

## HOUSE BILL No. 2617

By Committee on Transportation

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9 AN ACT relating to transportation; providing for a transportation works  
10 for Kansas program; relating to the financing thereof; amending K.S.A.  
11 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-195, 8-234b, 8-2409,  
12 12-1775, 68-416, 68-20,120, 68-2320, 68-2321 and 68-2328 and K.S.A.  
13 2009 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-145, 8-172, 8-2406, 8-2425,  
14 12-6a35, 12-6a36, 12-1774, 12-1774a, 12-17,148, 12-17,149, 68-2315,  
15 68-2331, 75-5063, 75-5064, 75-5160, 79-3408c, 79-3491a, 79-3492b,  
16 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sec-  
17 tions; also repealing K.S.A. 68-2314a.

18

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

20 New Section 1. (a) In order to plan, develop and operate or coor-  
21 dinate the development and operation of the various modes and systems  
22 of transportation within the state, the secretary of transportation is hereby  
23 authorized and directed to initiate a transportation works for Kansas  
24 program.

25 (b) The transportation works for Kansas program shall provide for  
26 the construction, improvement, reconstruction and maintenance of the  
27 state highway system. The program shall provide for the selection of pro-  
28 jects which will allow for the flexibility to meet emerging and economic  
29 needs. Program expenditures may include, but not be limited to, the  
30 following:

31 (1) Preservation projects to efficiently maintain a safe state highway  
32 system in its original or improved condition. It is the intent of the legis-  
33 lature that bridges and pavement condition of the state highway system  
34 be maintained or improved as determined by the Kansas department of  
35 transportation's performance measures;

36 (2) capacity and economic opportunity projects, which include addi-  
37 tions to the transportation system or which improve access, relieve con-  
38 gestion and enhance economic development opportunities. The Kansas  
39 department of transportation shall develop and utilize criteria for the  
40 selection of capacity and economic opportunity projects. The selection  
41 criteria shall include, but not be limited to, engineering data, local con-  
42 sultation, geographic distribution and an economic impact analysis eval-  
43 uation; and

1 (3) modernization projects, which include improvements to the trans-  
2 portation system by widening lanes, making geometric improvements,  
3 upgrading interchanges or building rail grade separations to improve the  
4 safety, condition or service of the highway system. The Kansas depart-  
5 ment of transportation shall develop and utilize criteria for the selection  
6 of modernization projects. The selection criteria shall include, but not be  
7 limited to, engineering data, local consultation and geographic  
8 distribution.

9 The department of transportation shall develop criteria for the incor-  
10 poration of practical improvements into designs of the projects specified  
11 in this subsection.

12 (c) The transportation works for Kansas program shall provide for  
13 assistance, including credit and credit enhancements, to cities and coun-  
14 ties in meeting their responsibilities for the construction, improvement,  
15 reconstruction and maintenance of the roads and bridges not on the state  
16 highway system. These expenditures may include, but not be limited to,  
17 the following:

18 (1) Apportionment of the special city and county highway fund to  
19 assist cities and counties with their responsibilities for roads and bridges  
20 not on the state highway system;

21 (2) programs to share federal aid with cities and counties to assist  
22 with their responsibilities for roads and bridges not on the state highway  
23 system;

24 (3) programs to assist cities with the maintenance of city connecting  
25 links as specified in K.S.A. 68-416, and amendments thereto, and local  
26 partnership programs to resurface or geometrically improve city con-  
27 necting links or to promote economic development;

28 (4) programs to assist cities and counties with railroad crossings of  
29 roads not on the state highway system; or

30 (5) programs that allow local governments to exchange federal aid  
31 funds for state funds.

32 (d) The transportation works for Kansas program shall provide for a  
33 railroad program to provide assistance in accordance with K.S.A. 75-5040  
34 through 75-5050, and amendments thereto, for the preservation and re-  
35 vitalization of rail service in the state.

36 (e) The transportation works for Kansas program shall provide for an  
37 aviation program to provide assistance for the planning, constructing, re-  
38 constructing or rehabilitating the facilities of public use general aviation  
39 airports, in accordance with K.S.A. 75-5061, and amendments thereto.

40 (f) The transportation works for Kansas program shall provide for  
41 public transit programs to aid elderly persons, persons with disabilities  
42 and the general public, in accordance with K.S.A. 75-5032 through 75-  
43 5038, and amendments thereto, and K.S.A. 75-5051 through 75-5058,

1 and amendments thereto.

2 (g) The transportation works for Kansas program shall provide for a  
3 multimodal economic development program to provide assistance for  
4 transportation-sensitive economic opportunities on a local or a regional  
5 basis.

6 (h) The secretary of transportation shall, using the department of  
7 transportation selection methods and criteria, determine the projects to  
8 be selected for inclusion under the transportation works for Kansas  
9 program.

10 (i) The transportation works for Kansas program authorized by this  
11 section shall not be implemented until funding is provided.

12 Sec. 2. K.S.A. 2009 Supp. 8-142 is hereby amended to read as fol-  
13 lows: 8-142. It shall be unlawful for any person to commit any of the  
14 following acts and except as otherwise provided, violation is subject to  
15 penalties provided in K.S.A. 8-149, and amendments thereto:

16 *First:* To operate, or for the owner thereof knowingly to permit the  
17 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and  
18 amendments thereto, which is not registered, or for which a certificate  
19 of title has not been issued or which does not have attached thereto and  
20 displayed thereon the license plate or plates assigned thereto by the di-  
21 vision for the current registration year, including any registration decal  
22 required to be affixed to any such license plate pursuant to K.S.A. 8-134,  
23 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-  
24 135, 8-198 and 8-1751a, and amendments thereto. A violation of this *First*  
25 by a person unlawfully claiming that a motor vehicle is exempt from reg-  
26 istration as a self-propelled crane under subsection (b) of K.S.A. 8-128,  
27 and amendments thereto, shall constitute an unclassified misdemeanor  
28 punishable by a fine of not less than \$500.

29 *Second:* To display or cause or permit to be displayed, or to have in  
30 possession, any registration receipt, certificate of title, registration license  
31 plate, registration decal, accessible parking placard or accessible parking  
32 identification card knowing the same to be fictitious or to have been  
33 canceled, revoked, suspended or altered. A violation of this part *Second*  
34 shall constitute an unclassified misdemeanor punishable by a fine of not  
35 less than \$100 and forfeiture of the item. A mandatory court appearance  
36 shall be required of any person violating this part *Second*. This part *Sec-*  
37 *ond* shall not apply to the possession of: (a) Model year license plates  
38 displayed on antique vehicles as allowed under K.S.A. 8-172, and amend-  
39 ments thereto; or (b) distinctive license plates allowed under K.S.A. 8-  
40 1,147, and amendments thereto.

41 *Third:* To lend to or knowingly permit the use by one not entitled  
42 thereto any registration receipt, certificate of title, registration license  
43 plate or registration decal issued to the person so lending or permitting

1 the use thereof.

2 *Fourth:* To fail or refuse to surrender to the division, upon demand,  
3 any registration receipt, certificate of title, registration license plate or  
4 registration decal which has been suspended, canceled or revoked.

5 *Fifth:* To use a false or fictitious name or address in any application for  
6 a certificate of title, the registration of any vehicle or for any renewal or  
7 duplicate thereof, or knowingly to make a false statement or knowingly  
8 to conceal a material fact or otherwise commit a fraud in any such  
9 application.

10 *Sixth:* For the owner of a motor vehicle to file application for the reg-  
11 istration thereof, in any county other than the county in which the owner  
12 of the vehicle resides or has a bona fide place of business, which place is  
13 not an office or facility established or maintained solely for the purpose  
14 of obtaining registration.

15 *Seventh:* To operate on the highways of this state a vehicle or combi-  
16 nation of vehicles whose weight with cargo is in excess of the gross weight  
17 for which the truck or truck tractor propelling the same is registered,  
18 except as provided by K.S.A. 8-143, and amendments thereto, and sub-  
19 sections (a) to (f), inclusive, of K.S.A. 8-1911, and amendments thereto.  
20 Such gross weight shall not be required to be in excess of the limitations  
21 described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for  
22 such vehicle or combination of vehicles of which it is a part. Any person  
23 or owner who operates a vehicle in this state with a registration in violation  
24 of subsection ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, shall be  
25 required to pay the additional fee equal to the fee required by the appli-  
26 cable registration fee schedule, less the amount of the fee required for  
27 the gross weight for which the vehicle is registered to obtain the proper  
28 registration therewith. A fine of \$75 shall be assessed for all such gross  
29 weight registration violations.

30 *Eighth:* To operate a local truck or truck tractor which is registered for  
31 a gross weight of more than 12,000 pounds as a common carrier outside  
32 a radius of three miles beyond the corporate limits of the city in which  
33 such vehicle was based when registered and licensed or to operate any  
34 other local truck or truck tractor licensed for a gross weight of more than  
35 12,000 pounds outside a radius of 25 miles beyond the corporate limits  
36 of the city in which such vehicle was based when registered and licensed,  
37 except as provided in subsection ~~(2)~~ (b) of K.S.A. 8-143 or 8-143i, and  
38 amendments thereto.

39 *Ninth:* To operate on the highways of this state a farm truck or farm  
40 trailer other than to transport: (a) Agricultural products produced by such  
41 owner; (b) commodities purchased by the owner for use on the farm  
42 owned or rented by the owner of such vehicles; (c) commodities for re-  
43 ligious or educational institutions being transported by the owner of such

1 vehicles for charity and without compensation of any kind, except as pro-  
 2 vided in subsection (c) of K.S.A. 66-1,109, and amendments thereto; or  
 3 (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top,  
 4 dirt or fill material to a township road maintenance or construction site  
 5 of the township in which the owner of such truck resides.

6 *Tenth:* To operate a farm truck or truck tractor used in combination  
 7 with a trailer or semitrailer for a gross weight which does not include the  
 8 empty weight of the truck or truck tractor or of the combination of any  
 9 truck or truck tractor and any type of trailer or semitrailer, plus the max-  
 10 imum weight of cargo which will be transported on or with the same; and  
 11 such farm truck or farm truck tractor used to transport a gross weight of  
 12 more than 54,000 pounds shall have durably lettered on the side of the  
 13 motor vehicle the words “farm vehicle—not for hire.”

14 *Eleventh:* To operate on the highways of this state any truck or truck  
 15 tractor without the current quarter of license fees being paid thereon.

16 *Twelfth:* To operate on the highways of this state a truck or truck tractor  
 17 without carrying in the cab a copy of the registration receipt for such  
 18 vehicle or without having painted or otherwise durably marked on said  
 19 vehicle on both sides thereof, the gross weight for which said vehicle is  
 20 licensed and the name and address of the owner thereof, except as pro-  
 21 vided in K.S.A. 8-143e, and amendments thereto.

22 *Thirteenth:* To operate on the highways of this state a farm trailer car-  
 23 rying more than 6,000 pounds without being registered and the registra-  
 24 tion fees paid thereon.

25 *Fourteenth:* To operate more than 6,000 miles in any calendar year any  
 26 truck or truck tractor which has been registered and licensed to operate  
 27 not more than 6,000 miles in such calendar year, as provided in subsection  
 28 ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, unless the additional  
 29 fee required by ~~said such~~ subsection ~~(2)~~ (b) has been paid.

30 *Fifteenth:* For any owner who has registered a truck or truck tractor  
 31 on the basis of operating not more than 6,000 miles to fail to keep the  
 32 records required by the director of vehicles, or to fail to comply with rules  
 33 and regulations of the secretary of revenue relating to such registration.

34 *Sixteenth:* To operate a vehicle or combination of vehicles on the na-  
 35 tional system of interstate and defense highways with a gross weight  
 36 greater than permitted by the laws of the United States Congress.

37 Sec. 3. K.S.A. 2009 Supp. 8-143 is hereby amended to read as fol-  
 38 lows: 8-143. ~~(1)~~ (a) All applications for the registration of motorcycles,  
 39 motorized bicycles and passenger vehicles other than trucks and truck  
 40 tractors, except as otherwise provided, shall be accompanied by an annual  
 41 license fee as follows: ~~For motorized bicycles, \$11, for motorcycles, \$16;~~  
 42 ~~for passenger vehicles, other than motorcycles, used solely for the car-~~  
 43 ~~rying of persons for pleasure or business, and for hearses and ambulances~~

1 a fee of (i) \$30 for those having a gross weight of 4,500 pounds or less;  
2 ~~(ii) \$40 for those having a gross weight of more than 4,500 pounds;~~  
3 (1) For motorized bicycles, \$11, on January 1, 2013, \$21, on January  
4 1, 2014, \$31;  
5 (2) for motorcycles, \$16, on January 1, 2013, \$26, on January 1, 2014,  
6 \$36;  
7 (3) for passenger vehicles, other than motorcycles, used solely for the  
8 carrying of persons for pleasure or business, and for hearses and ambu-  
9 lances a fee of:  
10 (A) For those having a gross weight of 4,500 pounds or less, \$30, on  
11 January 1, 2013, \$40, on January 1, 2014, \$50; and  
12 (B) for those having a gross weight of more than 4,500 pounds, \$40,  
13 on January 1, 2013, \$50, on January 1, 2014, \$60;  
14 (4) for each electrically propelled motor vehicle, except electrically  
15 propelled vehicles intended for the purpose of transporting any com-  
16 modity, goods, merchandise, produce or freight, or passengers for hire,  
17 a fee of \$14 on January 1, 2013, \$24, on January 1, 2014, \$34.  
18 (5) Except for motor vehicles, trailers or semitrailers registered under  
19 the provisions of K.S.A. 8-1,134, and amendments thereto, the annual  
20 registration fee for each motor vehicle, trailer or semitrailer owned by  
21 any political or taxing subdivision of this state or by any agency or instru-  
22 mentality of any one or more political or taxing subdivisions of this state  
23 and used exclusively for governmental purposes and not for any private  
24 or utility purposes, which is not otherwise exempt from registration, shall  
25 be \$2.  
26 ~~(2)~~ (b) As used in this subsection, the term “gross weight” shall mean  
27 and include the empty weight of the truck, or combination of the truck  
28 or truck tractor and any type trailer or semitrailer, plus the maximum  
29 weight of cargo which will be transported on or with the same, except  
30 when the empty weight of a truck plus the maximum weight of cargo  
31 which will be transported thereon is 12,000 pounds or less. The term  
32 gross weight shall not include: The weight of any travel trailer propelled  
33 thereby which is being used for private recreational purposes; or the  
34 weight of any vehicle or combination of vehicles for which wrecker or  
35 towing service, as defined in K.S.A. 66-1329, and amendments thereto,  
36 is to be provided by a wrecker or tow truck, as defined in K.S.A. 66-1329,  
37 and amendments thereto. Such wrecker or tow truck shall be registered  
38 for the empty weight of such vehicle fully equipped for the recovery or  
39 towing of vehicles. The gross weight license fees hereinafter prescribed  
40 shall only apply to the truck or truck tractor used as the propelling unit  
41 for the cargo and vehicle propelled, either as a single vehicle or combi-  
42 nation of vehicles. On application for the registration of a truck or truck  
43 tractor, the owner thereof shall declare as a part of such application the

