

**SENATE BILL No. 364**

By Committee on Ways and Means

4-25

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AN ACT concerning fees for certificate of title fees; amending K.S.A. 2000 Supp. 8-135, 8-135a, 8-139, 8-145, as amended by section 27 of 2001 Senate Bill No. 15, 8-170, 8-171, 8-198 and 74-2013 and repealing the existing sections.

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

Section 1. K.S.A. 2000 Supp. 8-135 is hereby amended to read as follows: 8-135. (a) Upon the transfer of ownership of any vehicle registered under this act, the registration of the vehicle and the right to use any license plate thereon shall expire and thereafter there shall be no transfer of any registration, and the license plate shall be removed by the owner thereof. Except as provided in K.S.A. 8-172, and amendments thereto, and K.S.A. 2000 Supp. 8-1,147, and amendments thereto, it shall be unlawful for any person, other than the person to whom the license plate was originally issued, to have possession thereof. When the ownership of a registered vehicle is transferred, the original owner of the license plate may register another vehicle under the same number, upon application and payment of a fee of \$1.50, if such other vehicle does not require a higher license fee. If a higher license fee is required, then the transfer may be made upon the payment of the transfer fee of \$1.50 and the difference between the fee originally paid and that due for the new vehicle.

(b) Subject to the provisions of subsection (a) of K.S.A. 8-198, and amendments thereto, upon the transfer or sale of any vehicle by any person or dealer, or upon any transfer in accordance with K.S.A. 2000 Supp. 59-3511, and amendments thereto, the new owner thereof, within 30 days, inclusive of weekends and holidays, from date of such transfer shall make application to the division for registration or reregistration of the vehicle, but no person shall operate the vehicle on any highway in this state during the thirty-day period without having applied for and obtained temporary registration from the county treasurer or from a dealer. After the expiration of the thirty-day period, it shall be unlawful for the owner or any other person to operate such vehicle upon the highways of this state unless the vehicle has been registered as provided in this act. For failure to make application for registration as provided in

1 this section, a penalty of \$2 shall be added to other fees. When a person  
2 has a current motorcycle or passenger vehicle registration and license  
3 plate, including any registration decal affixed thereto, for a vehicle and  
4 has sold or otherwise disposed of the vehicle and has acquired another  
5 motorcycle or passenger vehicle and intends to transfer the registration  
6 and the license plate to the motorcycle or passenger vehicle acquired, but  
7 has not yet had the registration transferred in the office of the county  
8 treasurer, such person may operate the motorcycle or passenger vehicle  
9 acquired for a period of not to exceed 30 days by displaying the license  
10 plate on the rear of the vehicle acquired. If the acquired vehicle is a new  
11 vehicle such person also must carry the assigned certificate of title or  
12 manufacturer's statement of origin when operating the acquired vehicle,  
13 except that a dealer may operate such vehicle by displaying such dealer's  
14 dealer license plate.

15 (c) Certificate of title: No vehicle required to be registered shall be  
16 registered or any license plate or registration decal issued therefor, unless  
17 the applicant for registration shall present satisfactory evidence of own-  
18 ership and apply for an original certificate of title for such vehicle. The  
19 following paragraphs of this subsection shall apply to the issuance of a  
20 certificate of title for a nonhighway vehicle, salvage vehicle or rebuilt  
21 salvage vehicle, as defined in K.S.A. 8-197, and amendments thereto,  
22 except to the extent such paragraphs are made inapplicable by or are  
23 inconsistent with K.S.A. 8-198, and amendments thereto.

24 (1) An application for certificate of title shall be made by the owner  
25 or the owner's agent upon a form furnished by the division and shall state  
26 all liens or encumbrances thereon, and such other information as the  
27 division may require. Notwithstanding any other provision of this section,  
28 no certificate of title, other than a duplicate title, shall be issued for a  
29 vehicle having any unreleased lien or encumbrance thereon, unless the  
30 transfer of such vehicle has been consented to in writing by the holder  
31 of the lien or encumbrance. Such consent shall be in a form approved by  
32 the division. In the case of members of the armed forces of the United  
33 States while the United States is engaged at war with any foreign nation  
34 and for a period of six months next following the cessation of hostilities,  
35 such application may be signed by the owner's spouse, parents, brother  
36 or sister. The county treasurer shall use reasonable diligence in ascer-  
37 taining whether the facts stated in such application are true, and if sat-  
38 isfied that the applicant is the lawful owner of such vehicle, or otherwise  
39 entitled to have the same registered in such applicant's name, shall so  
40 notify the division, who shall issue an appropriate certificate of title. The  
41 certificate of title shall be in a form approved by the division, and shall  
42 contain a statement of any liens or encumbrances which the application  
43 shows, and such other information as the division determines.

