined in the Terms and Conditions, actually exists for this vehicle. YOU MUST REGISTER TO ACTIVATE THIS FREE GUARANTEE (www.carfax.com) in order to be eligible for payment. Yiew Terms and Conditions (www.carfax.com/guarantee/hctermsanddef.cfm).

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