

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 A.M. on February 6, 2008 in Room 527-S of the Capitol.

All members were present except:

Vicki Schmidt- excused  
Greta Goodwin- excused

Committee staff present:

Hank Avila, Kansas Legislative Research Department  
Jill Shelley, Kansas Legislative Research Department  
Mike Corrigan, Revisor of Statutes  
Mary Jane Brueck, Committee Assistant

Conferees appearing before the committee:

Diane Minear, Kansas Corporation Commission

Others attending:

See attached list.

Chairman Donovan opened the hearing on **SB 509--Authorizing the state corporation commission to sell certain impounded motor vehicles.**

Proponent:

Diane Minear, Kansas Corporation Commission (KCC), spoke to the bill, explaining it is a “clean-up bill” to allow the KCC to dispose of impounded vehicles that are never picked by the owner. This situation rarely happens. (Attachment 1)

Sen. Journey said he presumed owners and lien holders would be notified. Ms Minear explained yes, the KCC would follow the procedures in K.S.A. 8-1102.

Sen. Petersen inquired about hazardous waste that might be left in such a vehicle. Ms. Minear replied there are Federal regulations that would have to be followed by the KCC to deal with hazardous materials.

Sen. Apple asked what causes the KCC to come into possession of a vehicle, rather than local law enforcement. Ms. Minear explained the specific situation to which this bill refers, the Federal Motor Carriers Association asked the KCC to do the impound due to violations the vehicle had committed. The reasons KCC would impound a vehicle would be for safety violations or Federal out of service violations.

Seeing no further questions, Chairman Donovan closed the hearing on **SB 509** and opened the hearing on **SB 462--Motor carriers, base state registration.**

Proponent:

Diane Minear, Kansas Corporation Commission, also spoke to this bill. It is not a bill of substantive measure. It is a “clean-up bill”. In August 2005 Congress passed the SAFTEA-LU bill that repealed the Single State Registration System as of January 1, 2007. No changes were sought in 2007, waiting for final regulation to be printed. This bill will amend KCC Transportation statutes. The KCC requests additional amendments that were overlooked in the first review of **SB 462.** (Attachment 2)

Seeing no questions, Chairman Donovan closed the hearing on **SB 462.**

Sen Journey moved the amendments. Sen Petersen seconded the motion. Motion carried to adopt the amendments.

The committee will take final action on **SB 462** at a later date.

Sen Apple said in his district there is a KCC ruling that would define interstate commerce as taking grain from the field to the elevator. He is not sure how that ties into this bill. Chairman Donovan explained there

## CONTINUATION SHEET

MINUTES OF THE Senate Transportation Committee at 8:30 A.M. on February 6, 2008 in Room 527-S of the Capitol.

are meetings going on in the Agriculture Committee to deal with that issue. There will be a meeting February 12, with the Agriculture Committee, Congressman Jerry Moran, Farm Bureau people, and himself regarding a new interpretation of old rules. They are hoping to get Congress to change their interpretation. Sen. Apple said his point is the timing is poor for giving KCC approval to sell cars they impound. Ms. Minear explained in **SB 509** the KCC has no intention to impound vehicles, and timing of the bills is out of KCC hands.

It was asked if a farmer does not have USP numbers, would it be a safety violation. Ms. Minear said that would be a violation, but would not get the vehicle impounded. She said KCC is working to help farmers understand new regulations.

Sen. Palmer asked to have the information Ms. Minear has shared with the committee in writing to share with constituents. She will get it to Sen. Palmer.

Sen. Palmer moved that **SB 509** be passed to the floor. Sen. Wilson seconded the motion.

Chairman Donovan told the committee the fiscal notes are negligible on SB 509, and SB 462 will be the same.

Chairman Donovan asked for approval of minutes for January 17 and January 24 meetings. Sen. Peterson moved they be approved. Sen. Wilson seconded the motion. The motion carried.

The next meeting is scheduled for Tuesday, February 12, to hear testimony of **SB 522**, and **SB 523**.

**SB 543** was assigned to the Transportation Committee in yesterday's Session. Chairman Donovan received a call from Tom Docking with concerns. We may meet Thursday, February 14 too.

The meeting adjourned at 9:10 a.m.

The next meeting is scheduled for February 12.