1 (2) The certificate of title shall contain upon the reverse side a form  
2 for assignment of title to be executed by the owner before a notary public  
3 or some other officer authorized to administer an oath. This assignment  
4 shall contain a statement of all liens or encumbrances on the vehicle at  
5 the time of assignment. The certificate of title shall also contain on the  
6 reverse side blank spaces so that an abstract of mileage as to each owner  
7 will be available. The seller at the time of each sale shall insert the mileage  
8 on the form filed for application or reassignment of title, and the division  
9 shall insert such mileage on the certificate of title when issued to pur-  
10 chaser or assignee. The signature of the purchaser or assignee is required  
11 on the form filed for application or reassignment of title, acknowledging  
12 the odometer certification made by the seller, except that vehicles which  
13 are 10 model years or older and trucks with a gross vehicle weight of  
14 more than 16,000 pounds shall be exempt from the mileage acknowledg-  
15 ment requirement of the purchaser or assignee. Such title shall indicate  
16 whether the vehicle for which it is issued has been titled previously as a  
17 nonhighway vehicle or salvage vehicle. In addition, the reverse side shall  
18 contain two forms for reassignment by a dealer, stating the liens or en-  
19 cumbrances thereon. The first form of reassignment shall be used only  
20 when a dealer sells the vehicle to another dealer. The second form of  
21 reassignment shall be used by a dealer when selling the vehicle to another  
22 dealer or the ultimate owner of the vehicle. The reassignment by a dealer  
23 shall be used only where the dealer resells the vehicle, and during the  
24 time that the vehicle remains in the dealer's possession for resale, the  
25 certificate of title shall be dormant. When the ownership of any vehicle  
26 passes by operation of law, or repossession upon default of a lease, se-  
27 curity agreement, or executory sales contract, the person owning such  
28 vehicle, upon furnishing satisfactory proof to the county treasurer of such  
29 ownership, may procure a certificate of title to the vehicle. When a vehicle  
30 is registered in another state and is repossessed in another state, the  
31 owner of such vehicle shall not be entitled to obtain a valid Kansas title  
32 or registration, except that when a vehicle is registered in another state,  
33 but is financed originally by a financial institution chartered in the state  
34 of Kansas or when a financial institution chartered in Kansas purchases a  
35 pool of motor vehicle loans from the resolution trust corporation or a  
36 federal regulatory agency, and the vehicle is repossessed in another state,  
37 such Kansas financial institution shall be entitled to obtain a valid Kansas  
38 title or registration. In addition to any other fee required for the issuance  
39 of a certificate of title, any applicant obtaining a certificate of title for a  
40 repossessed vehicle shall pay a fee of \$3.

41 (3) Dealers shall execute, upon delivery to the purchaser of every new  
42 vehicle, a manufacturer's statement of origin stating the liens and encum-  
43 brances thereon. Such statement of origin shall be delivered to the pur-

1 chaser at the time of delivery of the vehicle or at a time agreed upon by  
2 the parties, not to exceed 30 days, inclusive of weekends and holidays.  
3 The agreement of the parties shall be executed on a form approved by  
4 the division. In the event delivery of title cannot be made personally, the  
5 seller may deliver the manufacturer's statement of origin by restricted  
6 mail to the address of purchaser shown on the purchase agreement. The  
7 manufacturer's statement of origin may include an attachment containing  
8 assignment of such statement of origin on forms approved by the division.  
9 Upon the presentation to the division of a manufacturer's statement of  
10 origin, by a manufacturer or dealer for a new vehicle, sold in this state, a  
11 certificate of title shall be issued if there is also an application for regis-  
12 tration, except that no application for registration shall be required for a  
13 travel trailer used for living quarters and not operated on the highways.

14 (4) The fee for each original certificate of title shall be \$7 until July  
15 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 thereafter, in addition to the fee  
16 for registration of such vehicle, trailer or semitrailer. The certificate of  
17 title shall be good for the life of the vehicle, trailer or semitrailer while  
18 owned or held by the original holder of the certificate of title.