1 maximum gross weight the owner desires to be applicable to such vehicle,  
 2 which declared gross weight in no event shall be in excess of the limita-  
 3 tions described by K.S.A. 8-1908 and 8-1909, and amendments thereto,  
 4 for such vehicle or combination of vehicles of which it will be a part. All  
 5 applications for the registration of trucks or truck tractors, except as oth-  
 6 erwise provided herein, shall be accompanied by an annual license fee as  
 7 follows:

8 (A) *Prior to January 1, 2013:*

9	For a gross weight of 12,000 lbs. or less .....	\$40
10	For a gross weight of more than 12,000 lbs. and not more than 16,000	
11	lbs. ....	102
12	For a gross weight of more than 16,000 lbs. and not more than 20,000	
13	lbs. ....	132
14	For a gross weight of more than 20,000 lbs. and not more than 24,000	
15	lbs. ....	197
16	For a gross weight of more than 24,000 lbs. and not more than 26,000	
17	lbs. ....	312
18	For a gross weight of more than 26,000 lbs. and not more than 30,000	
19	lbs. ....	312
20	For a gross weight of more than 30,000 lbs. and not more than 36,000	
21	lbs. ....	375
22	For a gross weight of more than 36,000 lbs. and not more than 42,000	
23	lbs. ....	475
24	For a gross weight of more than 42,000 lbs. and not more than 48,000	
25	lbs. ....	605
26	For a gross weight of more than 48,000 lbs. and not more than 54,000	
27	lbs. ....	805
28	For a gross weight of more than 54,000 lbs. and not more than 60,000	
29	lbs. ....	1,010
30	For a gross weight of more than 60,000 lbs. and not more than 66,000	
31	lbs. ....	1,210
32	For a gross weight of more than 66,000 lbs. and not more than 74,000	
33	lbs. ....	1,535
34	For a gross weight of more than 74,000 lbs. and not more than 80,000	
35	lbs. ....	1,735
36	For a gross weight of more than 80,000 lbs. and not more than 85,500	
37	lbs. ....	1,935

38 (B) *On January 1, 2013, through December 31, 2013:*

39	<i>For a gross weight of 12,000 lbs. or less .....</i>	<i>\$50</i>
40	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
41	<i>    lbs. ....</i>	<i>152</i>
42	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
43	<i>    lbs. ....</i>	<i>182</i>

1	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
2	<i>lbs. ....</i>	247
3	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
4	<i>lbs. ....</i>	362
5	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
6	<i>lbs. ....</i>	362
7	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
8	<i>lbs. ....</i>	425
9	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
10	<i>lbs. ....</i>	525
11	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
12	<i>lbs. ....</i>	655
13	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
14	<i>lbs. ....</i>	855
15	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
16	<i>lbs. ....</i>	1,060
17	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
18	<i>lbs. ....</i>	1,260
19	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
20	<i>lbs. ....</i>	1,585
21	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
22	<i>lbs. ....</i>	1,785
23	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
24	<i>lbs. ....</i>	1,985
25	<i>(C) On January 1, 2014:</i>	
26	<i>For a gross weight of 12,000 lbs. or less ....</i>	\$60
27	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
28	<i>lbs. ....</i>	202
29	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
30	<i>lbs. ....</i>	232
31	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
32	<i>lbs. ....</i>	297
33	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
34	<i>lbs. ....</i>	418
35	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
36	<i>lbs. ....</i>	418
37	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
38	<i>lbs. ....</i>	475
39	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
40	<i>lbs. ....</i>	575
41	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
42	<i>lbs. ....</i>	705
43		



1	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
2	<i>lbs. ....</i>	905
3	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
4	<i>lbs. ....</i>	1,110
5	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
6	<i>lbs. ....</i>	1,310
7	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
8	<i>lbs. ....</i>	1,635
9	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
10	<i>lbs. ....</i>	1,835
11	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
12	<i>lbs. ....</i>	2,035

13       (2) If the applicant for registration of any truck or truck tractor for a  
14 gross weight of more than 12,000 pounds is the state of Kansas or any  
15 political or taxing subdivision or agency of the state, except a city or  
16 county, whose truck or truck tractor is not otherwise entitled to the \$2  
17 license fee or otherwise exempt from all fees, such vehicle may be li-  
18 censed for a fee in accordance with the schedule hereinafter prescribed  
19 for local trucks or truck tractors.

20       (3) If the applicant for registration of any truck or truck tractor for a  
21 gross weight of more than 12,000 pounds shall under oath state in writing  
22 on a form prescribed and furnished by the director of vehicles that the  
23 applicant does not expect to operate it more than 6,000 miles in the  
24 calendar year for which the applicant seeks registration, and that if the  
25 applicant shall operate it more than 6,000 miles during such registration  
26 year such applicant will pay an additional fee equal to the fee required  
27 by the ~~preceding~~ schedule *under paragraph (1)*, less the amount of the  
28 fee paid at time of registration, such vehicle may be licensed for a fee in  
29 accordance with the schedule ~~hereinafter~~ prescribed for local trucks or  
30 truck tractors, ~~and whenever the same.~~ *Whenever a truck or truck tractor*  
31 *is registered on a local truck or truck tractor fee basis a tab or marker*  
32 *shall be issued in connection with the regular license plate, which tab or*  
33 *marker shall be attached or affixed to and displayed with the regular*  
34 *license plate and the failure to have the same attached, affixed or dis-*  
35 *played shall be subject to the same penalties as provided by law for the*  
36 *failure to display the regular license plate; and the secretary of revenue*  
37 *may adopt rules and regulations requiring the owners of trucks and truck*  
38 *tractors so registered on a local truck or truck tractor fee basis to keep*  
39 *such records and make such reports of mileage of such vehicles as the*  
40 *secretary of revenue shall deem proper.*

41       (4) A transporter delivering vehicles not the transporter's own by the  
42 driveway method where such vehicles are being driven, towed, or trans-  
43 ported singly, or by the saddlemount, towbar, or fullmount methods, or

1 by any lawful combination thereof, may apply for license plates which  
2 may be transferred from one such vehicle or combination to another for  
3 each delivery without further registration, and the annual license fee for  
4 such license plate shall be as follows:

5 (A) *Prior to January 1, 2013:*

6 For the first such set of license plates .....	\$44
7 For each additional such set of license plates .....	18

8 (B) *On January 1, 2013, through December 31, 2013:*

9 For the first such set of license plates .....	\$54
10 For each additional such set of license plates.....	28

11 (C) *On January 1, 2014:*

12 For the first such set of license plates .....	\$64
13 For each additional such set of license plates.....	38

14 (5) A truck or truck tractor registered for a gross weight of more than  
15 12,000 pounds, which is operated wholly within the corporate limits of a  
16 city or village or within a radius of 25 miles beyond the corporate limits,  
17 shall be classified as a local truck except that in no event shall such vehicles  
18 operated as contract or common carriers outside a radius of three miles  
19 beyond the corporate limits of the city or village in which such vehicles  
20 were based when registered and licensed be considered local trucks or  
21 truck tractors. The secretary of revenue is hereby authorized and directed  
22 to adopt rules and regulations prescribing a procedure for the issuance  
23 of permits by the division of vehicles whereby owners of local trucks or  
24 truck tractors may operate any such vehicle, empty, beyond the radius  
25 hereinbefore prescribed, when such operation is solely for the purpose  
26 of having such vehicle repaired, painted or serviced or for adding addi-  
27 tional equipment thereto. The annual license fee for a local truck or truck  
28 tractor, except as otherwise provided herein, shall be as follows:

29 (A) *Prior to January 1, 2013:*

30 For a gross weight of more than 12,000 lbs. and not more than 16,000	
31 lbs. ....	\$62
32 For a gross weight of more than 16,000 lbs. and not more than 20,000	
33 lbs. ....	102
34 For a gross weight of more than 20,000 lbs. and not more than 24,000	
35 lbs. ....	132
36 For a gross weight of more than 24,000 lbs. and not more than 26,000	
37 lbs. ....	177
38 For a gross weight of more than 26,000 lbs. and not more than 30,000	
39 lbs. ....	177
40 For a gross weight of more than 30,000 lbs. and not more than 36,000	
41 lbs. ....	215
42 For a gross weight of more than 36,000 lbs. and not more than 42,000	
43 lbs. ....	245

1	For a gross weight of more than 42,000 lbs. and not more than 48,000	
2	lbs. ....	315
3	For a gross weight of more than 48,000 lbs. and not more than 54,000	
4	lbs. ....	415
5	For a gross weight of more than 54,000 lbs. and not more than 60,000	
6	lbs. ....	480
7	For a gross weight of more than 60,000 lbs. and not more than 66,000	
8	lbs. ....	580
9	For a gross weight of more than 66,000 lbs. and not more than 74,000	
10	lbs. ....	760
11	For a gross weight of more than 74,000 lbs. and not more than 80,000	
12	lbs. ....	890
13	For a gross weight of more than 80,000 lbs. and not more than 85,500	
14	lbs. ....	1,010
15	<i>(B) On January 1, 2013, through December 31, 2013:</i>	
16	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
17	<i>    lbs. ....</i>	<i>\$112</i>
18	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
19	<i>    lbs. ....</i>	<i>152</i>
20	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
21	<i>    lbs. ....</i>	<i>182</i>
22	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
23	<i>    lbs. ....</i>	<i>227</i>
24	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
25	<i>    lbs. ....</i>	<i>227</i>
26	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
27	<i>    lbs. ....</i>	<i>265</i>
28	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
29	<i>    lbs. ....</i>	<i>295</i>
30	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
31	<i>    lbs. ....</i>	<i>365</i>
32	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
33	<i>    lbs. ....</i>	<i>465</i>
34	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
35	<i>    lbs. ....</i>	<i>530</i>
36	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
37	<i>    lbs. ....</i>	<i>630</i>
38	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
39	<i>    lbs. ....</i>	<i>810</i>
40	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
41	<i>    lbs. ....</i>	<i>940</i>
42	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
43	<i>    lbs. ....</i>	<i>1,060</i>

1	(C) On January 1, 2014:	
2	For a gross weight of more than 12,000 lbs. and not more than 16,000	
3	lbs. ....	\$162
4	For a gross weight of more than 16,000 lbs. and not more than 20,000	
5	lbs. ....	202
6	For a gross weight of more than 20,000 lbs. and not more than 24,000	
7	lbs. ....	232
8	For a gross weight of more than 24,000 lbs. and not more than 26,000	
9	lbs. ....	277
10	For a gross weight of more than 26,000 lbs. and not more than 30,000	
11	lbs. ....	277
12	For a gross weight of more than 30,000 lbs. and not more than 36,000	
13	lbs. ....	315
14	For a gross weight of more than 36,000 lbs. and not more than 42,000	
15	lbs. ....	345
16	For a gross weight of more than 42,000 lbs. and not more than 48,000	
17	lbs. ....	415
18	For a gross weight of more than 48,000 lbs. and not more than 54,000	
19	lbs. ....	515
20	For a gross weight of more than 54,000 lbs. and not more than 60,000	
21	lbs. ....	580
22	For a gross weight of more than 60,000 lbs. and not more than 66,000	
23	lbs. ....	680
24	For a gross weight of more than 66,000 lbs. and not more than 74,000	
25	lbs. ....	860
26	For a gross weight of more than 74,000 lbs. and not more than 80,000	
27	lbs. ....	990
28	For a gross weight of more than 80,000 lbs. and not more than 85,500	
29	lbs. ....	1,110
30	(6) A truck or truck tractor registered for a gross weight of more than	
31	12,000 pounds, which is owned by a person engaged in farming and which	
32	truck or truck tractor is used by such owner to transport agricultural	
33	products produced by such owner or commodities purchased by such	
34	owner for use on the farm owned or rented by the owner of such farm	
35	truck or truck tractor, shall be classified as a farm truck or truck tractor	
36	and the annual license fee for such farm truck shall be as follows:	
37	(A) Prior to January 1, 2013:	
38	For a gross weight of more than 12,000 lbs. and not more than 16,000	
39	lbs. ....	\$37
40	For a gross weight of more than 16,000 lbs. and not more than 20,000	
41	lbs. ....	42
42	For a gross weight of more than 20,000 lbs. and not more than 24,000	
43	lbs. ....	52

1	For a gross weight of more than 24,000 lbs. and not more than 26,000	
2	lbs. ....	72
3	For a gross weight of more than 26,000 lbs. and not more than 36,000	
4	lbs. ....	72
5	For a gross weight of more than 36,000 lbs. and not more than 54,000	
6	lbs. ....	75
7	For a gross weight of more than 54,000 lbs. and not more than 60,000	
8	lbs. ....	190
9	For a gross weight of more than 60,000 lbs. and not more than 66,000	
10	lbs. ....	370
11	For a gross weight of more than 66,000 lbs.....	610
12	<i>(B) On January 1, 2013, through December 31, 2013:</i>	
13	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
14	<i>lbs. ....</i>	\$47
15	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
16	<i>lbs. ....</i>	92
17	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
18	<i>lbs. ....</i>	102
19	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
20	<i>lbs. ....</i>	122
21	<i>For a gross weight of more than 26,000 lbs. and not more than 36,000</i>	
22	<i>lbs. ....</i>	122
23	<i>For a gross weight of more than 36,000 lbs. and not more than 54,000</i>	
24	<i>lbs. ....</i>	125
25	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
26	<i>lbs. ....</i>	240
27	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
28	<i>lbs. ....</i>	420
29	<i>For a gross weight of more than 66,000 lbs.....</i>	660
30	<i>(C) On January 1, 2014:</i>	
31	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
32	<i>lbs. ....</i>	\$58
33	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
34	<i>lbs. ....</i>	142
35	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
36	<i>lbs. ....</i>	152
37	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
38	<i>lbs. ....</i>	172
39	<i>For a gross weight of more than 26,000 lbs. and not more than 36,000</i>	
40	<i>lbs. ....</i>	172
41	<i>For a gross weight of more than 36,000 lbs. and not more than 54,000</i>	
42	<i>lbs. ....</i>	175
43		

1 *For a gross weight of more than 54,000 lbs. and not more than 60,000*  
2 *lbs. ....* 290  
3 *For a gross weight of more than 60,000 lbs. and not more than 66,000*  
4 *lbs. ....* 470  
5 *For a gross weight of more than 66,000 lbs.....* 710

6 A vehicle licensed as a farm truck or truck tractor may be used by the  
7 owner thereof to transport, for charity and without compensation of any  
8 kind, commodities for religious or educational institutions. A truck which  
9 is licensed as a farm truck may also be used for the transportation of sand,  
10 gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill  
11 material to a township road maintenance or construction site of the town-  
12 ship in which the owner of such truck resides. Any applicant for registra-  
13 tion of any farm truck or farm truck tractor used in combination with a  
14 trailer or semitrailer shall register the farm truck or farm truck tractor for  
15 a gross weight which shall include the empty weight of the truck or truck  
16 tractor or of the combination of any truck or truck tractor and any type  
17 of trailer or semitrailer, plus the maximum weight of cargo which will be  
18 transported on or with the same. The applicant for registration of any  
19 farm truck or farm truck tractor used to transport a gross weight of more  
20 than 54,000 pounds shall durably letter on the side of the motor vehicle  
21 the words "farm vehicle—not for hire." If an applicant for registration of  
22 any farm truck or farm truck tractor operates such vehicle for any use or  
23 purpose not authorized for a farm truck or farm truck tractor, such ap-  
24 plicant shall pay an additional fee equal to the fee required for the reg-  
25 istration of all trucks or truck tractors not registered as local, 6,000-mile  
26 or farm truck or farm truck tractor motor vehicles, less the amount of the  
27 fee paid at time of registration. Nothing in this or the preceding paragraph  
28 shall authorize a gross weight of a vehicle or combination of vehicles on  
29 the national system of interstate and defense highways greater than per-  
30 mitted by laws of the United States congress.

