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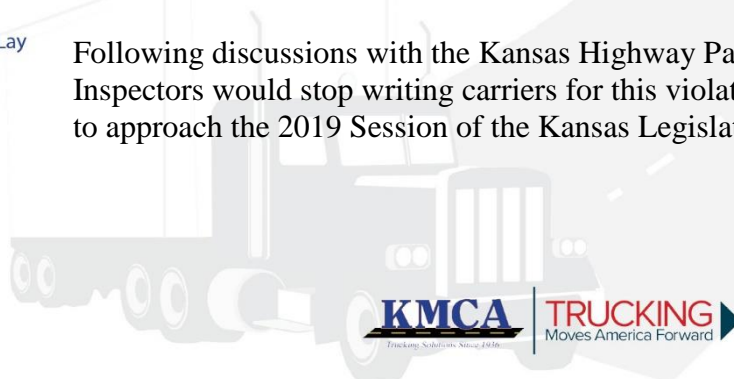*Member Emeritus*

Tom Whitaker
Executive Director

**Legislative Testimony
by the
Kansas Motor Carriers Association
before the
Senate Transportation Committee
Senator Mike Petersen, Chairman
Wednesday, March 13, 2019**

**MR. CHAIRMAN AND MEMBERS OF THE
SENATE TRANSPORTATION COMMITTEE:**

Good Morning. I am Tom Whitaker, Executive Director of the Kansas Motor Carriers Association. We appear before you today representing our 860 member-firms and the highway transportation industry in support of House Bill No. 2127. The bill would eliminate vehicle marking requirements for trucks or truck tractors registered for a gross weight of more than 12,000 pounds from K.S.A. 8-143e.

Last year, our members operating in the Johnson County area were being written up for a violation of 8-143e on their vehicle inspection reports. These vehicles are mainly package delivery vehicles registered for 16,000 pounds gross vehicle weight. The vehicle registration statute requires that the name of the company, the city it's located in and the gross vehicle weight for which it's registered be displayed on both sides of the vehicle. K.S.A 8-143e has been on the books since 1955. Interstate trucks and truck tractors base plated in another state are not required to meet this requirement. As a matter of fact, Kansas is the only state in the lower 48 states to require this. All other states require compliance with the Federal Motor Carrier Safety Administration (FMCSA) rules pertaining to display of the motor carriers name and U.S. DOT number.

Currently, the Kansas Corporation Commission has adopted the FMCSA rules pertaining to vehicle marking. The adoption of the FMCSA rules is found in K.A.R. 82-4-8h. This rule applies to all interstate and intrastate for-hire vehicles over 10,000 pounds gross vehicle weight rating (GVWR) and interstate private carrier vehicles over 10,000 pounds GVWR. Intrastate private carriers are exempt from this regulation if the vehicle's GVWR is 26,000 pounds or less. In addition, farm trucks and truck tractors operating in intrastate commerce are exempt from the Kansas Corporation Commission regulations.

Following discussions with the Kansas Highway Patrol, Motor Carrier Safety Assistance Inspectors would stop writing carriers for this violation until KMCA had the opportunity to approach the 2019 Session of the Kansas Legislature to correct this duplicative statute.

Kansas law requires the Kansas Corporation Commission to adopt rules and regulations that are consistent with the Federal Motor Carrier Safety Assistance Program, which includes vehicle marking requirements. Legislative approval of House Bill No. 2127 will make Kansas consistent with the other 47 states and eliminate duplicative marking requirements for Kansas based trucks and truck tractors. HB 2127 passed the House on a vote of 117-0.

Mr. Chairman, the Kansas Motor Carriers Association strongly supports this Committee's positive action on House Bill No. 2127. We thank you for the opportunity to appear before you this morning and would be pleased to respond to any questions you may have.