

## SENATE BILL No. 411

By Committee on Transportation

1-28

1 AN ACT concerning vehicles; relating to traffic regulations; providing for  
2 the use of triple trailers on highways; increasing the allowable gross  
3 weight for such vehicle combinations; relating to dealer license plates;  
4 providing for the use of trailers with such plates; amending K.S.A. 8-  
5 1904, 8-1909 and 8-2406 and repealing the existing sections.  
6

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

8 Section 1. K.S.A. 8-1904 is hereby amended to read as follows: 8-  
9 1904. (a) No vehicle including any load thereon shall exceed a height of  
10 14 feet, except that a vehicle transporting cylindrically shaped bales of hay  
11 as authorized by K.S.A. 8-1902(e), and amendments thereto, may be  
12 loaded with such bales secured to a height not exceeding 14½ feet. Should  
13 a vehicle so loaded with bales strike any overpass or other obstacle, the  
14 operator of the vehicle shall be liable for all damages resulting therefrom.  
15 The secretary of transportation may adopt rules and regulations for the  
16 movement of such loads of cylindrically shaped bales of hay.

17 (b) No motor vehicle including the load thereon shall exceed a length  
18 of 45 feet extreme overall dimension, excluding the front and rear  
19 bumpers, except as provided in subsection (d).

20 (c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915, and  
21 amendments thereto, and subsections (d), (e), (f), (g), (h), (i)-~~and~~, (j) *and*  
22 (k), no combination of vehicles coupled together shall exceed a total length  
23 of 65 feet.

24 (d) The length limitations in subsection (b) shall not apply to a truck  
25 tractor. No semitrailer-~~which~~ *that* is being operated in combination with a  
26 truck tractor shall exceed 59½ feet in length. No semitrailer or trailer  
27 ~~which~~ *that* is being operated in a combination consisting of a truck tractor,  
28 semitrailer and trailer shall exceed 28½ feet in length.

29 (e) The limitations in this section governing maximum length of a  
30 semitrailer or trailer shall not apply to vehicles operating in the daytime  
31 when transporting poles, pipe, machinery or other objects of a structural  
32 nature-~~which~~ *that* cannot readily be dismembered, except that it shall be  
33 unlawful to operate any such vehicle or combination of vehicles-~~which~~  
34 *that* exceeds a total length of 85 feet unless a special permit for such  
35 operation has been issued by the secretary of transportation or by an agent  
36 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 81 $\frac{1}{2}$  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

1 unit and two trailers or semitrailers with a total weight not exceeding  
2 26,000 pounds and in which the trailers or semitrailers carry no property  
3 and constitute inventory property of a manufacturer, distributor or dealer  
4 of such trailers or semitrailers. Such towaway trailer transporter  
5 combination shall not exceed a length of 82 feet. As used in this  
6 subsection, "a trailer transporting towing unit" means a power unit that is  
7 not used to carry property when operating in a towaway trailer transporter  
8 combination.

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

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

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

16       Distance in feet between the 17       extremes of any group of 2 or 18       more consecutive axles	19       2 axles	20       3 axles	21       4 axles	22       5 axles	23       6 axles	24       7 axles	25       8 axles	26       Maximum load in pounds carried 27       on any group of 2 or more 28       consecutive axles
29       4.....34,000								
30       5.....34,000								
31       6.....34,000								
32       7.....34,000								
33       8 and less	34,000	34,000						
34       More than 8	38,000	42,000						
35       9.....39,000	42,500							
36       10.....40,000	43,500							
37       11.....44,000								
38       12.....45,000	50,000							
39       13.....45,500	50,500							
40       14.....46,500	51,500							
41       15.....47,000	52,000							
42       16.....48,000	52,500	58,000						
43       17.....48,500	53,500	58,500						
44       18.....49,500	54,000	59,000						
45       19.....50,000	54,500	60,000						
46       20.....51,000	55,500	60,500	66,000					
47       21.....51,500	56,000	61,000	66,500					
48       22.....52,500	56,500	61,500	67,000					
49       23.....53,000	57,500	62,500	68,000					
50       24.....54,000	58,000	63,000	68,500	74,000				
51       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				

36 except that two consecutive sets of tandem axles may carry a gross load of  
 37 34,000 pounds each if the overall distance between the first and last axles  
 38 is 36 feet or more.

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

41 (2) Except as otherwise provided by subsection (e), for vehicles and  
 42 combinations of vehicles on the interstate system the table in this section  
 43 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) ~~It~~*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.