31 (7) Except as hereinafter provided, the annual license fee for each  
32 local urban transit bus used in local urban transit operations exempted  
33 under the provisions of subsection (a) of K.S.A. 66-1,109, and amend-  
34 ments thereto, shall be based on the passenger seating capacity of the bus  
35 and shall be as follows:

36 (A) *Prior to January 1, 2013:*  
37 8 or more, but less than 31 passengers ..... \$15  
38 31 or more, but less than 40 passengers ..... 30  
39 More than 39 passengers ..... 60  
40 (B) *On January 1, 2013, through December 31, 2013:*  
41 8 or more, but less than 31 passengers..... \$25  
42 31 or more, but less than 40 passengers ..... 40  
43 More than 39 passengers ..... 70

1	(C) <i>On January 1, 2014:</i>	
2	8 or more, but less than 31 passengers.....	\$35
3	31 or more, but less than 40 passengers .....	50
4	More than 39 passengers .....	80

5 ~~except that~~ The annual license fee for each local urban transit bus  
6 which is owned by a metropolitan transit authority established pursuant  
7 to articles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13  
8 of the Kansas Statutes Annotated shall be \$2.

9 (8) For licensing purposes, station wagons with a carrying capacity of  
10 less than 10 passengers shall be subject to registration fees based on the  
11 weight of the vehicles, as provided in subsection ~~(4)~~ (a). Station wagons  
12 with a carrying capacity of 10 or more passengers shall be subject to the  
13 truck classifications and license fees ~~therefor shall be as herein provided.~~

14 ~~(a)~~ (9) For any trailer, semitrailer, travel trailer or pole trailer the  
15 annual license fee shall be as follows:

16 (A) For any such vehicle with a gross weight of more than 12,000  
17 pounds the annual fee shall be \$35, *on January 1, 2013, \$45, on January*  
18 *1, 2014, \$55;*

19 (B) any such vehicle grossing more than 8,000 pounds but not over  
20 12,000 pounds, the annual fee shall be \$25, *on January 1, 2013, \$35, on*  
21 *January 1, 2014, \$45;*

22 (C) for any such vehicle grossing more than 2,000 pounds but not  
23 over 8,000 pounds, the annual fee shall be \$15, *on January 1, 2013, \$25,*  
24 *on January 1, 2014, \$35.*

25 Any such vehicle having a gross weight of 2,000 pounds or less may, at  
26 the owner's option, be registered and the fee for such registration shall  
27 be ~~\$15~~ *as provided in paragraph (C).*

28 Any trailer, semitrailer or travel trailer owned by a nonresident of this  
29 state and based in another state, which is properly registered and licensed  
30 in the state of residence of the owner or in the state where based, may  
31 be operated in this state without being registered or licensed in this state  
32 if the truck or truck tractor propelling the same is properly registered and  
33 licensed in this state, or is registered and licensed in some other state and  
34 is entitled to reciprocal privileges of operation in this state, but this pro-  
35 vision shall not apply to any trailer or semitrailer owned by a nonresident  
36 of this state when such trailer or semitrailer is owned by a person who  
37 has proportionately registered and licensed a fleet of vehicles under the  
38 provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments  
39 thereto, or under the terms of any reciprocal or proration agreement  
40 made pursuant thereto.

41 At the option of the owner, any trailer, semitrailer or pole trailer, with  
42 a gross weight of more than 12,000 pounds, may be issued a multi-year  
43 registration for a five-year period upon payment of the appropriate reg-

1 istration fee. The fee for a five-year registration of such trailer shall be  
2 five times the annual fee for such trailer. If the annual registration fee is  
3 increased during the multi-year registration period, the owner of the  
4 trailer with such multi-year registration shall be subject to the amount of  
5 the increase of the annual registration fee for the remaining calendar  
6 years of such multi-year registration. When the owner of any trailer, sem-  
7 itrailer or pole trailer registered under this multi-year provision transfers  
8 or assigns the title, or interest thereto, the registration of such trailer shall  
9 expire. The owner shall remove the license plate from such trailer and  
10 forward the license plate to the division of vehicles or may have such  
11 license plate assigned to another trailer, semitrailer or pole trailer upon  
12 the payment of fees required by law. Any owner of a trailer, semitrailer  
13 or pole trailer where the multi-year registration fee has been paid and  
14 the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or  
15 title transferred by operation of law, and the registration thereon is not  
16 going to be transferred to another trailer, may secure a refund for the  
17 registration fee for the remaining calendar years by making application  
18 to the division of vehicles on a form and in the manner prescribed by the  
19 director of vehicles. The secretary of revenue may adopt such rules and  
20 regulations necessary to implement the multi-year registration of such  
21 trailers, semitrailers and pole trailers.

22 ~~(b)~~ (c) Any truck or truck tractor having a gross weight of 4,000  
23 pounds or over, using solid tires, shall pay a license fee of double the  
24 amount herein charged. The annual fees herein provided for trucks, truck  
25 tractors and trailers not subject to K.S.A. 8-134a, and amendments  
26 thereto, shall be due January 1 of each year and payable on or before the  
27 last day of February in each year. If the fee is not paid by such date a  
28 penalty of \$1 shall be added to the fee charged herein for each month or  
29 fraction thereof and until December 31 of each registration year. The  
30 annual registration fee for all passenger vehicles and vehicles subject to  
31 K.S.A. 8-134a, and amendments thereto, shall be due on or before the  
32 last day of the month in which the registration plate expires and shall be  
33 due for other vehicles as provided by K.S.A. 8-134, and amendments  
34 thereto. If the registration fee is not paid by such date a penalty of \$1  
35 shall be added to the fee charged herein for each month or fraction  
36 thereof until such registration fee is paid. Members of the armed forces  
37 of the United States shall be permitted to apply for registration at any  
38 time and be subject to registration fee, less penalties, applicable at the  
39 time the application is made. If any motorcycle, motorized bicycle, trailer,  
40 semitrailer, travel trailer, or pole trailer is either purchased or acquired  
41 after the anniversary or renewal date in any registration year there shall  
42 immediately become due and payable a registration fee as follows: If  
43 purchased or acquired between the anniversary or renewal date of any



1 registration year and the first six months of such registration year, the  
2 annual fee hereinbefore provided; if purchased or acquired during the  
3 last six months of any registration year, 50% of such annual fee. If any  
4 truck or truck tractor, except trucks subject to K.S.A. 8-134a, and amend-  
5 ments thereto, is purchased or acquired prior to April 1 of any year the  
6 fee shall be the annual fee hereinbefore provided, but if such truck or  
7 truck tractor is purchased or acquired after the end of March of any year,  
8 the license fee for such year shall be reduced  $\frac{1}{12}$  for each calendar month  
9 which has elapsed since the beginning of the year. If any truck registered  
10 for a gross weight of 12,000 pounds or less or passenger vehicle is pur-  
11 chased or acquired and less than 12 months remain in the registration  
12 period, the fee shall be  $\frac{1}{12}$  of the annual fee for each calendar month  
13 remaining in the registration period.

14 ~~(c)~~ (d) The owner of any motorcycle, motorized bicycle, passenger  
15 vehicle, truck, truck tractor, trailer, semitrailer, or electrically propelled  
16 vehicle who fails to pay the registration fee or fees herein provided on  
17 the date when the same become due and payable shall be guilty of a  
18 misdemeanor, and upon conviction thereof shall be subject to a penalty  
19 in the sum of \$1 for each month or fraction thereof during which such  
20 fee has remained unpaid after it became due and payable; and in addition  
21 thereto shall be subject to such other punishment as is provided in this  
22 act. Upon the transfer of motorcycles, motorized bicycles, passenger ve-  
23 hicles, trailers, semitrailers, trucks or truck tractors, on which registration  
24 fees have been paid for the year in which the transfer is made, either ~~(A)~~  
25 (1) to a corporation by one or more persons, solely in exchange for stock  
26 or securities in such corporation, or ~~(B)~~ (2) by one corporation to another  
27 corporation when all of the assets of such corporation are transferred to  
28 the other corporation, then in either case ~~(A)~~ (1) or case ~~(B)~~ (2) the  
29 corporation shall be exempt from the payment of registration fees on such  
30 vehicles for the year in which such transfer is made. Applications for  
31 transfer or registration shall be accompanied by a fee of \$1.50. When the  
32 registration of a vehicle has expired at midnight on the last day of any  
33 registration year, and such vehicle is not thereafter operated upon the  
34 highways, any application for renewal of registration made subsequent to  
35 the anniversary or renewal date of any registration year following the  
36 expiration of such registration and for succeeding registration years in  
37 which such vehicle has not been registered shall be accompanied by an  
38 affidavit of nonoperation and nonuse, and such application for renewal  
39 or registration shall be received by the division of vehicles upon payment  
40 of the proper fees for the current registration year and without penalty.

41 ~~(d)~~ (e) Any nonresident of Kansas purchasing a vehicle from a Kansas  
42 resident and desiring to secure registration on the vehicle in the state of  
43 such person's residence may make application in the office of any county

1 treasurer for a thirty-day temporary registration. The county treasurer  
2 upon presentation of evidence of ownership in the applicant and evidence  
3 the sales tax has been paid, if due, shall charge and collect a fee of ~~\$\$~~ \$10  
4 for each thirty-day temporary license and issue a sticker or paper regis-  
5 tration as may be determined by the director of vehicles, and the regis-  
6 tration so issued shall be valid for a period of 30 days from the date of  
7 issuance.

8 ~~(4)~~ (f) Any owner of any motor vehicle which is subject to taxation  
9 under the provisions of article 51 of chapter 79 of the Kansas Statutes  
10 Annotated or any other truck or truck tractor where the annual registra-  
11 tion fee has been paid and the vehicle is sold, junked, repossessed, fore-  
12 closed by a mechanic's lien or title transferred by operation of law, and  
13 the registration thereon is not going to be transferred to another vehicle  
14 may secure a refund for the registration fee for the remaining portion of  
15 the year by making application to the division of vehicles on a form and  
16 in the manner prescribed by the director of vehicles, accompanied by all  
17 license plates and attachments issued in connection therewith. If the  
18 owner of the registration becomes deceased and the vehicle is not going  
19 to be used on the highway, and title is not being currently transferred,  
20 the proper representative of the estate shall be entitled to the refund.  
21 The refund shall be made only for the period of time remaining in the  
22 registration year from the date of completion and filing of the application  
23 with and delivery of the license plate and attachments to the division of  
24 vehicles. Where the registration is secured under a quarterly payment  
25 annual registration fee, as provided for in K.S.A. 8-143a, and amendments  
26 thereto, such refund shall be made on the quarterly fee paid and unused  
27 and all remaining quarterly payments shall be canceled. Any truck or truck  
28 tractor having the registration fee paid on quarterly payment basis, all  
29 quarterly payments due or a fraction of quarterly payment due shall be  
30 paid before title may be transferred, except that in case of death, the  
31 filing of the application and returning of the license plate and attachment  
32 shall cancel the remaining annual payments due. Whenever a truck or  
33 truck tractor, where the registration is secured on a quarterly payment of  
34 the annual registration, the one repossessing the truck or truck tractor,  
35 or foreclosing by a mechanic's lien, or securing title by court order, the  
36 mortgagor or the assigns of the mortgagor, or the one securing title may  
37 pay the balance due on date of application for title, but the payments for  
38 the remaining portion of the year shall not be canceled unless application  
39 is made and the license plate and attachments are surrendered. Nothing  
40 in this subsection shall apply when registration is secured under the pro-  
41 visions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto.  
42 Notwithstanding any of the foregoing provisions of this section, no refund  
43 shall be made under the provisions of this section where the amount

1 thereof does not exceed \$5. The division of vehicles shall furnish such  
2 blank forms as may be required under the provisions of this subsection  
3 as it deems necessary to be completed by the applicant. Whenever a  
4 registration which has been secured on a quarterly basis shall be canceled  
5 as provided in this subsection, the division of vehicles shall notify the  
6 county treasurer issuing the original registration of such cancellation so  
7 that the county treasurer may, and the county treasurer shall cancel the  
8 registration of such vehicle in the county treasurer's office and release  
9 any lien issued in connection with such registration.

