

**SENATE BILL No. 494**

By Committee on Federal and State Affairs

2-10

---

1 AN ACT concerning motor carriers; relating to the employment status of a  
2 driver of a motor carrier; prohibiting the altering of employment status  
3 for requiring safety improvements on the vehicle.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) The deployment, implementation or use of a motor  
7 carrier safety improvement by, or as required by, a motor carrier or such  
8 motor carrier's related entity, including by contract, shall not, in whole or  
9 in part, affect, impact or change the worker status of a driver.

10 (b) For purposes of this section:

11 (1) "Motor carrier safety improvement" means any device,  
12 equipment, software, technology, procedure, training, policy, program or  
13 operational practice intended and primarily used to improve or facilitate:

14 (A) Compliance with traffic safety or motor carrier safety laws;

15 (B) motor vehicle safety;

16 (C) the safety of the operator of a motor vehicle; or

17 (D) the safety of a third-party public roadway user.

18 (2) "Worker status" means the classification under any state law of a  
19 motor vehicle driver who engages in the transportation of property for  
20 compensation as an agent, employee, jointly employed employee,  
21 borrowed servant or independent contractor for a motor carrier.

22 Sec. 2. This act shall take effect and be in force from and after its  
23 publication in the statute book.