

SENATE BILL No. 411

By Committee on Transportation

1-28

AN ACT concerning vehicles; relating to traffic regulations; providing for the use of triple trailers on highways; increasing the allowable gross weight for such vehicle combinations; relating to dealer license plates; providing for the use of trailers with such plates; amending K.S.A. 8-1904, 8-1909 and 8-2406 and repealing the existing sections.

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 K.S.A. 8-1902(e), 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 45 feet extreme overall dimension, excluding the 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 amendments thereto, and subsections (d), (e), (f), (g), (h), (i) ~~and~~, (j) ~~and~~ (k), 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 that~~ is being operated in combination with a truck tractor shall exceed 59½ feet in length. No semitrailer or trailer ~~which that~~ 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 that~~ cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles ~~which that~~ 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

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

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

19 (g) The length limitations of this section shall not apply to stinger-
20 steered automobile or boat transporters or one truck and one trailer vehicle
21 combination, loaded or unloaded, used in transporting a combine, forage
22 cutter or combine header to be engaged in farm custom harvesting
23 operations, as defined in K.S.A. 8-143j(d), and amendments thereto. A
24 stinger-steered boat transporter or one truck and one trailer vehicle
25 combination, loaded or unloaded, used in transporting a combine, forage
26 cutter or combine header to be engaged in farm custom harvesting
27 operations, as defined in K.S.A. 8-143j(d), and amendments thereto, shall
28 not exceed an overall length limit of 75 feet, exclusive of front and rear
29 overhang. A stinger-steered automobile transporter shall not exceed an
30 overall length limit of 80 feet, exclusive of front and rear overhang.

31 (h) The length limitations of this section shall not apply to drive-away
32 saddlemount or drive-away saddlemount with fullmount vehicle
33 transporter combination. A drive-away saddlemount or drive-away
34 saddlemount with fullmount vehicle transporter combination shall not
35 exceed an extreme overall dimension of 97 feet.

36 (i) The length limitations of this section shall not apply to a one
37 truck-tractor two trailer combination or one truck-tractor semitrailer trailer
38 combination used in transporting equipment utilized by custom harvesters
39 under contract to agricultural producers to harvest wheat, soybeans or
40 milo; during the months of April through November, but the length of the
41 property-carrying units, excluding load, shall not exceed 81½ feet.

42 (j) The length limitations of this section shall not apply to a towaway
43 trailer transporter combination consisting of a trailer transporter towing

unit and two trailers or semitrailers with a total weight not exceeding 26,000 pounds and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers. Such towaway trailer transporter combination shall not exceed a length of 82 feet. As used in this subsection, "a trailer transporting towing unit" means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

(k) *The length limitations of this section shall not apply to a one truck-tractor three trailer combination vehicle. Such one truck-tractor three trailer combination vehicle shall not exceed a length of 86 feet.*

Sec. 2. K.S.A. 8-1909 is hereby amended to read as follows: 8-1909.

(a) No vehicle or combination of vehicles shall be moved or operated on any highway ~~when~~ if the gross weight on two or more consecutive axles exceeds the limitations prescribed in the following table:

Distance in feet between the extremes of any group of 2 or more consecutive axles				Maximum load in pounds carried on any group of 2 or more consecutive axles			
2 axles	3 axles	4 axles		5 axles	6 axles	7 axles	8 axles

4.....	34,000						
5.....	34,000						
6.....	34,000						
7.....	34,000						
8 and less	34,000	34,000					
More than 8	38,000	42,000					
9.....	39,000	42,500					
10.....	40,000	43,500					
11.....	44,000						
12.....	45,000	50,000					
13.....	45,500	50,500					
14.....	46,500	51,500					
15.....	47,000	52,000					
16.....	48,000	52,500	58,000				
17.....	48,500	53,500	58,500				
18.....	49,500	54,000	59,000				
19.....	50,000	54,500	60,000				
20.....	51,000	55,500	60,500	66,000			
21.....	51,500	56,000	61,000	66,500			
22.....	52,500	56,500	61,500	67,000			
23.....	53,000	57,500	62,500	68,000			
24.....	54,000	58,000	63,000	68,500	74,000		
25.....	54,500	58,500	63,500	69,000	74,500		