10 ~~(5)~~ (g) Every owner of a travel trailer designed for or intended to be  
11 moved upon any highway in this state shall, before the same is so moved,  
12 apply for and obtain the proper registration thereof as provided in this  
13 act, except when such unit is permitted to be moved under the special  
14 provisions relating to secured parties, manufacturers, dealers and non-  
15 residents contained in this act. At the time of registering any travel trailer  
16 for the purpose of moving any such vehicle upon any highway in this  
17 state, the owner thereof shall indicate on the registration form whether  
18 or not such vehicle is being moved permanently to a location outside of  
19 the county in which such vehicle is being registered. No such vehicle  
20 which the owner thereof intends to move to a permanent location outside  
21 the boundaries of such county shall be registered for movement on the  
22 highways of this state until all taxes levied against such vehicle have been  
23 paid. A copy of such registration form shall be sent to the county clerk  
24 or assessor of the county to which such vehicle is being moved. When  
25 such travel trailer is used for living quarters and not operated on the  
26 highways, the owner shall be exempt from the license fees as provided in  
27 ~~paragraph (a) of subsection (2)~~ subsection (b)(9) so long as such travel  
28 trailer is not operated on the highway.

29 Sec. 4. K.S.A. 8-143b is hereby amended to read as follows: 8-143b.  
30 (a) Except as provided in K.S.A. 8-143k, and amendments thereto, and  
31 subsection (b), the owner of any truck or truck tractor which is duly  
32 registered and licensed in some other state, desiring to operate in intra-  
33 state commerce in this state for a temporary period only, in lieu of pay-  
34 ment of the annual license fee, may register such truck or truck tractor  
35 and obtain either: (1) A ~~seventy-two-hour~~ 72-hour temporary registration;  
36 or (2) a thirty-day license authorizing operation on the highways of this  
37 state for a period not to exceed 30 days from the date of issuance of such  
38 license. The fee for: The ~~seventy-two-hour~~ 72-hour temporary registra-  
39 tion shall be \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46 and  
40 the fee for the thirty-day license shall be \$26, *on January 1, 2013*, \$36,  
41 *on January 1, 2014*, \$46 or 1/8 of the annual license fee for such vehicle,  
42 whichever sum is the larger. Where either fee is paid on a truck or truck  
43 tractor no registration or fee shall be required for a trailer or semitrailer

1 duly registered in this or another state and propelled by such truck or  
2 truck tractor. Application for such temporary registration or license shall  
3 be made to the division in the manner and form prescribed by the director  
4 and shall be accompanied by the required fee, which shall be deposited  
5 by the director as provided by K.S.A. 8-146, and amendments thereto.

6 (b) Whenever any natural catastrophe or disaster, civil riot or disorder  
7 or any other condition exists in this state that requires or necessitates  
8 emergency assistance or aid from persons owning ambulances, rescue  
9 vehicles or utility vehicles which are subject to the provisions of this sec-  
10 tion, such persons shall be exempt from the payment of the fee required  
11 in subsection (a) for any such ambulance, rescue vehicle or utility vehicle  
12 that is operated in this state for the purpose of or in connection with  
13 rendering such emergency assistance or aid.

14 Sec. 5. K.S.A. 8-143c is hereby amended to read as follows: 8-143c.  
15 The owner of any truck or truck tractor, which is registered and licensed  
16 in some other state, not entitled to reciprocal privileges while being op-  
17 erated in interstate commerce on the highways of this state, and which  
18 truck or truck tractor has a gross weight, as defined in subsection ~~(2)~~ (b)  
19 of K.S.A. 8-143, and amendments thereto, in excess of 12,000 pounds, in  
20 lieu of payment of the annual license fee for such vehicle pursuant to the  
21 provisions of K.S.A. 8-143, and amendments thereto, or K.S.A. 8-1,101  
22 to 8-1,123, inclusive, and amendments thereto, may register such vehicle  
23 and obtain temporary registration from the division of vehicles authoriz-  
24 ing operation of such vehicle on the highways of this state in interstate  
25 commerce for a period of not to exceed 72 hours. The fee for such tem-  
26 porary registration is \$26, *on January 1, 2013, \$36, on January 1, 2014,*  
27 *\$46*, which shall be deposited by the division as provided by K.S.A. 8-  
28 146, and amendments thereto. Where such fee is paid on a truck or truck  
29 tractor no registration or fee shall be required for a trailer or semitrailer  
30 duly registered in this or another state and propelled by such truck or  
31 truck tractor. The secretary of revenue shall adopt rules and regulations  
32 to effectuate the purpose of this section. A temporary registration as pro-  
33 vided in this section is not required for a truck or truck tractor which is  
34 registered and licensed in some other state and which operates between  
35 cities and villages in this state and cities and villages in another state which  
36 are within territory designated as a commercial zone by the interstate  
37 commerce commission.

38 Sec. 6. K.S.A. 8-143g is hereby amended to read as follows: 8-143g.  
39 A motor vehicle dealer licensed in this state or in a state contiguous to  
40 this state, who is the owner of a truck or truck tractor which the owner  
41 desires to demonstrate under actual working conditions by having it op-  
42 erated by the prospective purchaser in interstate or intrastate commerce  
43 on the highways of this state, in lieu of obtaining a regular registration

1 for such vehicle, may obtain from the division, or an agent designated by  
2 director of vehicles, a trip permit authorizing such demonstration and  
3 operation for a period of: (a) Seventy-two hours upon making proper  
4 application and the payment of a fee of \$26, *on January 1, 2013, \$36, on*  
5 *January 1, 2014, \$46*; or (b) fifteen days upon making proper application  
6 and the payment of a fee of \$100, *on January 1, 2013, \$110, on January*  
7 *1, 2014, \$120*. A dealer may purchase such demonstration permits in  
8 multiples of three upon making proper application and the payment of  
9 required fees. The application shall be to the division on a form pre-  
10 scribed and furnished by the director of vehicles. The name of the pro-  
11 spective purchaser must be shown on the application. A dealer purchasing  
12 permits in multiples, shall complete the application and permit as re-  
13 quired by the division and mail a copy of such application to the division  
14 within 24 hours from the date of issuance of such permit. Only one such  
15 permit may be used by the same prospective purchaser on the same truck  
16 or truck tractor. Whenever a truck or truck tractor is operated under the  
17 authority of a trip permit issued hereunder it also shall have displayed  
18 thereon a dealer's registration plate which has been issued by this state  
19 or a state contiguous to this state to the dealer who is the owner of such  
20 truck or truck tractor. The provision of K.S.A. 8-136, and amendments  
21 thereto, prohibiting the hauling of commodities in excess of two tons by  
22 a vehicle displaying a dealer plate shall not apply to a truck or truck tractor  
23 being operated under a trip permit as authorized by this section. This  
24 section shall be construed as a part of and supplementary to the motor  
25 vehicle registration law of this state. The division shall remit all fees col-  
26 lected under this section to the state treasurer in accordance with the  
27 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
28 each such remittance, the state treasurer shall deposit the entire amount  
29 in the state treasury to the credit of the state highway fund.

30 Sec. 7. K.S.A. 8-143h is hereby amended to read as follows: 8-143h.  
31 Except as provided in K.S.A. 8-143k, the owner of any duly registered  
32 and licensed farm truck in this state, engaged in the hauling of grain as  
33 provided by subsection (h) of K.S.A. 66-1,109, and amendments thereto,  
34 or chopped forage, and desiring to operate in intrastate commerce in this  
35 state for a temporary period only, in lieu of payment of the annual license  
36 fee, may register such farm truck and obtain a thirty-day license author-  
37 izing operation on the highways of this state for a period of only 30 days  
38 from the date of issuance of such license. The fee for such license shall  
39 be \$26, *on January 1, 2013, \$36, on January 1, 2014, \$46*. Where such  
40 fee is paid on a farm truck no registration or fee shall be required for a  
41 trailer duly registered in this or another state and propelled by such farm  
42 truck. Application for such license shall be made to the division of vehicles  
43 on such form as the director of vehicles shall prescribe and shall be ac-

1    compared by the required fee, which shall be deposited by the division  
 2    as provided by K.S.A. 8-146, and amendments thereto. The director of  
 3    vehicles may designate agents to issue the licenses authorized by this act  
 4    so that such licenses will be obtainable at convenient locations. This sec-  
 5    tion shall be construed as supplemental to and a part of the motor vehicle  
 6    registration laws of this state.

7    Sec. 8. K.S.A. 8-143i is hereby amended to read as follows: 8-143i.  
 8    The owner of any truck or truck tractor which is properly registered and  
 9    licensed in this state as a local truck or truck tractor as provided in K.S.A.  
 10   8-143, and amendments thereto, may secure a temporary permit author-  
 11   izing operation of such vehicle on the highways of this state beyond the  
 12   local radius authorized by such annual registration for a period only of 72  
 13   hours from the time of issuance of such permit. The fee for such permit  
 14   shall be \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46. Appli-  
 15   cation for such permit shall be made to the division of vehicles on such  
 16   form as the director of vehicles shall prescribe and shall be accompanied  
 17   by the required fee, except that such owner shall not be entitled to more  
 18   than 10 such permits in any calendar year. All such fees shall be deposited  
 19   by the division as provided by K.S.A. 8-146, and amendments thereto.  
 20   The division shall issue appropriate identification for such vehicle to au-  
 21   thorize its operation under provisions of this act and to specify the expi-  
 22   ration time of such permit. No truck or truck tractor shall be authorized  
 23   to leave the territory of this state under any such 72-hour permit, nor  
 24   shall any permit issued under authority of this act entitle any truck or  
 25   truck tractor or the owner to reciprocity in any other state. Nothing in  
 26   this act shall be construed to authorize the movement of any truck or  
 27   truck tractor on the highways of this state in violation of any size, weight,  
 28   safety or insurance requirement of the laws of this state applicable to such  
 29   truck or truck tractor. Nothing in this act shall be construed to authorize  
 30   the operation of any motor vehicle in violation of K.S.A. 66-1,111, and  
 31   amendments thereto.

32    Sec. 9. K.S.A. 2009 Supp. 8-143j is hereby amended to read as fol-  
 33    lows: 8-143j. (a) On and after January 1, 1991, any truck or truck tractor  
 34    registered for a gross weight of more than 12,000 pounds which is en-  
 35    gaged in farm custom harvesting operations may be registered in accord-  
 36    ance with the schedule for such farm custom harvesting vehicles, but shall  
 37    not be registered as a farm truck or farm truck tractor. The annual license  
 38    fee for a farm custom harvesting truck or truck tractor shall be as follows:

39    (1) *Prior to January 1, 2013:*

40    For a gross weight of more than 12,000 lbs. and not more than 16,000	
41        lbs. ....	\$62
42    For a gross weight of more than 16,000 lbs. and not more than 20,000	
43        lbs. ....	102

1	For a gross weight of more than 20,000 lbs. and not more than 24,000	
2	lbs. ....	132
3	For a gross weight of more than 24,000 lbs. and not more than 26,000	
4	lbs. ....	177
5	For a gross weight of more than 26,000 lbs. and not more than 30,000	
6	lbs. ....	177
7	For a gross weight of more than 30,000 lbs. and not more than 36,000	
8	lbs. ....	215
9	For a gross weight of more than 36,000 lbs. and not more than 42,000	
10	lbs. ....	245
11	For a gross weight of more than 42,000 lbs. and not more than 48,000	
12	lbs. ....	315
13	For a gross weight of more than 48,000 lbs. and not more than 54,000	
14	lbs. ....	415
15	For a gross weight of more than 54,000 lbs. and not more than 60,000	
16	lbs. ....	480
17	For a gross weight of more than 60,000 lbs. and not more than 66,000	
18	lbs. ....	580
19	For a gross weight of more than 66,000 lbs. and not more than 74,000	
20	lbs. ....	760
21	For a gross weight of more than 74,000 lbs. and not more than 80,000	
22	lbs. ....	890
23	For a gross weight of more than 80,000 lbs. and not more than 85,500	
24	lbs. ....	1,010
25	<i>(2) On January 1, 2013, through December 1, 2013:</i>	
26	For a gross weight of more than 12,000 lbs. and not more than 16,000	
27	lbs. ....	\$72
28	For a gross weight of more than 16,000 lbs. and not more than 20,000	
29	lbs. ....	152
30	For a gross weight of more than 20,000 lbs. and not more than 24,000	
31	lbs. ....	182
32	For a gross weight of more than 24,000 lbs. and not more than 26,000	
33	lbs. ....	227
34	For a gross weight of more than 26,000 lbs. and not more than 30,000	
35	lbs. ....	227
36	For a gross weight of more than 30,000 lbs. and not more than 36,000	
37	lbs. ....	265
38	For a gross weight of more than 36,000 lbs. and not more than 42,000	
39	lbs. ....	295
40	For a gross weight of more than 42,000 lbs. and not more than 48,000	
41	lbs. ....	365
42	For a gross weight of more than 48,000 lbs. and not more than 54,000	
43	lbs. ....	465

1	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
2	<i>lbs. ....</i>	530
3	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
4	<i>lbs. ....</i>	630
5	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
6	<i>lbs. ....</i>	810
7	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
8	<i>lbs. ....</i>	840
9	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
10	<i>lbs. ....</i>	1,060
11	(3) <i>On January 1, 2014:</i>	
12	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
13	<i>lbs. ....</i>	\$82
14	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
15	<i>lbs. ....</i>	202
16	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
17	<i>lbs. ....</i>	232
18	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
19	<i>lbs. ....</i>	277
20	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
21	<i>lbs. ....</i>	277
22	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
23	<i>lbs. ....</i>	315
24	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
25	<i>lbs. ....</i>	345
26	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
27	<i>lbs. ....</i>	415
28	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
29	<i>lbs. ....</i>	515
30	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
31	<i>lbs. ....</i>	580
32	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
33	<i>lbs. ....</i>	680
34	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
35	<i>lbs. ....</i>	860
36	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
37	<i>lbs. ....</i>	990
38	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
39	<i>lbs. ....</i>	1,110
40	(b) A tab or marker shall be issued and displayed in connection with	
41	the regular license plate for a truck or truck tractor registered as a farm	
42	custom harvesting truck or truck tractor.	
43	(c) Trucks or truck tractors registered under this section shall be el-	



1 ible for apportioned registration under the provisions of K.S.A. 8-1,100  
2 et seq., and amendments thereto.

3 (d) As used in this section, “farm custom harvesting operations”  
4 means a person, firm, partnership, association or corporation engaged in  
5 farm custom harvesting operations if a truck or truck tractor is used to:

6 (1) Transport farm machinery, supplies, or both, to or from a farm,  
7 for custom harvesting operations on a farm;

8 (2) transport custom harvested crops only from a harvested field to  
9 initial storage or to initial market locations; or

10 (3) transport agricultural products produced by such owner or com-  
11 modities purchased by such owner for use on the farm owned or rented  
12 by the owner of such vehicle.

