

STATE OF KANSAS
STATE CORPORATION COMMISSION

Notice of Public Hearing on Proposed Administrative Regulations

December 28, 2023

The State Corporation Commission (Commission) will conduct a public hearing at 10:00 a.m. on Tuesday, March 19, 2024, via Zoom, to consider the adoption of the proposed rules and regulations of the State Corporation Commission of the State of Kansas on a permanent basis.

This notice exceeds the 60-day notice requirement of the pending public hearing and shall constitute the beginning of the public comment period for the purpose of receiving written public comments on the proposed rules and regulations. A complete copy of the proposed regulations, economic impact statements and online comment form may be found on the Kansas Corporation Commission website: <http://kcc.ks.gov/your-opinion-matters>. Public comments will be accepted through 5 p.m. on March 18. Comments may be submitted online or by contacting Ahsan Latif at a.latif@kcc.ks.gov or by letter to Ahsan Latif, Litigation Counsel, State Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604.

All interested parties may participate at the Zoom meeting by registering on the KCC website [Kansas Corporation Commission - Your Opinion Matters \(ks.gov\)](http://kcc.ks.gov/your-opinion-matters) prior to noon on March 18. The meeting will also be broadcast on our YouTube channel at [Kansas Corporation Commission - YouTube](https://www.youtube.com/channel/UCv8v8v8v8v8v8v8v8v8v8v8). No registration is required for viewing.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five (5) working days in advance of the hearing by contacting Jared Harsin at (785) 271-3161 or the Kansas Relay Center at 1-800-766-3777.

A summary of the proposed regulations and their economic impact are as follows: (Note: Statements indicating that a regulation is “not anticipated to have any economic impact” are intended to indicate that no economic impact on the State Corporation Commission, other state agencies, state employees, or the general public has been identified.)

K.A.R. 82-4-1 – Definitions.

The proposed amendments to this regulation, which defines the terms used in “Article 4 – Motor Carriers of Persons and Property,” includes updating the definition of “out-of-service” and “OOS” to include the latest version of the North American Standard

Out-of-Service Criteria. The proposed amendments are not anticipated to have an economic impact.

K.A.R. 82-4-30a. Applications for interstate registration.

This existing regulation adopts relevant portions of the Federal Motor Carrier Safety Administration (“FMCSA”) regulations (49 C.F.R. Part 367) and Unified Carrier Registration (UCR) Act (49 U.S.C. 14504a) which together establish the rules and registration fees owed by carriers based in Kansas that operate interstate. The proposed changes to this regulation allows the Kansas Corporation Commission and Kansas Highway Patrol to enforce the lower fee schedule approved for use in 2024. The proposed amendments are not anticipated to have an economic impact.

K.A.R. 82-4-3j – Inspection, repair, and maintenance.

This regulation adopts portions of the FMCSA regulations (49 C.F.R. Part 396) governing the inspection, repair and maintenance of commercial motor vehicles. The proposed amendments removes references to “Appendix G” to reflect the most recent updates to FMCSA regulations which replaced that section with an “Appendix A” which will now be adopted by reference. This allows motor carriers to comply with same rules they would be subject to in other states. The proposed amendments are not anticipated to have an economic impact.