1	26.....	55,500	59,500	64,000	69,500	75,000	
2	27.....	56,000	60,000	65,000	70,000	75,500	
3	28.....	57,000	60,500	65,500	71,000	76,500	82,000
4	29.....	57,500	61,500	66,000	71,500	77,000	82,500
5	30.....	58,500	62,000	66,500	72,000	77,500	83,000
6	31.....	59,000	62,500	67,500	72,500	78,000	83,500
7	32.....	60,000	63,500	68,000	73,000	78,500	84,500
8	33.....		64,000	68,500	74,000	79,000	85,000
9	34.....		64,500	69,000	74,500	80,000	85,500
10	35.....		65,500	70,000	75,000	80,500	
11	36.....		66,000	70,500	75,500	81,000	
12	37.....		66,500	71,000	76,000	81,500	
13	38.....		67,500	72,000	77,000	82,000	
14	39.....		68,000	72,500	77,500	82,500	
15	40.....		68,500	73,000	78,000	83,500	
16	41.....		69,500	73,500	78,500	84,000	
17	42.....		70,000	74,000	79,000	84,500	
18	43.....		70,500	75,000	80,000	85,000	
19	44.....		71,500	75,500	80,500	85,500	
20	45.....		72,000	76,000	81,000		
21	46.....		72,500	76,500	81,500		
22	47.....		73,500	77,500	82,000		
23	48.....		74,000	78,000	83,000		
24	49.....		74,500	78,500	83,500		
25	50.....		75,500	79,000	84,000		
26	51.....		76,000	80,000	84,500		
27	52.....		76,500	80,500	85,000		
28	53.....		77,500	81,000	85,500		
29	54.....		78,000	81,500			
30	55.....		78,500	82,500			
31	56.....		79,500	83,000			
32	57.....		80,000	83,500			
33	58.....			84,000			
34	59.....			85,000			
35	60.....			85,500			

except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between the first and last axles is 36 feet or more.

(1) The gross weight on any one axle of a vehicle shall not exceed the limits prescribed in K.S.A. 8-1908, and amendments thereto.

(2) Except as otherwise provided by subsection (e), for vehicles and combinations of vehicles on the interstate system the table in this section shall not authorize a maximum gross weight of more than 80,000 pounds.

1 (3) The table in this section shall not apply to truck tractor and dump
2 semitrailer or truck trailer combination when such are used as a
3 combination unit exclusively for the transportation of sand, salt for
4 highway maintenance operations, gravel, slag stone, limestone, crushed
5 stone, cinders, coal, blacktop, dirt or fill material, when such vehicles are
6 used for transportation to a construction site, highway maintenance or
7 construction project or other storage facility, except that such vehicles or
8 combination of vehicles shall not be exempted from any application of the
9 table as may be required to determine applicable axle weights for triple
10 and quad axles as defined in K.S.A. 8-1908, and amendments thereto. As
11 used in this paragraph (3), the term "dump semitrailer" means any
12 semitrailer designed in such a way as to divest itself of the load carried
13 thereon.

14 (b) Any vehicle registered under the laws of this state ~~which vehicle~~
15 *that* is designed and used primarily for the transportation of property or for
16 the transportation of 10 or more persons may, at the time of its registration,
17 be subjected by the director of vehicles to investigation or test as may be
18 necessary to enable such director to determine whether such vehicle may
19 safely be operated upon the highways in compliance with all provisions of
20 this act. Every such vehicle shall meet the following requirements:

21 (1) ~~Such vehicle~~ shall be equipped with brakes as required in K.S.A.
22 8-1734, and amendments thereto.

23 (2) Every motor vehicle to be operated outside of business and
24 residence districts shall have motive power adequate to propel such
25 vehicle and any load thereon or to be drawn thereby, at a speed ~~which that~~
26 will not impede or block the normal and reasonable movement of traffic.
27 Exception to this requirement shall be recognized when reduced speed is
28 necessary for safe operation or when a vehicle or combination of vehicles
29 is necessarily or in compliance with law or police direction proceeding at
30 reduced speed.

31 (c) It shall be unlawful for any person to operate any vehicle or
32 combination of vehicles with a gross weight in excess of the limitations set
33 forth in article 19 of chapter 8 of *the* Kansas Statutes Annotated, and
34 amendments thereto, except as provided in K.S.A. 8-1911, and
35 amendments thereto.

36 (d) As used in this section, "interstate system" means the national
37 system of interstate and defense highways.

38 (e) A vehicle, if operated by an engine fueled primarily by natural
39 gas, may exceed any vehicle weight limit under this section, up to a
40 maximum gross vehicle weight of 82,000 pounds, by an amount that is
41 equal to the difference between:

42 (1) The weight of the vehicle attributable to the natural gas tank and
43 fueling system carried by that vehicle; and

1 (2) the weight of a comparable diesel tank and fueling system.