13 Sec. 10. K.S.A. 8-143k is hereby amended to read as follows: 8-143k.

14 (a) The owner of any truck or truck tractor which is duly registered and  
15 licensed in some other state and is engaged in farm custom harvesting  
16 operations and desiring to operate in intrastate commerce in this state  
17 for a temporary period only, may obtain a harvest permit, in lieu of the  
18 thirty-day license in K.S.A. 8-143b or 8-143h, and amendments thereto,  
19 authorizing the operation of such truck or truck tractor on the highways  
20 of this state for a period of not to exceed 60 days from the date of issuance  
21 of such permit. For a foreign-based truck or truck tractor, the fee for  
22 each permit shall be \$26, *on January 1, 2013, \$36, on January 1, 2014,*  
23 \$46 or 1/6 of the annual license fee for such vehicle, whichever sum is the  
24 larger. Where such fee is paid on a truck or truck tractor, no registration  
25 or fee shall be required for a trailer or semitrailer duly registered in this  
26 or another state and propelled by such truck or truck tractor. Application  
27 for such harvest permit shall be made to the division of vehicles of the  
28 department of revenue. The secretary of revenue may adopt rules and  
29 regulations to implement the provisions of this section.

30 (b) For the purpose of this section, “farm custom harvesting opera-  
31 tions” means a person, firm, partnership, association or corporation en-  
32 gaged in farm custom harvesting operations if the truck or truck tractor  
33 is used to:

34 (1) Transport farm machinery, supplies, or both, to or from a farm,  
35 for custom harvesting operations on a farm;

36 (2) transport custom harvested crops only from a harvested field to  
37 initial storage or to initial market locations; or

38 (3) transport agricultural products produced by such owner or com-  
39 modities purchased by such owner for use on the farm owned or rented  
40 by the owner of such vehicle.

41 Sec. 11. K.S.A. 2009 Supp. 8-143l is hereby amended to read as fol-  
42 lows: 8-143l. (a) Any auctioneer conducting auctions under subparagraphs  
43 (D) or (E) of paragraph (2) of subsection (a) of K.S.A. 8-2401, and amend-

1 ments thereto, may obtain from the division, or an agent designated by  
2 the director of vehicles, a 72-hour transport permit authorizing the pur-  
3 chaser of a vehicle at an auction conducted by such auctioneer, to operate  
4 such vehicle for a period of 72 hours. In addition to the 72-hour transport  
5 permit, the purchaser shall have the bill of sale. The fee for each 72-hour  
6 transport permit shall be ~~\$3~~ \$10.

7 (b) An auctioneer under subsection (a) who is a Kansas resident,  
8 whose primary place of business is in Kansas and only for the purpose of  
9 conducting auctions in Kansas, may purchase such 72-hour transport per-  
10 mits in multiples of three upon making proper application and the pay-  
11 ment of required fees. The application shall be to the division on a form  
12 prescribed and furnished by the director of vehicles. The name of the  
13 purchaser of the vehicle at the auction shall be shown on the 72-hour  
14 permit issued. An auctioneer purchasing permits shall complete the ap-  
15 plication and permit as required by the division and mail a copy of such  
16 application to the division within 24 hours from the date of issuance of  
17 such permit. Only one such permit may be used by the same purchaser  
18 on the same vehicle. The division of vehicles may deny any auctioneer  
19 the authority to purchase 72-hour transport permits if the auctioneer is  
20 found to have issued more than one 72-hour transport permit to the  
21 purchaser of a vehicle. This section shall be construed as a part of and  
22 supplementary to the motor vehicle registration law of this state. The  
23 division shall remit all fees collected under this section to the state trea-  
24 surer in accordance with the provisions of K.S.A. 75-4215, and amend-  
25 ments thereto. Upon receipt of each such remittance, the state treasurer  
26 shall deposit the entire amount in the state treasury to the credit of the  
27 state highway fund.

28 Sec. 12. K.S.A. 2009 Supp. 8-145 is hereby amended to read as fol-  
29 lows: 8-145. (a) All registration and certificates of title fees shall be paid  
30 to the county treasurer of the county in which the applicant for registra-  
31 tion resides or has an office or principal place of business within this state,  
32 and the county treasurer shall issue a receipt in triplicate, on blanks fur-  
33 nished by the division of vehicles, one copy of which shall be filed in the  
34 county treasurer's office, one copy shall be delivered to the applicant and  
35 the original copy shall be forwarded to the director of vehicles.

36 (b) The county treasurer shall deposit \$.75 of each license applica-  
37 tion, \$.75 out of each application for transfer of license plate and \$2 out  
38 of each application for a certificate of title, collected by such treasurer  
39 under this act, in a special fund, which fund is hereby appropriated for  
40 the use of the county treasurer in paying for necessary help and expenses  
41 incidental to the administration of duties in accordance with the provi-  
42 sions of this law and extra compensation to the county treasurer for the  
43 services performed in administering the provisions of this act, which com-

1   pensation shall be in addition to any other compensation provided by any  
2   other law, except that the county treasurer shall receive as additional  
3   compensation for administering the motor vehicle title and registration  
4   laws and fees, a sum computed as follows: The county treasurer, during  
5   the month of December, shall determine the amount to be retained for  
6   extra compensation not to exceed the following amounts each year for  
7   calendar year 2006 or any calendar year thereafter: The sum of \$110 per  
8   hundred registrations for the first 5,000 registrations; the sum of \$90 per  
9   hundred registrations for the second 5,000 registrations; the sum of \$5  
10   per hundred for the third 5,000 registrations; and the sum of \$2 per  
11   hundred registrations for all registrations thereafter. In no event, how-  
12   ever, shall any county treasurer be entitled to receive more than \$15,000  
13   additional annual compensation.

14   If more than one person shall hold the office of county treasurer during  
15   any one calendar year, such compensation shall be prorated among such  
16   persons in proportion to the number of weeks served. The total amount  
17   of compensation paid the treasurer together with the amounts expended  
18   in paying for other necessary help and expenses incidental to the admin-  
19   istration of the duties of the county treasurer in accordance with the  
20   provisions of this act, shall not exceed the amount deposited in such spe-  
21   cial fund. Any balance remaining in such fund at the close of any calendar  
22   year shall be withdrawn and credited to the general fund of the county  
23   prior to June 1 of the following calendar year.

24   (c) The county treasurer shall remit the remainder of all such fees  
25   collected, together with the original copy of all applications, to the sec-  
26   retary of revenue. The secretary of revenue shall remit all such fees re-  
27   mitted to the state treasurer in accordance with the provisions of K.S.A.  
28   75-4215, and amendments thereto. Upon receipt of each such remittance,  
29   the state treasurer shall deposit the entire amount in the state treasury  
30   to the credit of the state highway fund, except as provided in subsection  
31   (d).

32   (d) (1) Three dollars and fifty cents of each certificate of title fee  
33   collected and remitted to the secretary of revenue, shall be remitted to  
34   the state treasurer who shall credit such \$3.50 to the Kansas highway  
35   patrol motor vehicle fund. Three dollars of each certificate of title fee  
36   collected and remitted to the secretary of revenue, shall be remitted to  
37   the state treasurer who shall credit such \$3 to the VIPS/CAMA technology  
38   hardware fund.

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

43   (3) Three dollars and fifty cents of each reassignment form fee col-

1 lected and remitted to the secretary of revenue, shall be remitted to the  
2 state treasurer who shall credit such \$3.50 to the Kansas highway patrol  
3 motor vehicle fund. Three dollars of each reassignment form fee collected  
4 and remitted to the secretary of revenue, shall be remitted to the state  
5 treasurer who shall credit such \$3 to the VIPS/CAMA technology hard-  
6 ware fund.

7 (4) ~~Four dollars~~ *Until January 1, 2013, \$4* of each division of vehicles  
8 modernization surcharge collected and remitted to the secretary of rev-  
9 enue, shall be remitted to the state treasurer who shall credit such \$4 to  
10 the division of vehicles modernization fund, *on and after January 1, 2013,*  
11 *the state treasurer shall credit such \$4 to the state highway fund.*

12 Sec. 13. K.S.A. 2009 Supp. 8-172 is hereby amended to read as fol-  
13 lows: 8-172. (a) Except as provided in subsection (c), license plates issued  
14 for antique vehicles shall be distinctive and shall contain the words “Kan-  
15 sas” and “antique” and there shall be no year date thereon. The num-  
16 bering system shall consist of combinations of not more than seven letters  
17 of the alphabet or numerals or a combination of such letters and numer-  
18 als. The combinations of such letters and numerals shall be at the direc-  
19 tion of the director of vehicles, except that any person owning an antique  
20 vehicle, other than an antique motorcycle, may make application for a  
21 special combination of letters and numerals not exceeding seven. Antique  
22 motorcycle license plates shall be the same as other antique vehicle li-  
23 cense plates, except the numbering system shall consist of not more than  
24 five letters of the alphabet or numerals or a combination of letters and  
25 numerals. Such application shall be made in a manner prescribed by the  
26 director of vehicles and shall be accompanied by a special combination  
27 fee of \$40. Unless the combination of letters or numerals designated by  
28 the applicant have been assigned to another antique vehicle registered in  
29 this state, or unless the combination of letters or numerals designated by  
30 the applicant have a profane, vulgar, lewd or indecent meaning or con-  
31 notation, as determined by the director, the division shall assign such  
32 combination of letters to the applicant’s vehicle.

33 (b) In addition to the fees required under subsection (b) of K.S.A. 8-  
34 167, and amendments thereto, and subsection (a) or (c) of this section,  
35 the registration fee for any antique vehicle shall be \$40, *on January 1,*  
36 *2013, \$50, on January 1, 2014, \$60* and once paid shall not be required  
37 to be renewed.

38 (c) In lieu of the license plate issued under subsection (a), a person  
39 who owns an antique vehicle who wants to display a model year license  
40 plate on the vehicle shall make application in a manner prescribed by the  
41 director of vehicles, including the execution of an affidavit setting forth  
42 that the model year license plate the person wants to display on the per-  
43 son’s antique vehicle is a legible and serviceable license plate that origi-

1 nally was issued by this state or a license plate originally issued by a Kansas  
2 city or a reproduction of such city issued license plate. Except for license  
3 plates issued prior to 1921, such license plate shall be inscribed with the  
4 date of the year corresponding to the model year when the vehicle was  
5 manufactured. For license plates issued prior to 1921, such license plate  
6 shall be the license plate issued by the state or a Kansas city or a repro-  
7 duction of such city issued license plate corresponding to the model year  
8 when the vehicle was manufactured. Duplicate numbers for any year shall  
9 not be allowed for any model year license plate under the provisions of  
10 this subsection. Upon application to display a reproduction of a city issued  
11 license plate, the division of vehicles shall issue a number to be used for  
12 such reproduction license plate. The model year license plate fee shall  
13 be \$40.

14 (d) In addition to the license plates authorized under subsection (a)  
15 or (c), a person who owns an antique vehicle may display a model year  
16 license plate originally issued by the state of Kansas or a Kansas city or a  
17 reproduction of such city issued license plate on the front of an antique  
18 vehicle. Except for license plates issued prior to 1921, such license plate  
19 shall be inscribed with the date of the year corresponding to the model  
20 year when the vehicle was manufactured. For license plates issued prior  
21 to 1921, such license plate shall be the license plate issued by the state  
22 or a Kansas city or a reproduction of such city issued license plate cor-  
23 responding to the model year when the vehicle was manufactured.

24 Sec. 14. K.S.A. 8-195 is hereby amended to read as follows: 8-195.

25 (a) Any person who is the owner of a special interest vehicle or street rod  
26 vehicle at the time of making application for registration or transfer of  
27 title of the vehicle may upon application register the same as a special  
28 interest vehicle or street rod vehicle upon payment of an annual fee of  
29 \$26, *on January 1, 2013, \$36, on January 1, 2014, \$46* and be furnished  
30 each year upon the payment of such fee license plates of a distinctive  
31 design in lieu of the usual license plates which shall show in addition to  
32 the identification number, that the vehicle is a special interest vehicle or  
33 that the vehicle is a special interest vehicle and it meets the qualifications  
34 of a street rod, as the case may be, owned by a Kansas collector. The  
35 registration shall be valid for one year and may be renewed by payment  
36 of such annual fee. Special interest vehicles including street rod vehicles  
37 may be used as are other vehicles of the same type, except that special  
38 interest vehicles including street rod vehicles may not transport passen-  
39 gers for hire, nor haul material weighing more than 500 pounds.

40 (b) Each collector applying for special interest vehicle or street rod  
41 vehicle license plates will be issued a collector's identification number  
42 which will appear on each license plate. Second and all subsequent reg-  
43 istrations under this section by the same collector will bear the same

1 collector's identification number followed by a suffix letter for vehicle  
2 identification.

3 (c) A collector must own and have registered one or more vehicles  
4 with regular license plates which are used for regular transportation.

5 Sec. 15. K.S.A. 8-234b is hereby amended to read as follows: 8-234b.

6 (a) Every original driver's license issued by the division shall indicate the  
7 class or classes of motor vehicles which the licensee is entitled to drive.

8 For this purpose the following classes are established:

9 (1) Commercial class A motor vehicles include any combination of  
10 vehicles with a gross combination weight rating of 26,001 pounds or more,  
11 providing the gross vehicle weight rating of the vehicle or vehicles being  
12 towed is in excess of 10,000 pounds;

13 (2) commercial class B motor vehicles include any single vehicle with  
14 a gross vehicle weight rating of 26,001 pounds or more, or any such ve-  
15 hicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight  
16 rating;

17 (3) commercial class C motor vehicles include any single vehicle less  
18 than 26,001 pounds gross vehicle weight rating, or any such vehicle towing  
19 a vehicle not in excess of 10,000 pounds, or any vehicle less than 26,001  
20 pounds gross vehicle weight rating towing a vehicle in excess of 10,000  
21 pounds gross vehicle weight rating, provided the gross combination  
22 weight rating of the combination is less than 26,001 pounds comprising:

23 (A) Vehicles designed to transport 16 or more passengers, including  
24 the driver; or

25 (B) vehicles used in the transportation of hazardous materials which  
26 requires the vehicle to be placarded;

27 (4) class A motor vehicles include any combination of vehicles with a  
28 gross combination weight rating of 26,001 pounds or more, provided the  
29 gross combination weight rating of the vehicle or vehicles being towed is  
30 in excess of 10,000 pounds, and all other lawful combinations of vehicles  
31 with a gross combination weight rating of 26,001 pounds, or more; except  
32 that, class A does not include a combination of vehicles that has a truck  
33 registered as a farm truck under ~~subsection (2) of~~ K.S.A. 8-143, and  
34 amendments thereto;

35 (5) class B motor vehicles include any single vehicle with a gross ve-  
36 hicle weight rating of 26,001 pounds or more, or any such vehicle towing  
37 a vehicle not in excess of 10,000 pounds gross vehicle weight rating. Class  
38 B motor vehicles do not include a single vehicle registered as a farm truck  
39 under ~~subsection (2) of~~ K.S.A. 8-143, and amendments thereto, when  
40 such farm truck has a gross vehicle weight rating of 26,001 pounds, or  
41 more; or any fire truck operated by a volunteer fire department;

42 (6) class C motor vehicles include any single vehicle with a gross  
43 vehicle weight rating less than 26,001 pounds, or any such vehicle towing

1 a vehicle not in excess of 10,000 pounds gross vehicle weight rating, or  
2 any vehicle with a less than 26,001 gross vehicle weight rating towing a  
3 vehicle in excess of 10,000 pounds gross vehicle weight rating, provided  
4 the gross combination weight rating of the combination is less than 26,001  
5 pounds, or any single vehicle registered as a farm truck under ~~subsection~~  
6 ~~(2)~~ of K.S.A. 8-143, and amendments thereto, when such farm truck has  
7 a gross vehicle weight rating of 26,001 pounds, or more, or any fire truck  
8 operated by a volunteer fire department; and

9 (7) class M motor vehicles includes motorcycles.