19 (5) Upon sale and delivery to the purchaser of every vehicle subject  
20 to a purchase money security interest as defined in K.S.A. 84-9-107, and  
21 amendments thereto, the dealer or secured party may complete a notice  
22 of security interest and when so completed, the purchaser shall execute  
23 the notice, in a form prescribed by the division, describing the vehicle  
24 and showing the name and address of the secured party and of the debtor  
25 and other information the division requires. The dealer or secured party,  
26 within 20 days of the sale and delivery, may mail or deliver the notice of  
27 security interest, together with a fee of \$2.50, to the division. The notice  
28 of security interest shall be retained by the division until it receives an  
29 application for a certificate of title to the vehicle and a certificate of title  
30 is issued. The certificate of title shall indicate any security interest in the  
31 vehicle. Upon issuance of the certificate of title, the division shall mail or  
32 deliver confirmation of the receipt of the notice of security interest, the  
33 date the certificate of title is issued and the security interest indicated, to  
34 the secured party at the address shown on the notice of security interest.  
35 The proper completion and timely mailing or delivery of a notice of se-  
36 curity interest by a dealer or secured party shall perfect a security interest  
37 in the vehicle described on the date of such mailing or delivery. The  
38 county treasurers shall mail a copy of the title application to the Kansas  
39 lienholder. Each county treasurer shall charge the Kansas lienholder a  
40 \$1.50 service fee for processing and mailing a copy of the title application  
41 to the Kansas lienholder.

42 (6) It shall be unlawful for any person to operate in this state a vehicle  
43 required to be registered under this act, or to transfer the title to any

1 such vehicle to any person or dealer, unless a certificate of title has been  
2 issued as herein provided. In the event of a sale or transfer of ownership  
3 of a vehicle for which a certificate of title has been issued, which certifi-  
4 cate of title is in the possession of the transferor at the time of delivery  
5 of the vehicle, the holder of such certificate of title shall endorse on the  
6 same an assignment thereof, with warranty of title in a form prescribed  
7 by the division and printed thereon and the transferor shall deliver the  
8 same to the buyer at the time of delivery to the buyer of the vehicle or  
9 at a time agreed upon by the parties, not to exceed 30 days, inclusive of  
10 weekends and holidays, after the time of delivery. The agreement of the  
11 parties shall be executed on a form provided by the division. The require-  
12 ments of this paragraph concerning delivery of an assigned title are sat-  
13 isfied if the transferor mails to the transferee by restricted mail the as-  
14 signed certificate of title within the 30 days, and if the transferor is a  
15 dealer, as defined by K.S.A. 8-2401, and amendments thereto, such trans-  
16 feror shall be deemed to have possession of the certificate of title if the  
17 transferor has made application therefor to the division. The buyer shall  
18 then present such assigned certificate of title to the division at the time  
19 of making application for registration of such vehicle. A new certificate  
20 of title shall be issued to the buyer, upon payment of the fee of \$7 until  
21 July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 thereafter. If such vehicle  
22 is sold to a resident of another state or country, the dealer or person  
23 making the sale shall notify the division of the sale and the division shall  
24 make notation thereof in the records of the division. When a person ac-  
25 quires a security agreement on a vehicle subsequent to the issuance of  
26 the original title on such vehicle, such person shall require the holder of  
27 the certificate of title to surrender the same and sign an application for  
28 a mortgage title in form prescribed by the division. Upon such surrender  
29 such person shall immediately deliver the certificate of title, application,  
30 and a fee of \$7 until July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 there-  
31 after, to the division. Upon receipt thereof, the division shall issue a new  
32 certificate of title showing the liens or encumbrances so created, but not  
33 more than two liens or encumbrances may be shown upon a title. When  
34 a prior lienholder's name is removed from the title, there must be satis-  
35 factory evidence presented to the division that the lien or encumbrance  
36 has been paid. When the indebtedness to a lienholder, whose name is  
37 shown upon a title, is paid in full, such lienholder within 10 days after  
38 written demand by restricted mail, shall furnish to the holder of the title  
39 a release of lien or execute such a release in the space provided on the  
40 title. For failure to comply with such a demand the lienholder shall be  
41 liable to the holder of the title for \$100 and also shall be liable for any  
42 loss caused to the holder by such failure. When the indebtedness to a  
43 lienholder, whose name is shown upon a title, is collected in full, such

1 lienholder, within 30 days, shall furnish notice to the holder of title that  
2 such indebtedness has been paid in full and that such title may be pre-  
3 sented to the lienholder at any time for release of lien.

