Kansas Administrative Regulations

Kansas Corporation Commission

Article 4.—Motor Carriers of Persons and Property—Motor Carriers

82-4-1. Definitions.

The following terms used in connection with the regulations of the state corporation commission governing motor carriers shall be defined as follows:

(a) “Affiliate” means a person or company controlling, controlled by, or under common control or ownership with another person or company.

(b) “Air mile” means nautical mile.

(c) “Authorized agent” and “authorized representative” mean any authorized special agent or employee of the commission, any member of the Kansas highway patrol, or any law enforcement officer in the state certified in the inspection of motor carriers and authorized in accordance with the requirements of the Kansas motor carrier safety program.

(d) “Certificate” means a document evidencing a certificate of convenience and necessity or a certificate of public service issued to an intrastate common carrier to operate motor vehicles as a common carrier.

(e) “Chameleon carrier” means a motor carrier continuing its motor carrier operation under a new USDOT or motor carrier identification (MCID) number for the purpose of avoiding a fine, penalty, federal out-of-service order, or commission order that was issued against the previously used USDOT or MCID number.

(f) “Commission” means Kansas corporation commission.

(g) “Director” means director of the transportation division of the commission.

(h) “Distance” means distance measured in air miles.

(1) Distances shall be computed from the corporate limits of incorporated communities and from the post office of unincorporated communities.

(2) If there is no post office in the unincorporated community, the distance shall be computed from the center of the business district.

(i) “Docketing” means entering a proposal in the organization files and then giving notice of the proposal to other carrier members of the organization and shipper subscribers.

(j) “Entire direct case” shall include, for the purpose of this article of the commission’s regulations, all testimony, exhibits, and other documentation offered.

(k) “Express carrier” means a common carrier who carries packages or parcels, the maximum weight of which does not exceed 350 pounds for each package or parcel.

(l) “FHWA” means federal highway administration.

(m) “FMCSA” means federal motor carrier safety administration.

(n) “General increase” and “general decrease” mean a common motor carrier rate increase or decrease proposed as a general adjustment of substantially all the rates published in a tariff.

(o) “Groundwater well drilling rig” means any vehicle, machine, tractor, trailer, semi-trailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport groundwater well field operating equipment, including any groundwater well drilling and pump service rig equipped to access groundwater.

(p) “Hazardous materials regulations” and “HMR” mean the federal hazardous material regulations as adopted in K.A.R. 82-4-20.

(q) “Industry average carrier cost information” means the average intrastate cost of the carriers who participate in an organization tariff and who have authority from the commission to transport the commodities indicated in the organization tariff.

(r) “Joint line rate” means a rate, charge, or allowance established by two or more common motor carriers of property or passengers that is applicable over the carriers’ lines and for which the transportation can be provided by these carriers.

(s) "License" means the document or registration receipt evidencing the registration of an interstate common motor carrier or interstate exempt motor carrier to operate motor vehicles in the state of Kansas in interstate commerce.

(t) "Medical waiver" means "medical variance" as defined in 49 C.F.R. 390.5, which is adopted by reference in K.A.R. 82-4-3f.

(u) "Moving violation" means the commission or omission of an act by a person operating a motor vehicle that could result in injury or property damage and that is also a violation of a statute, ordinance, or regulation of this state or any other jurisdiction, including those convictions defined as Kansas moving violations in K.A.R. 92-52-9.

(v) "Notice" means advance notification to shipper subscribers through an organization's docket service.

(w) "Organization" means a legal entity that administers an agreement approved under K.A.R. 82-4-69.

(x) "Out-of-service" and "OOS," when used to describe a driver, a commercial motor vehicle, or a motor carrier operation, mean that the driver, commercial motor vehicle, or motor carrier has ceased to operate or move pursuant to the statutes and regulations of the state of Kansas, the federal motor carrier safety administration regulations, or the "North American standard out-of-service criteria," including the appendix, published by the commercial vehicle safety alliance. The "North American standard out-of-service criteria," revised on April 1, 2026, is hereby adopted by reference with the following exceptions:

(1) The policy statements on pages 3, 18, 19, 73, 77, and 81 shall be deleted.

(2) The footnote titled "drivers operating in the state of Alaska (395.1(h))" on page 12 shall be deleted.

(3) All references to inspection bulletins on pages 4, 5, 7, 9, 11, 12, 13, 20, 21, 24, 25, 28, 30, 31, 32, 35, 36, 50, 53, 54, 58, 61, 65, 66, 67, 71, 74, 75, 78, 89, 90, 91 and 97 shall be deleted.

(4) All sections applying to those operating in Canada and Mexico, including those on pages 14, 15, 16, 17, 76 and 78, shall be deleted.

(5) All references to “Operational Policy 14 – Enhancing Roadside Inspection and Enforcement Data Uniformity” on pages 21, 26 and 57 shall be deleted.

(6) All references to “operational policy 15 inspection and regulatory guidance” on pages 7, 10, 11, 13, 15, 24, 27, 30, 31, 33, 34, 35, 36, 46, 48, 49, 53, 57, 59, 60, 61, 63, 65, 66, 67, 70, 71, 93, and 107 shall be deleted.

(7) All references to 49 C.F.R. 393 shall be followed by the phrase “as adopted by K.A.R. 82-4-3i.”

(8) All references to 49 C.F.R. 395 shall be followed by the phrase “as adopted by K.A.R. 82-4-3a.”

(9) All references to 49 C.F.R. 396 shall be followed by the phrase “as adopted by K.A.R. 82-4-3j.”

(10) All sections labeled “reserved” shall be deleted.

(y) “Ownership” means an equity holding in a business entity of at least five percent.

(z) “Permit” means the document evidencing authority of a motor carrier to operate motor vehicles as a private carrier.

(aa) “PHMSA” means pipeline and hazardous materials safety administration of the United States department of transportation.

(bb) “Public motor carrier” shall have the same meaning as “For-hire motor carrier,” as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.

(cc) “Single line rate” means a rate, charge, or allowance established by a single common motor carrier of property or passengers that is applicable only over its line and for which the transportation can be provided by that carrier.

(dd) “Tariff publication” means the rates, charges, classification, ratings, or policies published by, for, or on behalf of common motor carriers of household goods, property, or passengers.

(ee) “Transportation” means the movement of household goods, property, or passengers, or any combination of these, and the loading, unloading, or storage incidental to this movement.

(ff) “USDOT” means the United States department of transportation.

(Authorized by and implementing K.S.A. 2025 Supp. 66-1,112, K.S.A. 2025 Supp. 66-1,112g, K.S.A. 66-1,129; effective Jan. 1, 1971; modified, L. 1981, Ch. 424, May 1, 1981; amended, T-83-45, Dec. 8, 1982; amended May 1, 1983; amended May 1, 1984; 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 28, 2000; amended Nov. 14, 2011; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended, T-82-12-29-23, Dec. 29, 2023; amended April 26, 2024; amended Dec. 6, 2024; amended, T-82-4-21-26, April 21, 2026; amended Aug. 14, 2026.)

***** Authenticated Kansas Administrative Regulation *****