10 As used in this subsection, “gross vehicle weight rating” means the  
11 value specified by the manufacturer as the maximum loaded weight of a  
12 single or a combination (articulated) vehicle. The gross vehicle weight  
13 rating of a combination (articulated) vehicle, commonly referred to as the  
14 gross combination weight rating, is the gross vehicle weight rating of the  
15 power unit plus the gross vehicle weight rating of the towed unit or units.

16 (b) Every applicant for an original driver’s license shall indicate on  
17 such person’s application the class or classes of motor vehicles for which  
18 the applicant desires a license to drive, and the division shall not issue a  
19 driver’s license to any person unless such person has demonstrated sat-  
20 isfactorily ability to exercise ordinary and reasonable control in the op-  
21 eration of motor vehicles in the class or classes for which the applicant  
22 desires a license to drive. The division shall administer an appropriate  
23 examination of each applicant’s ability to drive such motor vehicles. Ex-  
24 cept as provided in K.S.A. 8-2,125 through 8-2,142, and amendments  
25 thereto, the director of vehicles may accept a copy of the certificate of a  
26 person’s road test issued to an individual under the regulatory require-  
27 ments of the United States department of transportation, in lieu of re-  
28 quiring the person to demonstrate ability to operate any motor vehicle or  
29 combination of vehicles, if such certificate was issued not more than three  
30 years prior to the person’s application for a driver’s license.

31 (c) Any person who is the holder of a valid driver’s license which  
32 entitles the person to drive class A motor vehicles may also drive class B  
33 and C motor vehicles. Any person who is the holder of a valid driver’s  
34 license which entitles the person to drive class B motor vehicles may also  
35 drive class C motor vehicles.

36 (d) The secretary of revenue shall adopt rules and regulations estab-  
37 lishing qualifications for the safe operation of the various types, sizes and  
38 combinations of vehicles in each class of motor vehicles established in  
39 subsection (a). Such rules and regulations shall include the adoption of  
40 at least the minimum qualifications for commercial drivers’ licenses con-  
41 tained in the commercial motor vehicle safety act of 1986.

42 (e) Any reference in the motor vehicle drivers’ license act to a class  
43 or classes of motor vehicles is a reference to the classes of motor vehicles

1 established in subsection (a), and any reference in the motor vehicle driv-  
2 ers' license act to a classified driver's license or a class of driver's license  
3 means a driver's license which restricts the holder thereof to driving one  
4 or more of such classes of motor vehicles.

5 (f) The secretary of revenue may enter into a contract with any per-  
6 son, who meets the qualifications imposed on persons regularly employed  
7 by the division as drivers' license examiners, to accept applications for  
8 drivers' licenses and to administer the examinations required for the is-  
9 suance of drivers' licenses.

10 (g) Notwithstanding the provisions of subsection (a), any person em-  
11 ployed as an automotive mechanic who possesses a valid class C driver's  
12 license may drive any class A or class B motor vehicle on the highways  
13 for the purpose of determining the proper performance of the vehicle,  
14 except that this does not include commercial class A, B or C vehicles.

15 Sec. 16. K.S.A. 2009 Supp. 8-2406 is hereby amended to read as  
16 follows: 8-2406. (a) The annual fee for the first dealer license plate is  
17 \$275, *on January 1, 2013, \$285, on January 1, 2014, \$295* and the annual  
18 fee for additional dealer license plates shall be an amount equal to the  
19 amount required to register a passenger vehicle having a gross weight of  
20 less than 4,500 pounds, except that the annual fee for dealer license plates  
21 used by trailer dealers on trailers which they have purchased or own and  
22 are holding for resale shall be \$25, *on January 1, 2013, \$35, on January*  
23 *1, 2014, \$45* for each plate. To determine the number of dealer license  
24 plates the dealer needs, the director may base the decision on the dealer's  
25 past sales, inventory and any other pertinent factors as the director may  
26 determine. After the end of the first year of licensure as a dealer, not  
27 more than one dealer license plate shall be issued to any dealer who has  
28 not reported to the division the sale of at least five motor vehicles in the  
29 preceding year. There shall be no refund of fees for dealer license plates  
30 in the event of suspension, revocation or voluntary cancellation of a li-  
31 cense. The director is hereby authorized to designate by identifying sym-  
32 bols on a dealer's license plate the type of dealer's license that the person  
33 has been issued. If a dealer has an established place of business in more  
34 than one county, such dealer shall secure a separate and distinct dealer's  
35 license and dealer license plates for each established place of business.

36 (b) New motor vehicle dealers and used motor vehicle dealers may  
37 authorize use of dealer license plates assigned to such motor vehicle deal-  
38 ers as follows:

- 39 (1) The licensed motor vehicle dealer and such dealer's spouse;
- 40 (2) the sales manager and all other sales personnel when such man-  
41 ager and sales personnel are properly licensed in Kansas, except that no  
42 dealer license plate shall be assigned to sales personnel who are working  
43 at the established place of business of the dealer less than 20 hours per



1 week;

2 (3) any employee of such motor vehicle dealer when the use thereof  
3 is directly connected to a particular business transaction of such motor  
4 vehicle dealer;

5 (4) the customer when operating a motor vehicle in connection with  
6 negotiations to purchase such motor vehicle or during a demonstration  
7 of such motor vehicle;

8 (5) any school district and any accredited nonpublic school which has  
9 entered into an agreement with a dealer to use a motor vehicle as a driver  
10 training motor vehicle, as defined in K.S.A. 72-5015, and amendments  
11 thereto, in an approved driver training course.

12 (c) A wholesaler dealer may authorize the use of dealer license plates  
13 on vehicles purchased by the wholesaler for resale to a retail vehicle dealer  
14 as follows:

15 (1) To transport or operate a vehicle to or from a licensed retail or  
16 wholesale vehicle dealer for the purpose of buying, selling, or offering or  
17 attempting to negotiate a sale of the vehicle to a licensed vehicle dealer;

18 (2) to deliver a vehicle purchased from the wholesale vehicle dealer  
19 to a purchasing vehicle dealer.

20 (d) Salvage vehicle dealers may use dealer license plates only on ve-  
21 hicles which they have purchased for salvage, including dismantling, dis-  
22 assembling or recycling.

23 (e) Insurance companies may use dealer license plates only on vehi-  
24 cles purchased or acquired for salvage in the course of business of the  
25 insurance company.

26 (f) Lending agencies may use dealer license plates only on vehicles  
27 which they have repossessed or are holding for disposition due to repos-  
28 session.

29 (g) Trailer dealers may use dealer license plates only on trailers which  
30 they have purchased or own and are holding for resale.

31 (h) Brokers are not entitled to be assigned or to use any dealer license  
32 plates.

33 (i) Except as provided above, dealer license plates shall be used only  
34 in accordance with the provisions of K.S.A. 8-136, and amendments  
35 thereto. This subsection (i) does not apply to K.S.A. 8-2425, and amend-  
36 ments thereto, or full-privilege license plates or dealer-hauler full-privi-  
37 lege trailer license plates issued thereunder.

38 Sec. 17. K.S.A. 8-2409 is hereby amended to read as follows: 8-2409.

39 (a) Any dealer may purchase from the division of vehicles thirty-day tem-  
40 porary registration permits, in multiples of five permits valid for 30 days  
41 at a cost of ~~\$3~~ \$10 each. Such dealer shall have completed the application  
42 and permit as required by the division and mail a copy of such application  
43 to the division within 24 hours from the date of issuance. Such registration

1 shall not extend the date when registration fees are due, but shall be valid  
2 registration for a period of 30 days from date of issuance. The dealer  
3 upon presentation of evidence of ownership in the applicant and evidence  
4 that the sales tax has been paid, if due, shall issue a sticker or paper  
5 registration as determined by the division. No dealer, or county treasurer,  
6 as authorized by K.S.A. 8-143, and amendments thereto, shall issue more  
7 than one thirty-day temporary registration permit to the purchaser of a  
8 vehicle.

9 (b) The division of vehicles may deny any dealer the authority to  
10 purchase thirty-day temporary permits if the vehicle dealer is delinquent  
11 in monthly sales reports to the division for two months or more or if the  
12 vehicle dealer is found to have issued more than one thirty-day permit to  
13 the purchaser of a vehicle.

14 (c) The temporary registration authorized by this section shall not  
15 entitle a truck, truck tractor or any combination of truck or truck tractor  
16 and any type of trailer or semitrailer to be operated under laden condi-  
17 tions, except that such temporary registration shall authorize any such  
18 vehicle or combination of vehicles to be operated under laden conditions  
19 for 48 hours after the time of issuance of the temporary permit.

20 Sec. 18. K.S.A. 2009 Supp. 8-2425 is hereby amended to read as  
21 follows: 8-2425. (a) When a first dealer license plate has been issued  
22 under K.S.A. 8-2406, and amendments thereto, the secretary of revenue  
23 may issue full-privilege license plates or dealer-hauler full-privilege trailer  
24 license plates, in accordance with the provisions of this section, to a li-  
25 censed manufacturer of or licensed dealer in vehicles. In no calendar year  
26 shall the secretary issue in excess of 10 of each type of such license plates  
27 to any licensed manufacturer or dealer.

28 (b) The annual fee for each: (1) Full-privilege license plate shall be  
29 \$350.50, *on January 1, 2013, \$360.50, on January 1, 2014, \$370.50*; and  
30 (2) dealer-hauler full-privilege trailer license plate shall be \$350.50, *on*  
31 *January 1, 2013, \$360.50, on January 1, 2014, \$370.50.*

32 (c) The secretary shall, upon application provided by the secretary  
33 and payment of the fee required in subsection (b), issue to the applicant  
34 the appropriate full-privilege license plate, which shall expire on the Jan-  
35 uary 31 next following its issuance, except that the dealer shall have until  
36 and including the last day of February of each year within which to make  
37 application for renewal.

38 (d) Subject to subsection (e), a full-privilege license plate may be used  
39 in lieu of regular vehicle registration and license plate. A full-privilege  
40 license plate may be used on passenger cars or trucks. A full-privilege  
41 license plate may be transferred from one vehicle to another owned or  
42 in inventory of such manufacturer or dealer and may be assigned for use  
43 by any person, at the discretion of the manufacturer or dealer to whom

1 it is issued. The person to whom a full-privilege license plate is assigned  
2 for use shall be only a person who is: (1) A member of the immediate  
3 family of the licensed manufacturer of or licensed dealer in vehicles; (2)  
4 a corporate officer of the licensed manufacturer of or licensed dealer in  
5 vehicles; or (3) an employee of the licensed manufacturer of or licensed  
6 dealer in vehicles.

7 (e) A full-privilege license plate shall not be used on a lease or rental  
8 vehicle. A full-privilege license plate shall not permit any vehicle to be  
9 operated or moved upon a highway to haul commodities weighing in  
10 excess of two tons. A full-privilege license plate shall not be used on a  
11 wrecker or tow truck when providing wrecker or towing service as defined  
12 by K.S.A. 66-1329, and amendments thereto.

13 (f) A dealer-hauler full-privilege trailer license plate may be used by  
14 a trailer manufacturer or trailer dealer in lieu of a regular trailer registra-  
15 tion and license plate. A dealer-hauler full-privilege trailer license plate  
16 may be used only on trailers. A dealer-hauler full-privilege trailer license  
17 plate may be transferred from one trailer to another owned or in inventory  
18 of the trailer manufacturer or trailer dealer to whom issued. A dealer-  
19 hauler full-privilege trailer license plate may be used by a trailer manu-  
20 facturer or trailer dealer to haul nonhighway equipment, as defined in  
21 rules and regulations, for either demonstration purposes or delivery, if  
22 the weight of the trailer and nonhighway equipment does not exceed  
23 85,500 pounds. The dealer-hauler full-privilege trailer license plate shall  
24 expire on the January 31 next following its issuance, except that the dealer  
25 shall have until and including the last day of February of each year within  
26 which to make application for renewal.

27 (g) Fees received under this section shall be divided equally between  
28 the county treasurer in which the licensed manufacturer or dealer has its  
29 established place of business and the secretary of revenue. Amounts al-  
30 lotted to the secretary of revenue shall be remitted to the state treasurer  
31 in accordance with the provisions of K.S.A. 75-4215, and amendments  
32 thereto. Upon receipt of each such remittance, the state treasurer shall  
33 deposit the entire amount in the state treasury to the credit of the vehicle  
34 dealers and manufacturers fee fund which fund is hereby created in the  
35 state treasury. Expenditures from the vehicle dealers and manufacturers  
36 fee fund shall be made on vouchers approved by the secretary of revenue,  
37 or a person designated by the secretary, for enforcement of the vehicle  
38 dealers and manufacturers licensing act in accordance with appropriations  
39 therefor. Amounts allotted to the county treasurers shall be credited to  
40 the county treasurers' vehicle licensing fee fund which fund is hereby  
41 created in the state treasury. Amounts due each county treasurer shall be  
42 paid quarterly from such fund upon vouchers approved by the secretary  
43 of revenue or a person designated by the secretary. Amounts received by

1 each county treasurer shall be deposited, appropriated and used as provided by K.S.A. 8-145, and amendments thereto.

2  
3 (h) The provisions of K.S.A. 8-136 and 8-2406, and amendments  
4 thereto, shall not apply to full-privilege license plates or dealer-hauler  
5 full-privilege trailer license plates or the use thereof.