4 (7) It shall be unlawful for any person to buy or sell in this state any  
5 vehicle required to be registered, unless, at the time of delivery thereof  
6 or at a time agreed upon by the parties, not to exceed 30 days, inclusive  
7 of weekends and holidays, after the time of delivery, there shall pass  
8 between the parties a certificate of title with an assignment thereof. The  
9 sale of a vehicle required to be registered under the laws of this state,  
10 without assignment of the certificate of title, is fraudulent and void, unless  
11 the parties shall agree that the certificate of title with assignment thereof  
12 shall pass between them at a time other than the time of delivery, but  
13 within 30 days thereof. The requirements of this paragraph concerning  
14 delivery of an assigned title shall be satisfied if (i) the seller mails to the  
15 purchaser by restricted mail the assigned certificate of title within 30 days,  
16 or (ii) if the transferor is a dealer, as defined by K.S.A. 8-2401, and amend-  
17 ments thereto, such seller shall be deemed to have possession of the  
18 certificate of title if such seller has made application therefor to the di-  
19 vision, or (iii) if the transferor is a dealer and has assigned a title pursuant  
20 to paragraph (9) of this subsection (c).

21 (8) In cases of sales under the order of a court of a vehicle required  
22 to be registered under this act, the officer conducting such sale shall issue  
23 to the purchaser a certificate naming the purchaser and reciting the facts  
24 of the sale, which certificate shall be prima facie evidence of the own-  
25 ership of such purchaser for the purpose of obtaining a certificate of title  
26 to such motor vehicle and for registering the same. Any such purchaser  
27 shall be allowed 30 days, inclusive of weekends and holidays, from the  
28 date of sale to make application to the division for a certificate of title  
29 and for the registering of such motor vehicle.

30 (9) Any dealer who has acquired a vehicle, the title for which was  
31 issued under the laws of and in a state other than the state of Kansas,  
32 shall not be required to obtain a Kansas certificate of title therefor during  
33 the time such vehicle remains in such dealer's possession and at such  
34 dealer's place of business for the purpose of sale. The purchaser or trans-  
35 feree shall present the assigned title to the division of vehicles when  
36 making application for a certificate of title as provided in subsection (c)(1).

37 (10) Motor vehicles may be held and titled in transfer-on-death form.

38 (11) Notwithstanding the provisions of this act with respect to time  
39 requirements for delivery of a certificate of title, or manufacturer's state-  
40 ment of origin, as applicable, any person who chooses to reaffirm the sale  
41 in writing on a form approved by the division which advises them of their  
42 rights pursuant to paragraph (7) of subsection (c) and who has received  
43 and accepted assignment of the certificate of title or manufacturer's state-

1 ment of origin for the vehicle in issue may not thereafter void or set aside  
2 the transaction with respect to the vehicle for the reason that a certificate  
3 of title or manufacturer's statement of origin was not timely delivered,  
4 and in such instances the sale of a vehicle shall not be deemed to be  
5 fraudulent and void for that reason alone.

6 (12) The owner of any vehicle assigning a certificate of title in ac-  
7 cordance with the provisions of this section may file with the division a  
8 form indicating that such owner has assigned such certificate of title. Such  
9 forms shall be furnished by the division and shall contain such information  
10 as the division may require. Any owner filing a form as provided in this  
11 paragraph shall pay a fee of \$10. The filing of such form shall be prima  
12 facie evidence that such certificate of title was assigned and shall create  
13 a rebuttable presumption. If the assignee of a certificate of title fails to  
14 make application for registration, an owner assigning such title and filing  
15 the form in accordance with the provisions of this paragraph shall not be  
16 held liable for damages resulting from the operation of such vehicle.

17 Sec. 2. K.S.A. 2000 Supp. 8-135a is hereby amended to read as fol-  
18 lows: 8-135a. A person in whose name a vehicle is titled and registered  
19 may add their spouse's name by assigning the title from the titleholder  
20 to titleholder and spouse and by applying for a name change title and  
21 registration. A son or daughter in whose name a vehicle is titled and  
22 registered may add a parent's name by assigning the title from such son  
23 or daughter to such son or daughter and parent and by applying for a  
24 name change title and registration. A parent may add a son or daughter's  
25 name by assigning the title from such parent to such parent and parent's  
26 son or daughter and by applying for a name change title and registration.  
27 Application for name change title and registration shall be made in the  
28 manner required by law, including certification of insurance coverage.  
29 The fee shall be \$7 until July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50  
30 thereafter, for the title, and no charge shall be made for the registration,  
31 except, when applicable, the fee for transfer of registration under K.S.A.  
32 8-135, and amendments thereto.

