

SESSION OF 2017

SUPPLEMENTAL NOTE ON SENATE BILL NO. 127

As Amended by Senate Committee on
Transportation

Brief*

SB 127, as amended, would require each company that operates an escort vehicle service in Kansas to register annually with the Secretary of Revenue (Secretary) each vehicle that is escorting an oversize or overweight load, beginning July 1, 2018. The registration would be in accordance with rules and regulations adopted by the Secretary. The fee to register each vehicle would be \$50, and fees collected would be deposited into the Commercial Motor Vehicle Fund.

The bill would require each application for registration to be accompanied by the name and address of the agent for service of process and such agent would be required to reside and be domiciled in Kansas; proof of insurance; proof that each driver of an escort vehicle has a valid operator's license; and such other information as the Secretary may require. The Secretary would be authorized to revoke, suspend, or refuse to issue a registration for any violation of these requirements.

The bill would state conviction of operating an escort vehicle in violation of the registration requirements would result in a fine of \$100.

*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

Senator Doll requested the bill and testified as a proponent in the Senate Committee on Transportation hearing. The Kansas Department of Transportation (KDOT) submitted written-only opposition testimony, stating KDOT would be neutral if the Kansas Department of Revenue (KDOR), rather than KDOT, were tasked with the registration.

No other testimony was provided.

The Senate Committee amended the bill to place responsibility for the registration with KDOR; change the beginning date of the requirement from January 1 to July 1, 2018; specify each vehicle escorting an oversize or overweight vehicle be registered; clarify the fee would be \$50 per vehicle; and direct the fees to the Commercial Motor Vehicle Fund rather than the State Highway Fund.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KDOT states it does not collect data on escort vehicle service companies and, therefore, is unable to estimate a fiscal effect from any additional revenues it might receive from the registration fee. However, KDOT anticipates the bill could be implemented within current staffing and operating expenditure levels. [Note: The amended bill would not place responsibility with or direct fees to KDOT.]

Adding a new fine would likely increase the amount of fine revenue distributed to various funds, including the State General Fund, under KSA 2016 Supp. 74-7336 regarding fines, penalties, and forfeitures. However, the fiscal effect from the additional revenue is difficult to estimate because the number of violations is unknown. Any fiscal effect associated with the bill is not reflected in *The FY 2018 Governor's Budget Report*.