6 Sec. 19. K.S.A. 2009 Supp. 12-6a35 is hereby amended to read as  
7 follows: 12-6a35. (a) Any municipality may issue special obligation bonds  
8 in one or more series to finance any project in accordance with the provisions  
9 of this act. Such bonds shall be made payable, both as to principal  
10 and interest solely from a pledge of the sources of funds described in  
11 subsections (a), (b), (c) and (e) of K.S.A. 2009 Supp. 12-6a33, and amendments  
12 thereto. *Any municipality may also execute and deliver a loan with respect to any project from the Kansas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments thereto.* The  
13 municipality may pledge such revenue to the repayment of such bonds  
14 *or such loans* prior to, simultaneously with or subsequent to the issuance  
15 of such bonds, except for any revenues received under the provisions of  
16 subsection (e) of K.S.A. 2009 Supp. 12-6a33 and amendments thereto,  
17 which revenues are subject to annual appropriation.

18  
19 (b) Bonds issued pursuant to this section shall not be general obligations  
20 of the municipality, give rise to a charge against its general credit  
21 or taxing powers, or be payable out of any funds or properties other than  
22 any of those set forth in subsections (a), (b), (c) and (e) of K.S.A. 2009  
23 Supp. 12-6a33, and amendments thereto, and such bonds shall so state  
24 on their face. *This subsection shall not apply to loans from the Kansas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments thereto.*

25  
26 (c) Bonds issued pursuant to this section shall be special obligations  
27 of the municipality and are declared to be negotiable instruments. Such  
28 bonds shall be executed by the authorized representatives of the municipality  
29 and sealed with the corporate seal of the municipality. All details  
30 pertaining to the issuance of the bonds and terms and conditions thereof  
31 shall be determined by ordinance or resolution of the municipality. The  
32 provisions of K.S.A. 10-106, and amendments thereto, requiring a public  
33 sale of bonds shall not apply to bonds issued under this section. All bonds  
34 issued pursuant to this section and all income or interest therefrom shall  
35 be exempt from all state taxes except inheritance taxes. Such bonds shall  
36 contain none of the recitals set forth in K.S.A. 10-112, and amendments  
37 thereto. Such bonds shall contain the following recitals: The authority  
38 under which such bonds are issued; that such bonds are in conformity  
39 with the provisions, restrictions and limitations thereof and that such  
40 bonds and the interest thereon are to be paid from the money and revenue  
41 received as provided in this section. Such bonds shall mature in no  
42  
43

1 more than 22 years.

2 (d) Any municipality issuing bonds under the provisions of this sec-  
3 tion may refund all or part of such bonds pursuant to the provisions of  
4 K.S.A. 10-116a, and amendments thereto.

5 (e) Bonds issued under the provisions of this section *or loans incurred*  
6 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*  
7 *Supp. 75-5063 et seq., and amendments thereto*, shall be in addition to  
8 and not subject to any statutory limitation of bonded indebtedness im-  
9 posed on such municipality.

10 Sec. 20. K.S.A. 2009 Supp. 12-6a36 is hereby amended to read as  
11 follows: 12-6a36. (a) Any municipality may issue full faith and credit bonds  
12 in one or more series to finance any project in accordance with the pro-  
13 visions of this act and to refinance or refund any notes or bonds issued  
14 pursuant to this act. Bonds issued pursuant to this section shall be general  
15 obligations of the municipality and give rise to a charge against its general  
16 credit and taxing powers, and such bonds shall so state on their face. Such  
17 bonds shall be made payable, both as to principal and interest solely from  
18 a pledge of the sources of funds described in K.S.A. 2009 Supp. 12-6a33,  
19 and amendments thereto, including a pledge of a municipality's full faith  
20 and credit to use its ad valorem taxing authority for the repayment thereof  
21 in the event all other authorized sources of revenue are not sufficient.  
22 The municipality may pledge such revenue to the repayment of such  
23 bonds prior to, simultaneously with or subsequent to the issuance of such  
24 bonds.

25 (b) Bonds issued pursuant to this section shall be general obligations  
26 of the municipality and are declared to be negotiable instruments. Such  
27 bonds shall be executed by the authorized representatives of the munic-  
28 ipality and sealed with the corporate seal of the municipality. All details  
29 pertaining to the issuance of the bonds and terms and conditions thereof  
30 shall be determined by ordinance or resolution of the municipality. The  
31 provisions of K.S.A. 10-106, and amendments thereto, requiring a public  
32 sale of bonds shall not apply to bonds issued under this section. All bonds  
33 issued pursuant to this section and all income or interest therefrom shall  
34 be exempt from all state taxes except inheritance taxes. Such bonds shall  
35 contain the recitals set forth in K.S.A. 10-112, and amendments thereto.  
36 Such bonds shall mature in no more than 22 years. Any municipality  
37 issuing bonds under the provisions of this section may refund all or part  
38 of such bonds pursuant to the provisions of K.S.A. 10-427, and amend-  
39 ments thereto.

40 (c) The amount of the full faith and credit bonds issued and outstand-  
41 ing under this act which exceeds 3% of the assessed valuation of the  
42 municipality shall be within the bonded debt limit applicable to such  
43 municipality.

- 1 (d) If, within 60 days following the date of the public hearing de-  
2 scribed in K.S.A. 2009 Supp. 12-6a29, and amendments thereto, a protest  
3 petition signed by 5% of the qualified voters of the municipality is filed  
4 with the municipality's clerk in accordance with the provisions of K.S.A.  
5 25-3601 et seq., and amendments thereto, no full faith and credit bonds  
6 shall be issued until the issuance of the full faith and credit bonds is  
7 approved by a majority of the voters voting at an election thereon. The  
8 failure of the voters to approve the issuance of full faith and credit bonds  
9 shall not prevent a municipality from issuing special obligation bonds.
- 10 (e) *The provisions of subsections (b), (c) and (d) shall not apply to*  
11 *loans from the Kansas transportation revolving fund pursuant to K.S.A.*  
12 *2009 Supp. 75-5063 et seq., and amendments thereto.*
- 13 Sec. 21. K.S.A. 2009 Supp. 12-1774 is hereby amended to read as  
14 follows: 12-1774. (a) (1) Any city shall have the power to issue special  
15 obligation bonds in one or more series *and/or execute and deliver a loan*  
16 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*  
17 *Supp. 75-5063 et seq., and amendments thereto*, to finance the undertak-  
18 ing of any redevelopment project or bioscience development project in  
19 accordance with the provisions of this act. Such special obligation bonds  
20 *or loans* shall be made payable, both as to principal and interest:
- 21 (A) From tax increments allocated to, and paid into a special fund of  
22 the city under the provisions of K.S.A. 12-1775, and amendments thereto;
- 23 (B) from revenues of the city derived from or held in connection with  
24 the undertaking and carrying out of any redevelopment project or projects  
25 or bioscience development project or projects under this act including  
26 environmental increments;
- 27 (C) from any private sources, contributions or other financial assis-  
28 tance from the state or federal government;
- 29 (D) from a pledge of all of the revenue received by the city from any  
30 transient guest and local sales and use taxes which are collected from  
31 taxpayers doing business within that portion of the city's redevelopment  
32 district or bioscience development district established pursuant to K.S.A.  
33 12-1771, and amendments thereto, occupied by a redevelopment project  
34 or bioscience development project. A city proposing to finance a major  
35 motorsports complex pursuant to this paragraph shall prepare a project  
36 plan which shall include:
- 37 (i) A summary of the feasibility study done, as defined in K.S.A. 12-  
38 1770a, and amendments thereto, which will be an open record;
- 39 (ii) a reference to the district plan established under K.S.A. 12-1771,  
40 and amendments thereto, that identifies the project area that is set forth  
41 in the project plan that is being considered;
- 42 (iii) a description and map of the location of the facility that is the  
43 subject of the special bond project or major motorsports complex;

1 (iv) the relocation assistance plan required by K.S.A. 12-1777, and  
2 amendments thereto;

3 (v) a detailed description of the buildings and facilities proposed to  
4 be constructed or improved; and

5 (vi) any other information the governing body deems necessary to  
6 advise the public of the intent of the special bond project or major mo-  
7 torsports complex plan.

8 The project plan shall be prepared in consultation with the planning  
9 commission of the city. Such project plan shall also be prepared in con-  
10 sultation with the planning commission of the county, if any, if a major  
11 motorsports complex is located wholly outside the boundaries of the city.

12 (E) from a pledge of a portion or all increased revenue received by  
13 the city from: (i) Franchise fees collected from utilities and other busi-  
14 nesses using public right-of-way within the redevelopment district; (ii)  
15 from a pledge of all or a portion of the revenue received by the city from  
16 sales taxes; or (iii) both of the above;

17 (F) with the approval of the county, from a pledge of all of the rev-  
18 enues received by the county from any transient guest, local sales and use  
19 taxes which are collected from taxpayers doing business within that por-  
20 tion of the redevelopment district established pursuant to K.S.A. 12-1771,  
21 and amendments thereto;

22 (G) *if a project is financed in whole or in part with the proceeds of a*  
23 *loan to the municipality from the Kansas transportation revolving fund,*  
24 *such loan shall also be payable from amounts available pursuant to K.S.A.*  
25 *2009 Supp. 75-5063 et seq., and amendments thereto;*

26 ~~(G)~~ (H) by any combination of these methods.

27 The city may pledge such revenue to the repayment of such special  
28 obligation bonds prior to, simultaneously with, or subsequent to the is-  
29 suance of such special obligation bonds.

30 (2) Bonds issued under paragraph (1) of subsection (a) shall not be  
31 general obligations of the city, nor in any event shall they give rise to a  
32 charge against its general credit or taxing powers, or be payable out of  
33 any funds or properties other than any of those set forth in paragraph (1)  
34 of this subsection and such bonds shall so state on their face. *This para-*  
35 *graph shall not apply to loans from the Kansas transportation revolving*  
36 *fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments*  
37 *thereto.*

38 (3) Bonds issued under the provisions of paragraph (1) of this sub-  
39 section shall be special obligations of the city and are declared to be  
40 negotiable instruments. They shall be executed by the mayor and clerk  
41 of the city and sealed with the corporate seal of the city. All details per-  
42 taining to the issuance of such special obligation bonds and terms and  
43 conditions thereof shall be determined by ordinance of the city. All special

1 obligation bonds issued pursuant to this act and all income or interest  
2 therefrom shall be exempt from all state taxes except inheritance taxes.  
3 Such special obligation bonds shall contain none of the recitals set forth  
4 in K.S.A. 10-112, and amendments thereto. Such special obligation bonds  
5 shall, however, contain the following recitals, viz., the authority under  
6 which such special obligation bonds are issued, they are in conformity  
7 with the provisions, restrictions and limitations thereof, and that such  
8 special obligation bonds and the interest thereon are to be paid from the  
9 money and revenue received as provided in paragraph (1) of this subsec-  
10 tion.

11 (b) (1) Subject to the provisions of paragraph (2) of this subsection,  
12 any city shall have the power to issue full faith and credit tax increment  
13 bonds to finance the undertaking of any redevelopment project in ac-  
14 cordance with the provisions of K.S.A. 12-1770 et seq., and amendments  
15 thereto, other than a project that will create a major tourism area. Such  
16 full faith and credit tax increment bonds shall be made payable, both as  
17 to principal and interest: (A) From the revenue sources identified in par-  
18 agraph (1) of subsection (a) or by any combination of these sources; and  
19 (B) subject to the provisions of paragraph (2) of this subsection, from a  
20 pledge of the city's full faith and credit to use its ad valorem taxing au-  
21 thority for repayment thereof in the event all other authorized sources of  
22 revenue are not sufficient.

23 (2) Except as provided in paragraph (3) of this subsection, before the  
24 governing body of any city proposes to issue full faith and credit tax in-  
25 crement bonds as authorized by this subsection, the feasibility study re-  
26 quired by K.S.A. 12-1772, and amendments thereto, shall demonstrate  
27 that the benefits derived from the project will exceed the cost and that  
28 the income therefrom will be sufficient to pay the costs of the project.  
29 No full faith and credit tax increment bonds shall be issued unless the  
30 governing body states in the resolution required by K.S.A. 12-1772, and  
31 amendments thereto, that it may issue such bonds to finance the proposed  
32 redevelopment project.

33 The governing body may issue the bonds unless within 60 days follow-  
34 ing the date of the public hearing on the proposed project plan a protest  
35 petition signed by 3% of the qualified voters of the city is filed with the  
36 city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and  
37 amendments thereto. If a sufficient petition is filed, no full faith and credit  
38 tax increment bonds shall be issued until the issuance of the bonds is  
39 approved by a majority of the voters voting at an election thereon. Such  
40 election shall be called and held in the manner provided by the general  
41 bond law.

42 The failure of the voters to approve the issuance of full faith and credit  
43 tax increment bonds shall not prevent the city from issuing special obli-



1 gation bonds in accordance with this section.

2 No such election shall be held in the event the board of county com-  
3 missioners or the board of education determines, as provided in K.S.A.  
4 12-1771, and amendments thereto, that the proposed redevelopment dis-  
5 trict will have an adverse effect on the county or school district.

6 (3) As an alternative to paragraph (2) of this subsection, any city which  
7 adopts a redevelopment project plan but does not state its intent to issue  
8 full faith and credit tax increment bonds in the resolution required by  
9 K.S.A. 12-1772, and amendments thereto, and has not acquired property  
10 in the redevelopment project area may issue full faith and credit tax in-  
11 crement bonds if the governing body of the city adopts a resolution stating  
12 its intent to issue the bonds and the issuance of the bonds is approved by  
13 a majority of the voters voting at an election thereon. Such election shall  
14 be called and held in the manner provided by the general bond law.

15 The failure of the voters to approve the issuance of full faith and credit  
16 tax increment bonds shall not prevent the city from issuing special obli-  
17 gation bonds pursuant to paragraph (1) of subsection (a). Any project plan  
18 adopted by a city prior to the effective date of this act in accordance with  
19 K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any  
20 requirements of this act.

21 (4) During the progress of any redevelopment project in which the  
22 redevelopment project costs will be financed, in whole or in part, with  
23 the proceeds of full faith and credit tax increment bonds, the city may  
24 issue temporary notes in the manner provided in K.S.A. 10-123, and  
25 amendments thereto, to pay the redevelopment project costs for the pro-  
26 ject. Such temporary notes shall not be issued and the city shall not ac-  
27 quire property in the redevelopment project area until the requirements  
28 of paragraph (2) or (3) of this subsection, whichever is applicable, have  
29 been met.