33 Sec. 3. K.S.A. 2000 Supp. 8-139 is hereby amended to read as fol-  
34 lows: 8-139. In the event that any license plate, certificate of title, regis-  
35 tration decal or registration receipt issued hereunder, shall be lost, mu-  
36 tilated, or shall have become illegible, the person who is entitled thereto  
37 shall make immediate application for and obtain a duplicate or substitute  
38 therefor, upon furnishing information of such fact satisfactory to the di-  
39 vision and upon payment of the required fees: Namely, certificate of title,  
40 \$7 until July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 thereafter, registra-  
41 tion receipt, \$.50, registration decal, \$.50, license plates, \$2. In case the  
42 license plate is of such type or constructed in such a way that it is not  
43 reasonably possible to remove it from the vehicle to which it is attached

1 without destroying or mutilating such license plate, and the ownership of  
2 such vehicle shall be transferred and the license plate shall be mutilated  
3 or destroyed by the owner thereof as a result of the owner's effort to  
4 comply with the provisions of K.S.A. 8-135, and amendments thereto, by  
5 removing the same from the vehicle so transferred, then and in such case  
6 no fee shall be charged for such duplicate or substitute license plate,  
7 including any registration decal affixed thereto, but the same shall be  
8 furnished free of charge providing such person shall otherwise in all re-  
9 spects have complied with the laws governing the transfer of ownership  
10 of such motor vehicle.

11 Sec. 4. K.S.A. 2000 Supp. 8-145, as amended by section 27 of 2001  
12 Senate Bill No. 15, is hereby amended to read as follows: 8-145. (a) All  
13 registration and certificates of title fees shall be paid to the county trea-  
14 surer of the county in which the applicant for registration resides or has  
15 an office or principal place of business within this state, and the county  
16 treasurer shall issue a receipt in triplicate, on blanks furnished by the  
17 division of vehicles, one copy of which shall be filed in the county trea-  
18 surer's office, one copy shall be delivered to the applicant and the original  
19 copy shall be forwarded to the director of vehicles.

20 (b) The county treasurer shall deposit \$.75 of each license applica-  
21 tion, \$.75 out of each application for transfer of license plate and \$2 out  
22 of each application for a certificate of title, collected by such treasurer  
23 under this act, in a special fund, which fund is hereby appropriated for  
24 the use of the county treasurer in paying for necessary help and expenses  
25 incidental to the administration of duties in accordance with the provi-  
26 sions of this law and extra compensation to the county treasurer for the  
27 services performed in administering the provisions of this act, which com-  
28 pensation shall be in addition to any other compensation provided by any  
29 other law, except that the county treasurer shall receive as additional  
30 compensation for administering the motor vehicle title and registration  
31 laws and fees, a sum computed as follows: The county treasurer, during  
32 the month of December, shall determine the amount to be retained for  
33 extra compensation not to exceed the following amounts each year for  
34 calendar year 1990 or any calendar year thereafter: The sum of \$60 per  
35 hundred registrations for the first 5,000 registrations; the sum of \$45 per  
36 hundred registrations for the next 5,000 registrations; and the sum of \$2  
37 per hundred registrations for all registrations thereafter. In no event,  
38 however, shall any county treasurer be entitled to receive more than  
39 \$9,800 additional annual compensation.

40 If more than one person shall hold the office of county treasurer during  
41 any one calendar year, such compensation shall be prorated among such  
42 persons in proportion to the number of weeks served. The total amount  
43 of compensation paid the treasurer together with the amounts expended



1 in paying for other necessary help and expenses incidental to the admin-  
2 istration of the duties of the county treasurer in accordance with the  
3 provisions of this act, shall not exceed the amount deposited in such spe-  
4 cial fund. Any balance remaining in such fund at the close of any calendar  
5 year shall be withdrawn and credited to the general fund of the county  
6 prior to June 1 of the following calendar year.

7 (c) The county treasurer shall remit the remainder of all such fees  
8 collected, together with the original copy of all applications, to the sec-  
9 retary of revenue. The secretary of revenue shall remit all such fees re-  
10 mitted to the state treasurer in accordance with the provisions of K.S.A.  
11 75-4215, and amendments thereto. Upon receipt of each such remittance,  
12 the state treasurer shall deposit the entire amount in the state treasury  
13 to the credit of the state highway fund, except as provided in subsection  
14 (d).

15 (d) (1) On July 1, 1997, through June 30, 2004, \$2.50 of each certifi-  
16 cate of title fee collected and remitted to the secretary of revenue, shall  
17 be remitted to the state treasurer who shall credit such \$2.50 to the  
18 Kansas highway patrol motor vehicle fund. On July 1, 1999, through June  
19 30, ~~2002~~ 2004, \$1 of each certificate of title fee collected and remitted  
20 to the secretary of revenue, shall be remitted to the state treasurer who  
21 shall credit such \$1 to the VIPS/CAMA technology hardware fund.

22 (2) For repossessed vehicles, \$3 of each certificate of title fee col-  
23 lected and remitted to the secretary of revenue, shall be remitted to the  
24 state treasurer who shall credit such \$3 to the repossessed certificates of  
25 title fee fund.