2 (f) *Except as otherwise provided by subsection (a)(2) for vehicles and*
3 *combinations of vehicles on the interstate system, a one truck-tractor three*
4 *trailer combination vehicle may exceed the weight limit under this section*
5 *up to a maximum gross weight of 140,000 pounds. In the event that a*
6 *truck-tractor three trailer combination vehicle must be reduced to a truck-*
7 *tractor two trailer combination vehicle because weather or road*
8 *conditions would make such combination unsafe for operation, the rear*
9 *trailer shall be removed from the truck-tractor three trailer combination*
10 *vehicle and the truck-tractor two trailer combination vehicle may exceed*
11 *the weight limit under this section up to a maximum gross weight of*
12 *100,000 pounds.*

13 Sec. 3. K.S.A. 8-2406 is hereby amended to read as follows: 8-2406.

14 (a) The annual fee for the first dealer license plate is \$275, and the annual
15 fee for additional dealer license plates shall be an amount equal to the
16 amount required to register a passenger vehicle having a gross weight of
17 less than 4,500 pounds, except that the annual fee for dealer license plates
18 used by trailer dealers on trailers ~~which they~~ *that such trailer dealers* have
19 purchased or own and are holding for resale shall be \$25 for each plate. To
20 determine the number of dealer license plates *that* the dealer needs, the
21 director may base the decision on the dealer's past sales, inventory and any
22 other pertinent factors as the director may determine. After the end of the
23 first year of licensure as a dealer, not more than one dealer license plate
24 shall be issued to any dealer who has not reported to the division the sale
25 of at least five motor vehicles in the preceding year. There shall be no
26 refund of fees for dealer license plates in the event of suspension,
27 revocation or voluntary cancellation of a license. The director is hereby
28 authorized to designate by identifying symbols on a dealer's license plate
29 the type of dealer's license that the person has been issued. If a dealer has
30 an established place of business in more than one county, such dealer shall
31 secure a separate and distinct dealer's license and dealer license plates for
32 each established place of business.

33 (b) New motor vehicle dealers and used motor vehicle dealers may
34 authorize use of dealer license plates assigned to such motor vehicle
35 dealers as follows:

36 (1) The licensed motor vehicle dealer and such dealer's spouse;

37 (2) the sales manager and all other sales personnel ~~when,~~ *if* such
38 manager and sales personnel are properly licensed in Kansas, except that
39 no dealer license plate shall be assigned to sales personnel who are
40 working at the established place of business of the dealer less than 20
41 hours per week;

42 (3) any employee of such motor vehicle dealer ~~when,~~ *if* the use
43 thereof is directly connected to a particular business transaction of such

1 motor vehicle dealer;

2 (4) the customer—~~when, if~~ operating a motor vehicle in connection
3 with negotiations to purchase such motor vehicle or during a
4 demonstration of such motor vehicle; *and*

5 (5) any school district and any accredited nonpublic school—~~which~~
6 *that* has entered into an agreement with a dealer to use a motor vehicle as a
7 driver training motor vehicle, as defined in K.S.A. 72-4005, and
8 amendments thereto, in an approved driver training course.

9 (c) A wholesaler dealer may authorize the use of dealer license plates
10 on vehicles purchased by the wholesaler for resale to a retail vehicle dealer
11 as follows:

12 (1) To transport or operate a vehicle to or from a licensed retail or
13 wholesale vehicle dealer for the purpose of buying, selling, or offering or
14 attempting to negotiate a sale of the vehicle to a licensed vehicle dealer;

15 (2) to deliver a vehicle purchased from the wholesale vehicle dealer
16 to a purchasing vehicle dealer.

17 (d) Salvage vehicle dealers may use dealer license plates only on
18 vehicles—~~which they~~ *that such salvage vehicle dealers* have purchased for
19 salvage, including dismantling, disassembling or recycling.

20 (e) Insurance companies may use dealer license plates only on
21 vehicles purchased or acquired for salvage in the course of business of the
22 insurance company.

23 (f) Lending agencies may use dealer license plates only on vehicles
24 ~~which they~~ *that such lending agencies* have repossessed or are holding for
25 disposition due to repossession.

26 (g) Trailer dealers may use dealer license plates only on trailers—~~which~~
27 ~~they~~ *that such trailer dealers* have purchased or own and are holding for
28 resale. *Trailer dealers may use dealer license plates for demonstration*
29 *purposes on a trailer under loaded conditions subject to weight limits,*
30 *length limits or any other requirements set forth in law.*

31 (h) Brokers are not entitled to be assigned or to use any dealer license
32 plates.

33 (i) Except as provided above, dealer license plates shall be used only
34 in accordance with the provisions of K.S.A. 8-136, and amendments
35 thereto. This subsection—~~(i)~~ does not apply to K.S.A. 8-2425, and
36 amendments thereto, or full-privilege license plates or dealer-hauler full-
37 privilege trailer license plates issued thereunder.

38 Sec. 4. K.S.A. 8-1904, 8-1909 and 8-2406 are hereby repealed.

39 Sec. 5. This act shall take effect and be in force from and after its
40 publication in the Kansas register.