

Proposed

STATE OF KANSAS
STATE CORPORATION COMMISSION

Notice of Public Hearing on Proposed Administrative Regulation

November 10, 2026

The State Corporation Commission (Commission) will conduct a public hearing at 10:00 a.m. on Tuesday, November 10, 2026, via Zoom, to consider the adoption of a proposed rule and regulation 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 rule and regulation. A complete copy of the proposed regulation, economic impact statement and online comment form may be found on the State Corporation Commission website: <https://kcc-connect.kcc.ks.gov/s/public-comments>. Public comments will be accepted through noon on November 9. Comments may be submitted online or by contacting Ahsan Latif at ahsan.latif@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 in the Zoom meeting by registering on the State Corporation Commission website <https://kcc-connect.kcc.ks.gov/s/public-comments> prior to noon on November 9. The meeting will also be broadcast on the Commission's YouTube channel at <https://www.youtube.com/@kansascorporationcommission>. 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 regulation 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 the KCC's Office of Public Affairs at 800-662-0027 or the Kansas Relay Center at 1-800-766-3777.

A summary of the proposed regulation and its economic impact follows: (Note: Statements indicating that a regulation is "not anticipated to have an 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. 82-4-20 – Transportation of hazardous materials by motor vehicles.

This Kansas regulation adopts federal hazardous materials transportation regulations by reference that govern the safe commercial transport of hazardous materials by motor vehicles within Kansas. The proposed amendments updates the federal

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regulations adopted to the most recent available, which are dated October 1, 2025. The proposed amendments are not anticipated to have an economic impact.

Jesse R. Becker
Executive Director
Kansas Corporation Commission

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Kansas Administrative Regulations

Kansas Corporation Commission

Article 4.—Motor Carriers of Persons and Property

82-4-20. Transportation of hazardous materials by motor vehicles.

(a) The federal regulations adopted by reference in this regulation shall govern the transportation of hazardous materials in Kansas in commerce to the extent that the regulations pertain to the transportation of hazardous materials by commercial motor vehicle.

(b) Copies of all applications for special permits pursuant to 49 C.F.R. Part 107, Subpart B, registrations of cargo tank and cargo tank motor vehicle manufacturers, assemblers, repairers, inspectors, testers, and design-certifying engineers pursuant to 49 C.F.R. Part 107, Subpart F, and registrations of persons who offer transportation or transport hazardous materials pursuant to 49 C.F.R. Part 107, Subpart G shall be made available to the commission for proof of compliance with federal hazardous materials regulations.

(c) The following federal regulations, as in effect on October 1, ~~2018~~ 2025, are hereby adopted by reference:

(1) 49 C.F.R. Part 107 Subparts F and G;

~~(2)~~ 49 C.F.R. Part 171 with the following exceptions:

(A) 49 C.F.R. 171.1(a) and the paragraph that precedes it;

(B) 49 C.F.R. 171.1(f);

(C) 49 C.F.R. 171.6 and 171.7; and

~~(D) 49 C.F.R. 171.14, 171.17, and 171.18;~~

~~(2)~~ (3) 49 C.F.R. Part 172, including the appendices, except 172.701, 172.804, 172.820, and 172.822;

~~(3)~~ (4) 49 C.F.R. Part 173, including the appendices, except 173.10, 173.27, 173.31 and ~~171.314~~ 173.314;

~~(4)~~ (5) 49 C.F.R. Part 177;

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~~(5)~~ (6) 49 C.F.R. Part 178, including the appendices, except 178.46(e), (h) and (i);
and

~~(6)~~ (7) 49 C.F.R. Part 180, including the appendices, with the following exceptions:

(A) Any references to 49 C.F.R. 171.7; and

(B) 180.501 through 180.519.

(d) When used in any provision adopted from 49 C.F.R. Parts 107, 171, 172, 173, 177, 178, and 180, the following substitutions shall be made unless otherwise specified:

(1) The terms "administrator," "associate administrator," and "regional administrator" shall be replaced with "or director as defined in K.A.R. 82-4-1."

(2) The term "competent authority" shall mean "the Kansas corporation commission or any other Kansas agency or federal agency that is responsible, under its law, for the control or regulation of some aspect of hazardous materials transportation."

(3) The terms "Department of Transportation," "DOT," and "department" shall be replaced with "commission as defined in K.A.R. 82-4-1."

(4) The term "the United States" shall be replaced with "the state of Kansas."

(e) Carriers transporting hazardous materials in intrastate commerce shall be subject to the packaging provisions as provided in K.S.A. 66-1,129b, and amendments thereto.