26 Sec. 5. K.S.A. 2000 Supp. 8-170 is hereby amended to read as fol-  
27 lows: 8-170. (a) Upon the transfer of ownership of any vehicle registered  
28 under the foregoing provisions of this act, its registration and right to use  
29 the license plates thereon shall expire and thereafter there shall be no  
30 transfer of any registration, and the license plates shall be removed by  
31 the owner thereof and it shall be unlawful for any person other than the  
32 person to whom such license plates were originally issued to have the  
33 same in possession. In case of a transfer of ownership of a registered  
34 vehicle the original owner of the license plates may register another an-  
35 tique vehicle under the same license plate designation, upon application  
36 therefor and the payment of a fee of \$1.50. On and after January 1, 2000,  
37 any model year license plate transferred shall comply with the provisions  
38 of subsection (c) of K.S.A. 8-172, and amendments thereto.

39 (b) Upon the transfer and sale of a registered vehicle by any person,  
40 the new owner thereof, before using a vehicle on the highways of this  
41 state, shall make application to the division for registration of the vehicle.

42 (c) Certificate of title:

43 (1) Application for certificate of title on an antique vehicle shall be

1 made by the owner or the owner's agent upon a blank form to be fur-  
2 nished by the division and shall contain such information as the division  
3 shall determine necessary. The division may waive any information re-  
4 quested on the form if it is not available. The application together with a  
5 bill of sale for the antique vehicle shall be accepted as prima facie evi-  
6 dence that the applicant is the owner of the vehicle. The certificate of  
7 title shall be delivered to the applicant. The certificate shall contain the  
8 words "antique vehicle."

9 (2) The certificate of title shall contain upon the reverse side a form  
10 for assignment of title to be executed by the owner before a notary public  
11 or some other officer authorized to administer an oath. A certificate of  
12 title may be issued under the provisions of this act without an application  
13 for registration.

14 (3) The fee for each original certificate of title so issued shall be \$7  
15 until July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 thereafter. The certifi-  
16 cate of title shall be good for the life of the antique vehicle, so long as  
17 the same is owned or held by the original holder of the certificate of title,  
18 and shall not have to be renewed. In the event of a sale or transfer of  
19 ownership of an antique vehicle for which a certificate of title has been  
20 issued, the holder of such certificate of title shall endorse on the same an  
21 assignment thereof, with warranty of title in form printed thereon, as  
22 prescribed by the director, and the transferor must deliver the same to  
23 the buyer at the time of delivery of the vehicle. The buyer shall then  
24 present such certificate of title, assigned as aforesaid, to the director or  
25 an authorized agent of the director, whereupon a new certificate of title  
26 shall be issued to the buyer, the fee therefor being \$7 until July 1, 2002,  
27 ~~\$6 until July 1, 2004~~, and \$3.50 thereafter.

28 Sec. 6. K.S.A. 2000 Supp. 8-171 is hereby amended to read as fol-  
29 lows: 8-171. In the event that any license plate, certificate of title or  
30 registration receipt issued hereunder, shall be lost, mutilated, or shall  
31 have become illegible, the person who is entitled thereto shall make im-  
32 mediate application for and obtain a duplicate therefor, upon furnishing  
33 information of such fact satisfactory to the division and upon payment of  
34 the required fees: Namely, certificate of title, \$7 until July 1, 2002, ~~\$6~~  
35 ~~until July 1, 2004~~, and \$3.50 thereafter, registration receipt, \$1, license  
36 plates, \$2.

37 Sec. 7. K.S.A. 2000 Supp. 8-198 is hereby amended to read as fol-  
38 lows: 8-198. (a) A nonhighway or salvage vehicle shall not be required to  
39 be registered in this state, as provided in K.S.A. 8-135, and amendments  
40 thereto, but nothing in this section shall be construed as abrogating, lim-  
41 iting or otherwise affecting the provisions of K.S.A. 8-142, and amend-  
42 ments thereto, which make it unlawful for any person to operate or know-  
43 ingly permit the operation in this state of a vehicle required to be

1 registered in this state.

2 (b) Upon the sale or transfer of any nonhighway vehicle or salvage  
3 vehicle, the purchaser thereof shall obtain a nonhighway certificate of  
4 title or salvage title, whichever is applicable, in the following manner:

5 (1) If the transferor is a vehicle dealer, as defined in K.S.A. 8-2401,  
6 and amendments thereto, and a certificate of title has not been issued for  
7 such vehicle under this section or under the provisions of K.S.A. 8-135,  
8 and amendments thereto, such transferor shall make application for and  
9 assign a nonhighway certificate of title or a salvage title, whichever is  
10 applicable, to the purchaser of such nonhighway vehicle or salvage vehicle  
11 in the same manner and under the same conditions prescribed by K.S.A.  
12 8-135, and amendments thereto, for the application for and assignment  
13 of a certificate of title thereunder. Upon the assignment thereof, the  
14 purchaser shall make application for a new nonhighway certificate of title  
15 or salvage title, as provided in subsection (c).

