

SESSION OF 2009

SUPPLEMENTAL NOTE ON SENATE BILL NO. 153

As Amended by Senate Committee of the Whole

Brief*

SB 153 would amend state law regarding carriers required to obtain a certificate, license, or permit from or file certain types of information with the Kansas Corporation Commission (KCC) (KCC motor carrier “economic regulation”).

The bill would amend definitions of “private motor carrier,” “public motor carrier of household goods,” “public motor carrier of passengers” and “public motor carrier of property” to change “motor vehicle” to “commercial motor vehicle.” This change would exempt those motor vehicles not meeting the definition of commercial motor vehicle from the KCC’s economic regulation requirements.

The bill would make the following changes in those exempted from the KCC’s economic regulation requirements:

- It would remove redundant language referring to motor carriers of passengers;
- It would remove reference to transporting property when no common carrier is available; deregulation in the mid-1990s allows common carriers to operate anywhere in the state;
- It would remove the requirement that certain construction mixtures being transported are used for paving; and
- It would add exemptions for transporting cotton modules from field to gin and for commercial motor vehicles used in the custom harvesting of silage.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The KCC requested the bill. Mike Hoeme, Director of Transportation, KCC, and Kevin Gregg, Kansas Motor Carriers Association, presented testimony supporting the bill. The Kansas Cooperative Council submitted written testimony supporting the bill. Bill Miller, Midwest Crane and Rigging, Inc., testified in opposition to the bill and requested an amendment further defining “commercial motor vehicle” to clarify whether certain self-propelled cranes Mr. Miller’s company owns are included in the KCC’s economic regulation. The KCC told the Committee that such cranes already are exempt from KCC economic authority and that the KCC is updating its regulations to clarify the definition of “commercial motor vehicle” to conform more closely to the definition in federal regulations.

The Senate Committee of the Whole made a technical correction to the bill.

According to the fiscal note prepared by the Division of the Budget, the KCC indicated the bill’s passage would have no fiscal effect on agency operations.