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Legislative Testimony
by the
Kansas Motor Carriers Association
before the
House Federal and State Affairs Committee
Representative John Barker, Chairman
Thursday, March 21, 2019

MR. CHAIRMAN AND MEMBERS OF THE
HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE:

I am Tom Whitaker, Executive Director of the Kansas Motor Carriers Association. I appear before you today representing our 860 member companies and specifically the forty-eight members of the Movers Conference of Kansas in opposition to House Bill No. 2289. The bill seeks to make major changes to the laws governing the operations of motor carriers and especially those that transport household goods. HB 2289 comes before the Kansas Legislature from the Institute for Justice based in Minneapolis, Minnesota.

In January 1, 1995, Federal legislation was enacted prohibiting States from regulating rates, routes and service of intrastate motor carriers except those transporting household goods and passengers. Prior to the January 1, 1995, Kansas required all for-hire motor carriers to apply for and be granted a certificate of convenience and necessity from the Kansas Corporation Commission before the motor carrier could commence intrastate operations in Kansas. Following passage of the Federal legislation, Kansas adopted a certificate of public service for all motor carriers except household goods and passenger carriers. These carriers remained under the "certificate of convenience and necessity" which requires an application for authority, the filing of the schedule of rates to be charged and approval by the KCC. Household goods carriers and passenger carriers deal directly with the public and not sophisticated shippers. The KCC and the Legislature decided it was necessary to maintain regulatory oversight of these carriers.

HB 2289 changes decades old motor carrier law from the 1930's. Without careful review the proposed changes in HB 2289 could have long-term damaging effects on motor carrier operations as well as limiting protection afforded to the consumer from "bad actors."

The KCC, KMCA and other stakeholders have agreed to do a careful review of all motor carrier statutes and bring before the Legislature a bill that will address many of the concerns of the Institute for Justice and continue to provide protection for Kansas consumers.



Mr. Chairman, the Kansas Motor Carriers Association believes HB 2289 is premature, ill thought out and has numerous consequences for motor carriers in other sections of the Kansas statutes. We pledge to work closely with the KCC to develop a workable bill for all parties concerned. We respectfully request the House Federal and State Affairs Committee take no action on HB 2289 while the concerned groups develop a solution to the Institute for Justice's concerns to bring before the 2020 Session of the Kansas Legislature.

We thank you for the opportunity to appear before you today and would be pleased to respond to any questions you may have.

