

Kansas Administrative Regulations

Kansas Corporation Commission

Article 4.—Motor Carriers of Persons and Property

82-4-3n. Minimum levels of financial responsibility for motor carriers.

(a) With the following exceptions, 49 C.F.R. Part 387, as in effect on October 1, 2025, is hereby adopted by reference:

(1) The following revisions shall be made to 49 C.F.R. 387.3:

(A) In paragraph (a), the phrase "for-hire" shall be deleted and replaced by "public."

(B) In paragraphs (c)(1) and (c)(2), the phrase "as adopted by K.A.R. 82-4-20" shall be inserted after the phrase "49 CFR 173.403."

(2) The following revisions shall be made to 49 C.F.R. 387.5:

(A) The term "for-hire" in the definition of "for-hire carriage" shall be deleted and replaced by "public."

(B) The definition of "motor carrier" shall be deleted.

(C) The definition of "State" shall be deleted and replaced by "state of Kansas."

(3) The following revisions shall be made to 49 C.F.R. 387.7:

(A) 49 C.F.R. 387.7(b)(3) shall be deleted.

(B) The following revisions shall be made to paragraph (d)(3):

(i) The phrase "under §387.309" shall be deleted.

(ii) The phrase "part 385 of this chapter" shall be deleted and replaced by "49 C.F.R. 385 as adopted by K.A.R. 82-4-3d."

(C) In paragraph (g), the term "United States" shall be deleted and replaced by "state of Kansas."

(4) The following revisions shall be made to 49 C.F.R. 387.9: The term "for-hire" shall be deleted and replaced by "public" in the "schedule of limits—public liability." All references to 49 C.F.R. parts 171, 172 and 173 shall mean those parts as adopted by K.A.R. 82-4-20.

(5) The following revisions shall be made to 49 C.F.R. 387.11:

(A) The following text shall be deleted and replaced by "the state of Kansas":

(i) In paragraph (a), "each State in which the motor carrier operates"; and

(ii) in paragraphs (b), (c), and (d), "any State in which the motor carrier operates."

(B) In paragraph (c), the words "any State in which business is written" shall be deleted and replaced by "the state of Kansas."

(6) 49 C.F.R. 387.17 shall be deleted.

(7) In 49 C.F.R. 387.19, the phrase "as adopted by K.A.R. 82-4-3f" shall be inserted after "390.5 of this subchapter."

(8) In 49 C.F.R. 387.25 and 49 C.F.R. 387.27(a), the term "for-hire" shall be deleted and replaced by "public."

(9) The following revisions shall be made to 49 C.F.R. 387.29:

(A) In the definition of "for-hire carriage," the term "for-hire" shall be deleted and replaced by "public."

(B) The definition of "motor carrier" shall be deleted.

(C) In the definition of "seating capacity," the phrase "(measured in accordance with SEA Standards J1100(a))" shall be deleted.

(10) The following revisions shall be made to 49 C.F.R. 387.31:

(A) The following revisions shall be made to paragraph (e)(2):

(i) The phrase "for-hire" shall be deleted and replaced with "public."

(ii) The phrase "FMCSA" shall be deleted and replaced with "commission."

(B) In paragraph (f), the phrase "within the United States" shall be deleted and replaced by "in the state of Kansas."

(C) In paragraph (g), the phrase "the United States" shall be deleted and replaced by "the state of Kansas."

(11) The following revision shall be made to 49 C.F.R. 387.33T: The term "for hire" shall be deleted and replaced by "public."

(12) The following changes shall be made to 49 C.F.R. 387.35:

(A) In paragraph (a) of 49 C.F.R. 387.35, "in each state in which the motor carrier operates" shall be deleted and replaced with "in the state of Kansas."

(B) In paragraphs (b), (c), and (d) of 49 C.F.R. 387.35, the words "in any State in which the motor carrier operates" shall be deleted and replaced by "in the state of Kansas."

(13) The following revision shall be made to 49 C.F.R. 387.39: The phrase "prescribed by the FMCSA and approved by the OMB" shall be deleted and replaced with "approved by the commission."

(14) 49 C.F.R. 387.41 shall be deleted.

(15) The following revisions shall be made to 49 C.F.R. 387.301T:

(A) The following revision shall be made to paragraph (a)(1): The phrase "FMCSA" shall be followed by "or commission."

(B) In paragraph (b), the phrase "FMCSA" shall be followed by "or commission." The last sentence in paragraph (b) shall be deleted.

(C) In paragraph (c), the phrase "FMCSA in accordance with the requirements of section 13906 of title 49 of the U.S. Code," shall be followed by "or commission."

(16) The following revisions shall be made to 49 C.F.R. 387.303T:

(A) In paragraph (b)(3), the word "Federal" shall be inserted before "Department of Transportation."

(B) Paragraph (b)(4) shall be deleted.

(17) 49 C.F.R. 387.307 through 49 C.F.R. 387.323T shall be deleted.

(18) In 49 C.F.R. 387.401(c), the term "motor vehicle" shall be deleted and replaced with "motor vehicle as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f."

(19) The following revisions shall be made to 49 C.F.R. 387.407(b): The term "FMCSA" shall be followed by "or commission." The phrase "FMCSA (or the Department of Transportation, where applicable)" shall be followed by "or commission."

(20) 49 C.F.R. 387.409 through 49 C.F.R. 387.419T shall be deleted.

(b) As used in this regulation, each reference to a portion of 49 C.F.R. Part 387 shall mean that portion as adopted by reference in this regulation.

(c) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations or other operating standards that are not already adopted by reference in article 4 of the commission's regulations, the references shall not be applicable to this regulation unless otherwise specifically adopted.

(Authorized by and implementing K.S.A. 2021 Supp. 66-1,112, K.S.A. 2021 Supp. 66-1,112g, and K.S.A. 66-1,129; effective Oct. 22, 2010; amended Sept. 20, 2013; amended May 6, 2016; amended July 26, 2019; amended Feb. 10, 2023; amended (tech.) Aug. 6, 2026.)

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