



Kansas Motor Carriers Association

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Legislative Testimony by the Kansas Motor Carriers Association before the Senate Transportation Committee - Senator Mike Petersen, Chairman Friday, March 15, 2019

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Executive Director

MR. CHAIRMAN AND MEMBERS OF THE SENATE TRANSPORTATION COMMITTEE:

I am Tom Whitaker, Executive Director of the Kansas Motor Carriers Association. I appear before you representing our 860 member companies and the highway transportation industry in opposition to Senate Bill No. 187 as it appears before you today. The bill doubles the current special permit (also known as oversize/overweight permit) fees without out consideration of the different types of permits. Special permits are required for vehicles or combination of vehicles that exceed the statutory size and weight limits and the vehicle or load is defined as “non-divisible.”

There are four basic types of special permits which are defined in K.A.R. 36-1-38.

(a) Annual permits

These permits allow for continuous movement of oversize or overweight loads, special mobile equipment, manufactured houses or modular section of buildings during daylight hours.

- (1) The annual permit is assigned to a specific power unit.
- (2) This permit shall be valid for a period of one year, beginning and ending as specified on the permit.
- (3) The annual permit is not transferable to any other company or vehicle.
- (4) Movers operating with an annual permit may deviate from the routes approved by the secretary only at the origin and destination of their trip. Such a deviation shall be limited to using the safest, shortest, and most direct roadways.

(b) Standard permits

These permits allow for single-trip movements in those circumstances where another permit is not appropriate.

- (1) Standard permits may be issued for the movement of oversize or overweight vehicles and loads on a multiple-trip or single-trip basis if implementation of another type of permit is not appropriate.
- (2) Each standard permit shall be good for a period of seven days.
- (3) Standard permits shall be issued only from point of origin to final destination on routes designated by the secretary.
- (4) Movers of oversize or overweight loads may make multiple trips, provided that the mover uses the same route and hauls similar loads, trips can be made within the original period of validity, and the information on the standard permit does not change.



(c) Superload permits

These permits shall allow movement of overweight loads that exceed 150,000 pounds of gross weight.

- (1) Movers of superloads shall pay for all damages caused by the movement of the superload.
- (2) Movers of superloads shall have a valid superload permit that includes a bridge analysis, which must be completed by the department before traveling on any highway within Kansas.
- (3) Superload permits shall be issued only for single-trip movements.
- (4) Before escorting superloads within Kansas, escorting companies shall obtain certification in a manner approved by the secretary.

(d) Large structure permits

This permit shall allow for movement of oversize loads that exceed the size limitations of the standard permit.

- (1) Large structure permits shall be valid for a period of 30 calendar days.
- (2) When alternate routes are available, movers of large structures shall reduce the use of state highways to a minimum. Movers of large structures shall contact all appropriate departmental personnel before moving.
- (3) Large structure permits shall not be granted to transport loads on interstate highways, except in extreme circumstances. In such cases, prior approval shall be obtained from the secretary, and local enforcement authorities shall accompany the movement to provide traffic control. The transporting vehicle shall be the only vehicle traveling on the applicable section of the interstate.
- (4) Movers of large structures shall not park any transporting vehicle on any part of the traveled portion of the highway. Vehicles having to be parked on the right-of-way shall have at least 30 feet of clearance from the traveled portion of the highway.
- (5) Movers of large structures shall notify all appropriate utilities and railroads before moving any large structure.
- (6) Movers of large structures shall contact all appropriate district engineers before any trees are cut or trimmed.
- (7) Movers of large structures shall also make arrangements with the district engineer before removing or relocating signs, hazard markers or other property of the department.
- (8) The final decision with regard to the movement of the large structure, the time of day, date and the routes to be used shall be approved by a departmental employee of the district in whose area the load travels or by an appointed representative.
- (9) An escort vehicle shall be stationed at side road intersections during the movement of large structures in order to hold all vehicles at those intersections until the structure has been moved through the section of road being blocked.
- (10) Drivers of escorting vehicles shall not allow large structures to cross a bridge or critical location until all traffic has been stopped at both side of bridges or before and after a critical location.”

Standard permits cannot exceed 150,000 pounds, 16 feet 6 inches in width, 126 feet in length and 18 feet in height. Annual permits cannot exceed 120,000 pounds, 16 feet 6 inches in width, 126 feet in length and 15 feet in height. The annual permit is utilized for the transportation of construction equipment, intermodal containers, milk, towed disabled vehicles, cotton modules and manufactured housing. Superload permits are for loads that exceed 150,000 pounds and cannot be accommodated with a standard permit. Large structure loads exceed either 16 feet 6 inches in width or 18 feet in height or are longer than 126 feet. All special permit loads are subject to axle loading limitations and axle spacing requirements.

KMCA is willing to offer the following compromise fee schedule as well as two changes to the overall statute governing the movement of loads under special permit. On and after January 1, 2020 the special permit fees shall be:

- \$40.00 for each single-trip permit.
- \$250.00 for single-trip permit for large structures.
- \$250.00 for a single-trip permit for superloads.
- \$25.00 for a five-year permit to transport hay on non-interstate highways.
- \$200.00 for an annual permit.
- \$2,000 per year for each qualified carrier company for special vehicle combination permits plus \$50 per year for each power unit.

In 2018, the Kansas Department of Transportation instituted a “curfew” for oversize vehicles operating between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:30 p.m. in the following cities: Kansas City, Lawrence, Leavenworth, Leawood, Lenexa, Olathe, Overland Park, Shawnee, Topeka and Wichita. This curfew has created an artificial barrier to commerce within these cities. KMCA is proposing that oversize loads being picked up or delivered within these cities not be subject to the KDOT curfew. Oversize loads that are through traffic would still be restricted.

In addition, KMCA is concerned about “pilot car” operations in Kansas. KDOT has no formal means to regulate the operators of such vehicles. We strongly support legislation which requires training, certification, and registration of pilot car operations in Kansas, including KDOT’s statutory authority to revoke their ability to operate in Kansas.

With our proposed fees schedule, allowable pickup and delivery of oversized loads in cities with curfews and regulation of pilot car operations KMCA would support SB 187. We thank you for the opportunity to appear before you today and would be pleased to respond to any questions you may have.