

Before the Senate Committee on Transportation

March 3, 2026

Proponent Written Testimony on House Bill 2604

Submitted by Mike Hoeme, Director of Transportation
On behalf of the Staff of the Kansas Corporation Commission

Chairman Petersen, Vice Chair Kloos, Ranking Minority Member Corson, and members of the Committee, thank you for the opportunity to provide written proponent testimony on behalf of the staff of the Kansas Corporation Commission (Commission).

HB 2604 proposes to amend the Kansas Commercial Driver's License (CDL) statutes by updating the definitions in K.S.A. 8-234b and K.S.A. 8-2,128 to be consistent with the federal definition of a CMV in the Code of Federal Regulations Title 49, Part 383. 5. Currently, State law differs from federal regulation since it does not include the gross vehicle weight or gross combination weight when determining whether a vehicle requires the driver to possess a CDL to operate the vehicle.

As drafted, law enforcement officers at roadside are unable to enforce the CDL regulation as intended. This allows drivers to avoid the requirement to obtain a CDL even though they are operating larger commercial motor vehicles (CMVs), putting the motoring public at risk. One scenario our agencies have encountered include:

- A driver operating a pick-up truck and trailer with a GVWR of 26,000 lbs., but when loaded the combination has an actual weight of 29,000 lbs. Currently our state law does not require the driver to have a CDL.

However, the same driver could enter a neighboring state (e.g., Nebraska or Missouri), the driver could be cited, declared out-of-service, or possibly even arrested for failing to possess a CDL if the vehicle physically weighed 26,001 lbs. or more and meets the federal definition of a CMV. This can occur because these states have laws defining CMV and CDL that match the federal regulation.

The Commission's Special Investigators have also discovered these same issues during compliance investigations of motor carriers and have therefore been unable to cite this violation or subsequent violations. The lack of uniformity between Kansas law and federal regulation presents a burden and safety concerns to drivers, motor carriers, roadside enforcement and the motoring public.

We join the Kansas Highway Patrol and the Kansas Department of Revenue in support HB 2604 if it were amended so that both K.S.A. 8-2,128 and K.S.A. 8-234b comply with the federal definition of a CMV in the Code of Federal Regulations Title 49, Part 383.5.

Thank you for the opportunity to provide written proponent testimony for HB 2604.