16 (2) Except as provided in subsection (b) of K.S.A. 8-199, and amend-  
17 ments thereto, if a certificate of title has been issued for any such vehicle  
18 under the provisions of K.S.A. 8-135, and amendments thereto, the owner  
19 of such nonhighway vehicle or salvage vehicle may surrender such certifi-  
20 cate of title to the division of vehicles and make application to the division  
21 for a nonhighway certificate of title or salvage title, whichever is appli-  
22 cable, or the owner may obtain from the county treasurer's office a form  
23 prescribed by the division of vehicles and, upon proper execution thereof,  
24 may assign the nonhighway certificate of title, salvage title or the regular  
25 certificate of title with such form attached to the purchaser of the non-  
26 highway vehicle or salvage vehicle. Upon receipt of the nonhighway certi-  
27 ficate of title, salvage title or the regular certificate of title with such  
28 form attached, the purchaser shall make application for a new nonhighway  
29 certificate of title or salvage title, whichever is applicable, as provided in  
30 subsection (c).

31 (3) If the transferor is not a vehicle dealer, as defined in K.S.A. 8-  
32 2401, and amendments thereto, and a certificate of title has not been  
33 issued for the vehicle under this section or a certificate of title was not  
34 required under K.S.A. 8-135, and amendments thereto, the transferor  
35 shall make application to the division for a nonhighway certificate of title  
36 or salvage title, whichever is applicable, as provided in this section, except  
37 that in addition thereto, the division shall require a bill of sale or such  
38 transferor's affidavit, with at least one other corroborating affidavit, that  
39 such transferor is the owner of such nonhighway vehicle or salvage ve-  
40 hicle. If the division is satisfied that the transferor is the owner, the di-  
41 vision shall issue a nonhighway certificate of title or salvage title, which-  
42 ever is applicable, for such vehicle, and the transferor shall assign the  
43 same to the purchaser, who shall make application for a new nonhighway

1 certificate of title or salvage title, whichever is applicable, as provided in  
2 subsection (c).

3 (c) Every purchaser of a nonhighway vehicle or salvage vehicle,  
4 whether assigned a nonhighway certificate of title, salvage title or a regular  
5 certificate of title with the form specified in paragraph (2) of subsection  
6 (b) attached, shall make application to the county treasurer of the county  
7 in which such person resides for a new nonhighway certificate of title or  
8 salvage title, whichever is applicable, in the same manner and under the  
9 same conditions as for an application for a certificate of title under K.S.A.  
10 8-135, and amendments thereto. Such application shall be in the form  
11 prescribed by the director of vehicles and shall contain substantially the  
12 same provisions as required for an application under subsection (c)(1) of  
13 K.S.A. 8-135, and amendments thereto. In addition, such application shall  
14 provide a place for the applicant to certify that the vehicle for which the  
15 application for a nonhighway certificate of title or salvage title is made is  
16 a nonhighway vehicle or salvage vehicle, whichever is applicable, and  
17 other provisions the director deems necessary. Each application for a  
18 nonhighway certificate of title or salvage title shall be accompanied by a  
19 fee of \$7 until July 1, 2002, ~~\$6 until July 1, 2004~~, and \$3.50 thereafter,  
20 and if the application is not made to the county treasurer within the time  
21 prescribed by K.S.A. 8-135, and amendments thereto, for making appli-  
22 cation for a certificate of title thereunder, an additional fee of \$2.

23 (d) A nonhighway certificate of title or salvage title shall be in form  
24 and color as prescribed by the director of vehicles. A nonhighway certifi-  
25 cate of title or salvage title shall indicate clearly and distinctly on its face  
26 that it is issued for a nonhighway vehicle or salvage vehicle, whichever is  
27 applicable. A nonhighway certificate of title or salvage title shall contain  
28 substantially the same information as required on a certificate of title  
29 issued under K.S.A. 8-135, and amendments thereto, and other infor-  
30 mation the director deems necessary.

31 (e) (1) A nonhighway certificate of title or salvage title may be trans-  
32 ferred in the same manner and under the same conditions as prescribed  
33 by K.S.A. 8-135, and amendments thereto, for the transfer of a certificate  
34 of title, except as otherwise provided in this section. A nonhighway certi-  
35 ficate of title or salvage title may be assigned and transferred only while  
36 the vehicle remains a nonhighway vehicle or salvage vehicle.

