

# L & K SERVICES, INC.



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To: Senate Transportation Committee  
From: Larry W. Smith, L. & K. Services, Inc., President  
Date: 1/31/2012

**Re: HB 2458; Penalties for violating size and weight laws, exceptions.**

Chairman Umbarger and members of the committee:

Thank you for the opportunity to present testimony in support of HB 2458. On behalf of my company, L. & K. Services, Inc. as well as the Kansas Chapter of NSWMA, I am looking for clarification in K.S.A 8-1901(e), that was passed in 1986. Your consideration of the following information would be appreciated.

- In the hauling industry, we have very little control or knowledge of the weight of the material that is loaded into our trucks or containers. Our containers are emptied mechanically by the truck making it impossible to gage the weight of the material loaded inside. As our routes are ran and trash is loaded into our trucks, we have no way of keeping track of or weighing the truck throughout the day.
- Weather conditions directly impact the weight of the trash that is picked up. On a day when it rains or snows, the trash becomes soaked in moisture and adds a great deal to the weight of the truck. We have also found that wet trash usually packs tighter than trash that is dry. While we might be carrying the same size load, chances are it will weigh a great deal more.
- In 1986, I was part of a group of haulers that lobbied for the exception in K.S.A. 8-1901(e). Once the bill had been passed, we were told that we would be allowed 20,000 pounds per axle. At the time, I asked for verification from a couple of our representatives. I can remember that they seemed to be a little bit unclear on exactly what the bill would allow for. They assured me that they would go back to the committee to clarify. So, again, I left Topeka thinking that we would be legal to haul 20,000 pounds per axle. It wasn't until a year or so later, when one of my trucks was stopped and ticketed, that I found out that it had not been made exactly clear.
- Our tandem axle trucks are 21 feet long which means that legally, according to the bridge law, we can only haul 51,500 pounds. Our trucks are built heavy in order to withstand the packing pressures associated with our line of work. We ask that you consider this exemption of 60,000 pounds for 3 axles and 40,000 for 2 axles, regardless of axle spacing, so that we can actually load our trucks the way they have been designed.

I thank you again for your consideration and I would be happy to answer any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry W. Smith", written over a white background.

Larry W. Smith, President  
L. & K. Services, Inc.  
Louisburg, KS 66053