

SESSION OF 2020

SUPPLEMENTAL NOTE ON SENATE BILL NO. 267

As Amended by Senate Committee on
Transportation

Brief*

SB 267, as amended, would amend law on securing loads on vehicles to create an exemption for trucks, trailers, or semitrailers when hauling agricultural forage commodities intrastate from the place of production to a market or place of storage. The bill would state this exemption would not apply to trucks, trailers, or semitrailers hauling hay bales or other packaged or bundled forage commodities. Continuing law requires securing a load on a vehicle so as to prevent any of this load from dropping, sifting, leaking, or otherwise escaping.

Background

The bill was introduced by Senator Doll. As introduced, the bill would have specified violation of load securement law (KSA 2019 Supp. 8-2116) would be a traffic infraction. Under current law, a first violation of the load securement law is a class C misdemeanor, which is punishable by a fine of not more than \$500 (KSA 2019 Supp. 8-2116 and 25-6611).

In the Senate Committee on Transportation hearing, Senator Doll testified as a proponent. He discussed the difficulties of completely securing a load of newly cut and chopped plant material to be used for silage and asked that a violation of load securement law for that particular use be a traffic infraction, not a misdemeanor. Written-only proponent testimony was received from representatives of Kansas Farm

*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>

Bureau and the Kansas Agribusiness Retailers Association, the Kansas Grain and Feed Association, and the Renew Kansas Biofuels Association.

The Director of Policy, Kansas Department of Transportation (KDOT), testified as an opponent, and written-only opponent testimony was provided by the Colonel of the Kansas Highway Patrol. Both cited concerns about safety and the lack of a specified fine in the bill.

Neutral testimony was provided by representatives of the Kansas Livestock Association (KLA) and the League of Kansas Municipalities. The KLA representative suggested the bill be amended to exclude certain commodities from load securement law.

The Senate Committee amended the bill to strike the original amendments and to add an exception in load securement law for agricultural forage commodities under certain circumstances.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KDOT indicated enactment of the bill would have a negligible fiscal effect on the receipts received by the Traffic Records Enhancement Fund and the Seat Belt Safety Fund. The fiscal note states the League of Kansas Municipalities could not estimate what, if any, fiscal effect enactment of the bill would have on Kansas cities. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.