

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2693

As Amended by House Committee of the Whole

Brief*

HB 2693 would require the Secretary of Revenue to authorize community colleges and technical colleges, upon request, to administer knowledge and skills tests required for a person to obtain a commercial driver's license. The bill also would require the Secretary to grant priority status to Hutchinson Community College, Pratt Community College, Barton County Community College, Garden City Community College, Fort Scott Community College, and Dodge City Community College. The Secretary would authorize the testing that complies with federal requirements of 49 CFR Part 383 in an agreement between the requesting community college or technical college and the state. The Secretary would be required to adopt rules and regulations to implement the testing procedure. Finally, the bill would require the Secretary to accept the results of a person's knowledge and skills tests administered by either a community college or a technical college.

Background

At the House Committee hearing on the original bill, Representative Seiwert appeared as a proponent, indicating the bill was intended to address the issue of obtaining a commercial driver's license (CDL) in rural areas of the state. He stated the distances and time required in order to obtain a CDL translated into extra costs and that the original bill would save businesses and individuals money. Other proponents included Representative Hoffman, Representative Waymaster

*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>

who indicated Barton Community College also was in support of the bill, Representative Estes who appeared on behalf of Dodge City Community College, Representative Lusker who appeared on behalf of Fort Scott Community College, the President of Garden City Community College, a representative of the President of Hutchinson Community College, Representative Thimesch who appeared on behalf of a farm owner in his district, a legislator's intern who appeared on behalf of a farmer/custom harvester from Kingman and Reno counties, and the Vice-president of Barton Community College. Written testimony in support of the original bill also was distributed to members of the Committee on behalf of the Finney County Economic Development Corporation and WindRiver Grain, LLC of Garden City. Neutral testimony on the original bill was provided by the CDL Manager of the Division of Vehicles, Kansas Department of Revenue. There were no opponents to the original bill.

The original bill would have required the Secretary of Revenue to authorize CDL testing at community colleges named in the bill, upon the college's request. The House Committee on Agriculture and Natural Resources amended the bill to authorize any community college or technical college in the state to request the authority from the Secretary of Revenue to administer the knowledge and skills tests required in order to obtain a CDL. The Committee also amended the bill to clarify that the Secretary of Revenue would authorize the testing in an agreement between the requesting community college or technical college and the state that complies with the requirements of federal regulations. In addition, the Committee added language that would permit technical colleges to participate in addition to the community colleges. Finally, the Committee struck a section of the bill that would have allowed the Division of Vehicles authority to issue a seasonal CDL for the operation of commercial class A, in addition to commercial class B and commercial class C motor vehicles. (The Committee was told that this provision with its amendments would have made the state non-compliant with federal regulations.)

The House Committee of the Whole amended the bill to require that the Secretary of Revenue grant priority status to requests to administer CDL knowledge and skills tests made by Hutchinson Community College, Pratt Community College, Barton County Community College, Garden City Community College, Fort Scott Community College, and Dodge City Community College. The House Committee of the Whole also amended the bill to ensure that the CDL testing administered by the community colleges and technical colleges must comply with all of the federal regulations in 49 CFR Part 383 and not just 49 CFR 383.75.

The fiscal note on the original bill states the bill would have a negligible fiscal effect upon revenues from commercial driver's licenses that are remitted to the State Highway Fund. The fiscal note on the original bill also indicated a portion of the bill could put Kansas out of compliance with federal requirements. (This provision was removed from the bill by the House Agriculture and Natural Resources Committee.) The fiscal information noted the provision could result in the loss of approximately 5.0 percent of federal highway funds, which that would amount to approximately \$17.0 million in federal highway funds in the first year. The fiscal note also states the agency is still assessing the fiscal effect of this bill, and if additional costs are required a revised fiscal note will be submitted. Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.