AN ACT regulating traffic; concerning oversize and overweight utility
vehicles; allowing oversize and overweight utility vehicles to respond
to emergency utility outages at all times in inclement weather;
amending K.S.A. 2018 Supp. 8-1911 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2018 Supp. 8-1911 is hereby amended to read as
follows: 8-1911. (a) The secretary of transportation with respect to
highways under the secretary's jurisdiction and local authorities with
respect to highways under their jurisdiction, in their discretion, upon
application, may issue a special permit, which term shall include an
authorization number, to the owner or operator of an oversize or
overweight vehicle. The special permit shall authorize the special permit
holder to operate or move a vehicle or combination of vehicles which
exceed the limitations of this act, on a route, or routes, designated in the
special permit and in accordance with the terms and conditions of the
special permit.

    (b) The application for the permit shall describe the vehicle, or
combination of vehicles and all loads or cargo for which the special permit
is requested, the route or routes on which operation is sought and whether
a single trip or annual operation is requested. One special permit may be
issued for a vehicle or combination of vehicles, that are both oversize and
overweight. A special permit under this section may be for a single trip or
for annual operation. The special permit shall designate the route or routes
that may be used and any other terms, conditions or restrictions deemed
necessary. The secretary of transportation shall charge a fee for each
permit or authorization number issued as provided for in subsection (f). No
permit shall be required to authorize the moving or operating upon any
highway, by an implement dealer, as defined in K.S.A. 2018 Supp. 8-1918,
and amendments thereto, or employee thereof who possesses an annual
permit and following all conditions set forth in K.S.A. 2018 Supp. 8-1918,
and amendments thereto, of farm tractors, combines, fertilizer dispensing
equipment or other farm machinery, or machinery being transported to be
used for terracing or soil or water conservation work upon farms. No
permit shall be required to authorize the moving or operating upon any
highway of farm tractors, combines, fertilizer dispensing equipment or
other farm machinery, or machinery being transported to be used for
terracing or soil or water conservation work upon farms, or vehicles
owned by counties, cities and other political subdivisions of the state,
except that this sentence shall not: (1) Exempt trucks owned by counties,
cities and other political subdivisions specifically designed and equipped
and used exclusively for garbage, refuse or solid waste disposal operations
from the maximum gross weight limitations contained in the table in
K.S.A. 8-1909, and amendments thereto; or (2) authorize travel on
interstate highways.

(c) A permit shall be valid only when the registration on the power
unit is equal to or exceeds the total gross weight of the vehicle. When the
gross weight of the vehicle exceeds the upper limit of the available
registration, the maximum amount of registration must be purchased. The
provisions of this subsection shall not apply to a wrecker or tow truck, as
defined in K.S.A. 66-1329, and amendments thereto, and registered in
accordance with the provisions of K.S.A. 8-143, and amendments thereto.

(d) The secretary or local authority may issue or withhold the permit
at the secretary's or local authority's discretion or may limit the number of
trips, or establish seasonal or other time limitations within which the
vehicles described may be operated on the highways, or may otherwise
limit or prescribe conditions of operations of such vehicle or combination
of vehicles, when necessary to assure against undue damage to the road.
The secretary or local authority may require such undertaking or other
security as may be deemed necessary to compensate for any injury to any
roadway or road structure.

(e) Every permit shall be carried in the vehicle or combination of
vehicles to which it refers and shall be open to inspection by any police
officer or authorized agent of any authority granting the permit. It shall be
unlawful for any person to violate any of the terms or conditions of the
special permit.

(f) The secretary of transportation shall charge and collect fees as
follows:

(1) Twenty dollars for each single-trip permit;
(2) thirty dollars for each single-trip permit for a large structure, as
defined by rules and regulations;
(3) fifty dollars for each single-trip permit for a superload, as defined
by rules and regulations;
(4) twenty-five dollars for a five-year permit for vehicles authorized
to move bales of hay under subsection (j) on noninterstate highways;
(5) one hundred and fifty dollars for each annual permit; or
(6) two thousand dollars per year for each qualified carrier company
for special vehicle combination permits authorized under K.S.A. 8-1915,
and amendments thereto, plus $50 per year for each power unit operating
under such annual permit.

No fees shall be charged for permits issued for vehicles owned by counties, cities and other political subdivisions of the state. All permit fees received under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state highway fund. The secretary may adopt rules and regulations for payment and collection of all fees. The secretary may adopt rules and regulations implementing the provisions of this section to prescribe standards for any permit program to enhance highway safety.

(g) If any local authority does not desire to exercise the powers conferred on it by this section to issue or deny permits then such a permit from the local authority shall not be required to operate any such vehicle or combination of vehicles on highways under the jurisdiction of such local authority, but in no event shall the jurisdiction of the local authority be construed as extending to any portion of any state highway, any city street designated by the secretary as a connecting link in the state highway system or any highway within the national system of interstate and defense highways, which highways and streets, for the purpose of this section, shall be under the jurisdiction of the secretary.

(h) A house trailer, manufactured home or mobile home which exceeds the width as provided in subsection (a) of K.S.A. 8-1902(a), and amendments thereto, may be moved on the highways of this state by obtaining a permit as provided in this section, if:

(1) The width of such house trailer, manufactured home or mobile home does not exceed 16½ feet;

(2) the driver of the vehicle pulling the house trailer, manufactured home or mobile home has a valid driver's license; and

(3) the driver carries evidence that the house trailer, manufactured home or mobile home, and the vehicle pulling it, are covered by motor vehicle liability insurance with limits of not less than $100,000 for injury to any one person, and $300,000 for injury to persons in any one accident, and $25,000 for injury to property.