(f) As used in this regulation, each reference to a portion of 49 C.F.R. Parts 171, 172, 173, 177, 178, and 180 shall mean that portion as adopted by reference in this regulation.

(g) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations adopted in article 4 of the commission's regulations, the reference shall be to the version of those federal regulations as adopted in article 4.

(h) All standards in documents adopted in this regulation that are not otherwise adopted shall be included for reference only.

(i) All sections marked "reserved" shall be deleted.

(j) Whenever the adopted federal hazardous materials regulations refer to portions of the federal hazardous materials regulations that are not included under subsection (a), those references shall not be applicable to this regulation.

(Authorized by K.S.A. 2025 Supp. 66-1,112, K.S.A. 2025 Supp. 66-1,112g, K.S.A. 66-1,129, and K.S.A. 66-1,129b; implementing K.S.A. 2025 Supp. 66-1,112, K.S.A. 66-

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1,129, and K.S.A. 66-1,129b; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 14, 2000; amended Jan. 31, 2003; amended Oct. 2, 2009; amended Nov. 14, 2011; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended T-_____, P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Corporation Commission
Agency

Ahsan Latif (785) 271-3118
Agency ContactContact Phone Number

82-4-20 ☒ Permanent ☒ Temporary
K.A.R. Number(s)

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

☒ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

☐ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million or more in implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation over the initial five-year period following adoption of such rule(s) and regulation(s) (as calculated in Section III, F)?

☐ Yes If "Yes," then the agency shall not adopt the rule(s) and regulation(s) until the rule(s) and regulation(s) has been ratified by the Legislature with a bill, unless the proposed rule(s) and regulation(s) are: 1) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program, as described in K.S.A. 77-416(b)(1)(B), and amendments thereto; 2) temporary rule(s) and regulation(s) adopted pursuant to K.S.A. 77-422, and amendments thereto; or 3) rules and regulations adopted pursuant to K.S.A. 2-3710 (Kansas Agricultural Remediation Board). Continue to fill out the remaining EIS form to be included with the regulation packet in the review process to the Department of Administration and the Attorney General. The submitted EIS will be independently analyzed by the Division of the Budget for approval.

☐ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. The submitted EIS will be analyzed by the Division of the Budget for approval.

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Section I

Analysis, brief description, and cost and benefit quantification of the proposed rule(s) and regulation(s). If the approach chosen by the Kansas agency to address the policy issue is different from that utilized by agencies of contiguous states or of the federal government, the economic impact statement shall include an explanation of why the Kansas agency's rule and regulation differs.

^z
The proposed amendments to this regulation, titled "Transportation of Hazardous Materials by Motor Vehicles," includes adopting the 2025 version of the federal regulations. The proposed amendments are not anticipated to have an economic impact.

Section II

Explain whether the proposed rule and regulation is mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program and whether the proposed rules and regulations exceed the requirements of applicable federal law.

The rules adopted in this regulation allow Kansas to apply federal motor carrier regulations in a manner consistent with other states.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The changes in this regulation have *de minimis* effect on enhancing or restricting business activities and growth.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that will be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The changes to this regulation involves the adoption of a more current version of the federal regulation. The changes do not involve additional compliance costs for implementation.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

This existing regulation applies to motor carriers in the state of Kansas.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The changes to the regulation allow the KCC and the KHP to enforce the most recent version of the federal regulation.

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- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The change would allow the state to use the most recent version of the federal regulation, giving motor carriers operating in our state a substantially similar experience to what they have in other states. This would minimize the cost and impact on motor carriers.

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F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or individuals. *Note: Do not account for any actual or estimated cost savings that may be realized. Implementation and compliance costs determined shall be those additional costs reasonably expected to be incurred and shall be separately identified for the affected businesses, local governmental units, and individuals.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Individuals – \$0

Total Annual Costs – \$0

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

No new obligations have been created by the adoption of more current versions of the federal regulations.

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million or more in implementation and compliance costs over the initial five-year period following adoption of such rule(s) and regulation(s) that are reasonably expected to be incurred by or passed along to businesses, local governmental units and individuals as a result of the proposed rule and regulation, did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- ☐ No
- ☒ Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

\$0.00

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

\$0.00

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- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

n/a

- H. Describe how the agency consulted and solicited information from businesses, business associations, local governmental units, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s) or may provide relevant information.

The Commission's Transportation Division met with leaders of the Kansas Motor Carrier Association, Kansas Highway Patrol and Federal Motor Carrier Safety Administration officials in Kansas to discuss changes being made to this regulation.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the individuals or entities who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other individuals who will bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, the individuals or entities who will bear the costs and who will be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

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- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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