

## Dan Metz testimony in favor of HB2160

To the House Ag Committee Chairman and members

My name is Dan Metz. I am board chairman at Southern Kansas Cotton Growers Coop, a member of the Kansas Cotton Association, a cotton farmer in Sumner County Kansas, and I have been hauling round bales of cotton for the last 4 years. I am a proponent of HB2160. I believe that all loads of cotton should be secure during transport from the field to the gin. I would like to recognize however, that there are cotton trailers that have the physical restraints built into their design for the specific purpose of hauling round bales of cotton safely and securely to the gin without the need of a strap to hold the cotton in place. These trailers have restraints (cradles) built onto the front and the back of the trailer that prevent the load from shifting either frontward or backward. Each individual bale is 8ft wide, resting securely between the metal stakes on either side of the trailer, which prevents movement from side to side. With this configuration the bales are tightly compressed between the cradles. When cotton bales are loaded in a single layer, with every bale resting on the floor of these types of trailers, the load is secure. I would agree that cotton bales transported on trailers without physical restraints (flat beds) should be held in place with straps. I also believe that double stacked loads or two layers of bales should use straps to secure the load.

Other thoughts. If strapping round bales were easy, it wouldn't be an issue. It is almost impossible to throw a strap over a round bale loaded on a trailer and have the strap land on top of the bale and remain in place with the wind blowing while you hurriedly walk around the trailer to hook the strap to the trailer, then hurry back to the other side of the trailer to thread the strap through the winch and begin tightening the strap. If this works count yourself lucky. Usually, the strap slides off of the top of the bale and you have to roll up the strap and start over. A typical load is 8 bales, so do this 8 times. You get the picture. An alternative is to hire a helper so one person is on each side of the trailer to help with the strapping. There is some danger to this as the strap has a metal hook attached to the end that is being thrown over the load for the person on the other side to catch and hook to the trailer. There is also a cost to hiring a person to ride along with you to help strap. I spent \$1000 per week for my helper. Another cost is the time spent in the field strapping and unstrapping the load once you get to the gin. We spent 45-60 minutes per load strapping and

unstrapping. We are 15 miles to the gin, so we spent an hour strapping a load that took 20 minutes to haul. When you farm, bad weather is always a concern. You want to get your crop out of the field as quickly as you can. The time spent strapping could have been used getting the crop out of the field. So, for these reasons, (frustration, danger, cost and timely harvest) I am in support of HB2160

It has been rumored that there is some pushback saying an exemption of this type is not possible. I disagree. Here are two examples. In the early 2000's there was an issue with Kansas Highway patrol repeatedly ticketing cotton module trucks. These were a different kind of truck that was and still is used to haul the large rectangular modules. The Kansas legislature at the time created the Annual cotton permit that created an exemption for those types of cotton trucks. A permit could be purchased for \$150 from the Kansas Dept. of Transportation. That exemption is still in effect today and took care of the problem. I personally have purchased this permit when I was using that type of cotton truck. Another example of an exemption for agriculture was the passing of SB 89 during the 2021 session where silage trucks were exempted from tarping loads of forage. Additionally, FMCSA 383.3-Q17 states that " The transportation of seed-cotton modules from the field to the gin may, at the states discretion, be considered as custom harvesting and therefore eligible for the FRSI waiver."

In other words, a driver does not need a Commercial Driver's License to deliver cotton from the field to the gin. By my reasoning, if you don't need a CDL, to operate the truck, then the truck must be noncommercial. In conclusion, I believe a farmer owning a cotton trailer designed with cradles and side stakes can safely haul a single layer of cotton bales from the field to the gin without the extra burden of strapping. All other trailers single or double stacked should continue to be strapped. I urge you to pass HB2160. Thank you.