For the purposes of this subsection, the terms "manufactured home" and "mobile home" shall have the meanings ascribed to them by K.S.A. 58-4202, and amendments thereto.

(i) Upon proper application stating the description and registration of each power unit, the secretary of transportation shall issue permits for a period, from May 1 to November 15, for custom combine operators to tow custom-combine equipment on a trailer within legal dimensions or a trailer especially designed for the transportation of combines or combine equipment at the rate of $10 per power unit. Each application shall be
accompanied by information as required by the secretary. The permit shall
allow custom combine operators to haul two combine headers on
designated interstate highways provided:
(1) The vehicle plus the load do not exceed 14 feet in width;
(2) the move is completed during the period beginning 30 minutes
before sunrise and ending 30 minutes after sunset; and
(3) the vehicle plus the load are not overweight.
(j) Except as provided in paragraph (2) of subsection (d) of K.S.A. 8-
1902(d)(2), and amendments thereto, a vehicle loaded with bales of hay
which exceeds the width as provided in subsection (a) of K.S.A. 8-
1902(a), and amendments thereto, may be moved on any highway
designated as a part of the national network of highways by obtaining a
permit as provided by this section, if:
(1) The vehicle plus the bales of hay do not exceed 12 feet in width;
(2) the vehicle plus the bales of hay do not exceed the height
authorized under K.S.A. 8-1904, and amendments thereto;
(3) the move is completed during the period beginning 30 minutes
before sunrise and ending 30 minutes after sunset;
(4) the vehicle plus the load are not overweight; and
(5) the vehicle plus the load comply with the signing and marking
requirements of paragraph (3) of subsection (d) of K.S.A. 8-1902(d)(3),
and amendments thereto.
(k) If it is determined by the secretary of transportation that a person
has been granted a permit and has not complied with the applicable
provisions of this section and the rules and regulations of the secretary of
transportation relating thereto, the secretary may cancel the permit and
may refuse to grant future permits to the individual.
(l) (1) Vehicles operating under the provisions of a permit issued
under subsection (a), which exceed the width limitations prescribed by
K.S.A. 8-1902, and amendments thereto, or the length provisions in
K.S.A. 8-1904, and amendments thereto, shall have a sign attached which
states "OVERSIZE LOAD" and the dimensions of the sign shall be a
minimum of seven feet long and 18 inches high. Letters shall be a
minimum of 10 inches high with a brush stroke of not less than 1\(\frac{2}{5}\)
inches. The sign shall be readily visible from a distance of 500 feet and
shall be removed when the vehicle or load no longer exceeds the legal
width dimensions prescribed by K.S.A. 8-1902, and amendments thereto,
or the length provisions in K.S.A. 8-1904, and amendments thereto. Each
such vehicle shall be equipped with red flags on all four corners of the
oversize load.
(2) Vehicles operating under the provision of a permit issued under
subsection (a), which exceed the weight limitations of K.S.A. 8-1908 or 8-
1909, and amendments thereto, but do not exceed the width limitations
prescribed by K.S.A. 8-1902, and amendments thereto, or the length
provisions in K.S.A. 8-1904, and amendments thereto, shall not have a
sign attached which states "OVERSIZE LOAD."

(m) (1) Vehicles operating under the provisions of a permit issued
under subsection (a), which exceed the width limitations prescribed by
K.S.A. 8-1902, and amendments thereto, or the length provisions in
K.S.A. 8-1904, and amendments thereto, shall not operate: (A) During
the time period between 30 minutes after sunset to 30 minutes before
sunrise, unless specifically authorized under another statute or regulation;
(B) under conditions where visibility is less than \( \frac{1}{2} \) mile; or (C) when
highway surfaces have ice or snow pack or drifting snow. The
provisions of this subsection shall not apply to vehicles that are
responding to a utility outage or other utility issue that causes or threatens
to cause an emergency that has caused or may cause physical harm or
injury to persons or substantial damage to property, and such vehicles
may operate 24-hour days in all weather and road conditions so long as
such vehicles use the most direct route that is reasonable and safe from
their beginning point to the emergency and then back to their place of
origin, place of business or place of storage.

(2) Vehicles operating under the provisions of a permit issued under
subsection (a), which exceed the weight limitations of K.S.A. 8-1908 or 8-
1909, and amendments thereto, but do not exceed the width limitations
prescribed by K.S.A. 8-1902, and amendments thereto, or the length
provisions in K.S.A. 8-1904, and amendments thereto, may operate 24-
hour days, except that such vehicles shall not operate when highway
surfaces have ice or snow pack or drifting snow. The provisions of this
subsection shall not apply to vehicles that are responding to a utility
outage or other utility issue that causes or threatens to cause an
emergency that has caused or may cause physical harm or injury to
persons or substantial damage to property, and such vehicles may operate
in all weather and road conditions so long as such vehicles use the most
direct route that is reasonable and safe from their beginning point to the
emergency and then back to their place of origin, place of business or
place of storage.

Sec. 2. K.S.A. 2018 Supp. 8-1911 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.