37 (2) Upon transfer or sale of a nonhighway vehicle in a condition which  
38 will allow the registration of such vehicle, the owner shall assign the non-  
39 highway certificate of title to the purchaser, and the purchaser shall obtain  
40 a certificate of title and register such vehicle as provided in K.S.A. 8-135,  
41 and amendments thereto. No regular certificate of title shall be issued  
42 for a vehicle for which there has been issued a nonhighway certificate of  
43 title until there has been compliance with K.S.A. 8-116a, and amend-

1 ments thereto.

2 (3) Upon transfer or sale of a salvage vehicle which has been rebuilt  
3 or restored or is otherwise in a condition which will allow the registration  
4 of such vehicle, the owner shall assign the salvage title to the purchaser,  
5 and the purchaser shall obtain a rebuilt salvage title and register such  
6 vehicle as provided in K.S.A. 8-135, and amendments thereto. No rebuilt  
7 salvage title shall be issued for a vehicle for which there has been issued  
8 a salvage title until there has been compliance with K.S.A. 8-116a, and  
9 amendments thereto.

10 (f) The owner of a salvage vehicle which has been issued a salvage  
11 title and has been assembled, reconstructed, reconstituted or restored or  
12 otherwise placed in an operable condition may make application to the  
13 county treasurer for a permit to operate such vehicle on the highways of  
14 this state over the most direct route from the place such salvage vehicle  
15 is located to a specified location named on the permit and to return to  
16 the original location. No such permit shall be issued for any vehicle unless  
17 the owner has motor vehicle liability insurance coverage or an approved  
18 self-insurance plan under K.S.A. 40-3104, and amendments thereto. Such  
19 permit shall be on a form furnished by the director of vehicles and shall  
20 state the date the vehicle is to be taken to the other location, the name  
21 of the insurer, as defined in K.S.A. 40-3103, and amendments thereto,  
22 and the policy number or a statement that the vehicle is included in a  
23 self-insurance plan approved by the commissioner of insurance, a state-  
24 ment attesting to the correctness of the information concerning financial  
25 security, the vehicle identification number and a description of the ve-  
26 hicle. Such permit shall be signed by the owner of the vehicle. Permits  
27 issued under this subsection (f) shall be prepared in triplicate. One copy  
28 shall be carried in the vehicle for which it is issued and shall be displayed  
29 so that it is visible from the rear of the vehicle. The second copy shall be  
30 retained by the county treasurer, and the third copy shall be forwarded  
31 by the county treasurer to the division of vehicles. The fee for such permit  
32 shall be \$1 which shall be retained by the county treasurer, who shall  
33 annually forward 25% of all such fees collected to the division of vehicles  
34 to reimburse the division for administrative expenses, and shall deposit  
35 the remainder in a special fund for expenses of issuing such permits.

36 (g) A nonhighway vehicle or salvage vehicle for which a nonhighway  
37 certificate of title or salvage title has been issued pursuant to this section  
38 shall not be deemed a motor vehicle for the purposes of K.S.A. 40-3101  
39 to 40-3121, inclusive, and amendments thereto, except when such vehicle  
40 is being operated pursuant to subsection (f). Any person who knowingly  
41 makes a false statement concerning financial security in obtaining a per-  
42 mit pursuant to subsection (f), or who fails to obtain a permit when re-  
43 quired by law to do so is guilty of a class C misdemeanor.

1 (h) Any person who, on July 1, 1996, is the owner of an all-terrain  
2 vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not  
3 be required to file an application for a nonhighway certificate of title  
4 under the provisions of this section for such all-terrain vehicle, unless the  
5 person transfers an interest in such all-terrain vehicle.

6 Sec. 8. K.S.A. 2000 Supp. 74-2013 is hereby amended to read as  
7 follows: 74-2013. Upon application signed by the owner or the owner's  
8 agent and payment of a fee of \$7 until July 1, 2002, ~~\$6 until July 1, 2004,~~  
9 and \$3.50 thereafter, and surrender of the original title together with  
10 satisfactory evidence that the lien has been paid, the department is hereby  
11 authorized to grant a reissue of a certificate of title showing the vehicle  
12 to be clear of any lien.

13 Sec. 9. K.S.A. 2000 Supp. 8-135, 8-135a, 8-139, 8-145, as amended  
14 by section 27 of 2001 Senate Bill No. 15, 8-170, 8-171, 8-198 and 74-  
15 2013 are hereby repealed.

16 Sec. 10. This act shall take effect and be in force from and after its  
17 publication in the statute book.

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