30 (5) Full faith and credit tax increment bonds issued under this sub-  
31 section shall be general obligations of the city and are declared to be  
32 negotiable instruments. They shall be issued in accordance with the gen-  
33 eral bond law. All such bonds and all income or interest therefrom shall  
34 be exempt from all state taxes except inheritance taxes. The amount of  
35 the full faith and credit tax increment bonds issued and outstanding which  
36 exceeds 3% of the assessed valuation of the city shall be within the bonded  
37 debt limit applicable to such city.

38 (6) Any city issuing special obligation bonds or full faith and credit  
39 tax increment bonds under the provisions of this act may refund all or  
40 part of such issue pursuant to the provisions of K.S.A. 10-116a, and  
41 amendments thereto.

42 (c) Any increment in ad valorem property taxes resulting from a re-  
43 development project in the established redevelopment district under-

1 taken in accordance with the provisions of this act, shall be apportioned  
2 to a special fund for the payment of the redevelopment project costs,  
3 including the payment of principal and interest on any special obligation  
4 bonds or full faith and credit tax increment bonds issued to finance such  
5 project pursuant to this act and may be pledged to the payment of prin-  
6 cipal and interest on such bonds.

7 (d) A city may use the proceeds of special obligation bonds or full  
8 faith and credit tax increment bonds, *or proceeds of a loan from the Kan-*  
9 *sas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063*  
10 *et seq., and amendments thereto*, or any uncommitted funds derived from  
11 sources set forth in this section to pay the redevelopment project costs  
12 as defined in K.S.A. 12-1770a, and amendments thereto, to implement  
13 the redevelopment project plan.

14 Sec. 22. K.S.A. 2009 Supp. 12-1774a is hereby amended to read as  
15 follows: 12-1774a. (a) In the event that the city shall default in the pay-  
16 ment of any special obligation bonds payable from revenues authorized  
17 pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments  
18 thereto, no public funds shall be used to pay the holders thereof except  
19 as otherwise specifically authorized in this act.

20 (b) *This section shall not apply to loans from the Kansas transporta-*  
21 *tion revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and*  
22 *amendments thereto.*

23 Sec. 23. K.S.A. 12-1775 is hereby amended to read as follows: 12-  
24 1775. (a) Except for redevelopment projects satisfying the conditions of  
25 subsection (c) of K.S.A. 12-1771b, and amendments thereto, all tangible  
26 taxable property located within a redevelopment district shall be assessed  
27 and taxed for ad valorem tax purposes pursuant to law in the same manner  
28 that such property would be assessed and taxed if located outside such  
29 district, and all ad valorem taxes levied on such property shall be paid to  
30 and collected by the county treasurer in the same manner as other taxes  
31 are paid and collected. Except as otherwise provided in this section, the  
32 county treasurer shall distribute such taxes as may be collected in the  
33 same manner as if such property were located outside a redevelopment  
34 district. Each redevelopment district established under the provisions of  
35 this act shall constitute a separate taxing unit for the purpose of the com-  
36 putation and levy of taxes.

37 (b) Except for redevelopment projects satisfying the conditions of  
38 subsection (c) of K.S.A. 12-1771b, and amendments thereto, beginning  
39 with the first payment of taxes which are levied following the date of the  
40 establishment of the redevelopment district real property taxes received  
41 by the county treasurer resulting from taxes which are levied subject to  
42 the provisions of this act by and for the benefit of a taxing subdivision, as  
43 defined in K.S.A. 12-1770a, *and amendments thereto*, on property located

1 within such redevelopment district constituting a separate taxing unit un-  
2 der the provisions of this section, shall be divided as follows:

3 (1) From the taxes levied each year subject to the provisions of this  
4 act by or for each of the taxing subdivisions upon property located within  
5 a redevelopment district constituting a separate taxing unit under the  
6 provisions of this act, the county treasurer first shall allocate and pay to  
7 each such taxing subdivision all of the real property taxes collected which  
8 are produced from the base year assessed valuation.

9 (2) Any real property taxes produced from that portion of the current  
10 assessed valuation of real property within the redevelopment district con-  
11 stituting a separate taxing unit under the provisions of this section in  
12 excess of the base year assessed valuation shall be allocated and paid by  
13 the county treasurer to the treasurer of the city and deposited in a special  
14 fund of the city to pay the redevelopment project costs including the  
15 payment of principal of and interest on any special obligation bonds or  
16 full faith and credit tax increment bonds issued by such city to finance,  
17 in whole or in part, such redevelopment project. When the redevelop-  
18 ment project costs have been paid and such obligation bonds and interest  
19 thereon have been paid, all moneys thereafter received from real property  
20 taxes within such redevelopment district shall be allocated and paid to  
21 the respective taxing subdivisions in the same manner as are other ad  
22 valorem taxes. If such obligation bonds and interest thereon have been  
23 paid before the completion of a project, the city may continue to use such  
24 moneys for any purpose authorized by this act until such time as the  
25 project is completed, but for not to exceed 20 years from the date of the  
26 approval of the project plan, except as otherwise provided by this act.

27 (c) In any project plan or *in the loan documents relating to a loan*  
28 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*  
29 *Supp. 75-5063 et seq., and amendments thereto, or in the proceedings for*  
30 *the issuing of any special obligation bonds or full faith and credit tax*  
31 *increment bonds by the city to finance a redevelopment project, the prop-*  
32 *erty tax increment portion of taxes provided for in paragraph (2) of sub-*  
33 *section (c) may be irrevocably pledged for the payment of the principal*  
34 *of and interest on such obligation bonds or loan, subject to the provisions*  
35 *of subsection (c) of K.S.A. 12-1774, and amendments thereto.*

36 (d) A city may adopt a project plan in which only a specified per-  
37 centage or amount of the tax increment realized from taxpayers in the  
38 redevelopment district are pledged to the redevelopment project. The  
39 county treasurer shall allocate the specified percentage or amount of the  
40 tax increment to the treasurer of the city for deposit in the special fund  
41 of the city to finance the redevelopment project costs if the city has other  
42 available revenues and pledges the revenues to the redevelopment project  
43 in lieu of the tax increment. Any portion of such tax increment not allo-

1 cated to the city for the redevelopment project shall be allocated and paid  
2 in the same manner as other ad valorem taxes.

3 Sec. 24. K.S.A. 2009 Supp. 12-17,148 is hereby amended to read as  
4 follows: 12-17,148. A separate fund shall be created for each district and  
5 each project and such fund shall be identified by a suitable title. *Except*  
6 *as otherwise required by the secretary of transportation in connection*  
7 *with a loan to the municipality from the Kansas transportation revolving*  
8 *fund*, the proceeds from the sale of bonds, *transportation revolving fund*  
9 *loan*, any special assessment and transportation development district sales  
10 tax authorized, levied and collected under this act by the municipality and  
11 any other moneys appropriated by the governing body for such purpose  
12 shall be credited to such fund. Such fund shall be used solely to pay the  
13 costs of the project. Upon payment of the principal and interest on the  
14 bonds, if any, the municipality shall have the authority to spend any mon-  
15 eys remaining in the fund for the purposes for which local sales tax re-  
16 cepts may be spent.

17 Sec. 25. K.S.A. 2009 Supp. 12-17,149 is hereby amended to read as  
18 follows: 12-17,149. (a) Any municipality may issue bonds in one or more  
19 series *and/or execute and deliver a loan with respect to a project from the*  
20 *Kansas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-*  
21 *5063 et seq., and amendments thereto*, to finance the undertaking of any  
22 project in accordance with the provisions of this act. Such bonds shall be  
23 made payable, both as to principal and interest solely from a pledge of  
24 the sources of funds described in K.S.A. 2009 Supp. 12-17,147, and  
25 amendments thereto, *except that, if a project is financed, in whole or in*  
26 *part, with the proceeds of a loan to the municipality from the Kansas*  
27 *transportation revolving fund, such loan shall also be payable from*  
28 *amounts available pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and*  
29 *amendments thereto*. The municipality may pledge such revenue to the  
30 repayment of such bonds *or loans* prior to, simultaneously with or sub-  
31 sequent to the issuance of such bonds, except for any revenues received  
32 under the provisions of subsection (d) of K.S.A. 2009 Supp. 12-17,147,  
33 and amendments thereto, which revenues are subject to annual appro-  
34 priation.

35 (b) Bonds issued pursuant to subsection (a) shall not be general ob-  
36 ligations of the municipality, give rise to a charge against its general credit  
37 or taxing powers, or be payable out of any funds or properties other than  
38 any of those set forth in subsection (a) and such bonds shall so state on  
39 their face. *This subsection shall not apply to loans from the Kansas trans-*  
40 *portation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq.,*  
41 *and amendments thereto*.

42 (c) Bonds issued pursuant to subsection (a) shall be special obliga-  
43 tions of the municipality and are declared to be negotiable instruments.

1 Such bonds shall be executed by the authorized representatives of the  
2 municipality and sealed with the corporate seal of the municipality. All  
3 details pertaining to the issuance of the bonds and terms and conditions  
4 thereof shall be determined by ordinance or resolution of the municipi-  
5 pality. The provisions of K.S.A. 10-106, and amendments thereto, re-  
6 quiring a public sale of bonds shall not apply to bonds issued under this  
7 act. All bonds issued pursuant to this act and all income or interest there-  
8 from shall be exempt from all state taxes except inheritance taxes. Such  
9 bonds shall contain none of the recitals set forth in K.S.A. 10-112, and  
10 amendments thereto. Such bonds shall contain the following recitals: The  
11 authority under which such bonds are issued; that such bonds are in  
12 conformity with the provisions, restrictions and limitations thereof; and  
13 that such bonds and the interest thereon are to be paid from the money  
14 and revenue received as provided in subsection (a) such bonds shall ma-  
15 ture in no more than 22 years.

16 (d) Any municipality issuing bonds *or executing a loan from the Kan-*  
17 *sas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063*  
18 *et seq., and amendments thereto*, under the provisions of this act may  
19 refund all or part of such issue pursuant to the provisions of K.S.A. 10-  
20 116a, and amendments thereto.

21 (e) Bonds issued under the provisions of this act shall be in addition  
22 to and not subject to any statutory limitation of bonded indebtedness  
23 imposed on such municipality.

24 Sec. 26. K.S.A. 68-416 is hereby amended to read as follows: 68-416.  
25 The state highway fund shall be apportioned as follows:

26 (a) The secretary of transportation annually shall apportion and dis-  
27 tribute quarterly, on the first day of January, April, July and October, to  
28 cities on the state highway system from the state highway fund moneys  
29 at the rate of \$3,000 per year per lane per mile for the maintenance of  
30 streets and highways in cities designated by the secretary as city con-  
31 necting links. Unless a consolidated street and highway fund is established  
32 pursuant to K.S.A. 12-1,119, and amendments thereto, all moneys dis-  
33 tributed by the secretary shall be credited to the street and alley funds  
34 of such cities. All moneys so distributed shall be used solely for the main-  
35 tenance of city connecting links. Maintenance of such city connecting  
36 links shall be as prescribed in K.S.A. 68-416a, and amendments thereto.  
37 As used in this subsection, "lane" means the portion of the roadway for  
38 use of moving traffic of a standard width prescribed by the secretary. In  
39 lieu of such apportionment, the secretary, by and with the consent of the  
40 governing body of any city within the state of Kansas, may maintain such  
41 streets within the city and pay for such maintenance from the highway  
42 fund.

43 (b) All of the remainder of such highway fund shall be used by the

1 secretary of transportation for:

- 2 (1) The construction, improvement, reconstruction and maintenance
- 3 of the state highway system;
- 4 (2) improvements in transportation programs to aid elderly persons,
- 5 persons with disabilities and the general public;
- 6 (3) for any purpose specified in ~~K.S.A. 68-2314a~~ *section 1, and*
- 7 *amendments thereto*;
- 8 (4) the support and maintenance of the department of transportation;
- 9 (5) the expenses of administering the motor vehicle registration and
- 10 drivers' license laws; and
- 11 (6) the payment of losses to department of transportation employees
- 12 authorized by K.S.A. ~~2002~~ 2009 Supp. 75-5062, and amendments thereto.

13 Sec. 27. K.S.A. 68-20,120 is hereby amended to read as follows: 68-

14 20,120. ~~(a)~~ In addition to other powers and duties granted to the secretary

15 of transportation;:

16 (a) (I) The secretary of transportation may study the feasibility of

17 constructing a new toll project or turnpike project or designating existing

18 highways or any portion of such highways as a toll project or turnpike

19 project.

20 ~~(b)~~ (2) The study of the feasibility of such toll project or turnpike

21 project shall include, but not be limited to:

- 22 ~~(1)~~ (A) The total cost of such project;
- 23 ~~(2)~~ (B) a determination of the funding of such projects, including the
- 24 use of one or a combination of public funds, private funds or toll revenues;
- 25 ~~(3)~~ (C) a determination of the duration of the collection of tolls on
- 26 such projects and if such projects are to become toll-free, a projected
- 27 date when such projects would become toll-free; and
- 28 ~~(4)~~ (D) such other data deemed necessary by the secretary for a de-
- 29 termination of the project's feasibility.

30 (b) *After conducting the feasibility study under subsection (a) and if*

31 *such feasibility study provides a favorable result, the secretary of trans-*

32 *portation may recommend the construction of a new toll project or turn-*

33 *pike project or the designation of an existing highway or any portion of*

34 *such highway as a toll project or turnpike project.*

35 Sec. 28. K.S.A. 2009 Supp. 68-2315 is hereby amended to read as

36 follows: 68-2315. Annually, prior to the 10th day of each regular session

37 of the legislature, the secretary of transportation shall submit a written

38 report to the governor and each member of the legislature providing:

- 39 (a) Summary financial information and a statement of assurance that
- 40 the department of transportation has prepared a comprehensive financial
- 41 report of all funds for the preceding year which includes a report by
- 42 independent public accountants attesting that the financial statements
- 43 present fairly the financial position of the Kansas department of trans-

- 1 portation in conformity with generally accepted accounting principles and
- 2 a notification that the complete comprehensive financial report, including
- 3 the auditor's report is available upon request;
- 4 (b) a detailed explanation of the methods or criteria employed in the
- 5 selection of ~~substantial maintenance and construction projects~~ *transportation projects under subsection (b) of section 1, and amendments thereto,*
- 6 and in the awarding of assistance to cities, counties or other transportation
- 7 providers;
- 8
- 9 (c) the proposed allocation and expenditure of moneys and proposed
- 10 work plan for the current fiscal year and at least the next five years;
- 11 (d) information concerning system enhancements, construction work
- 12 completed in the preceding fiscal year and construction work in progress;
- 13 (e) information concerning the operation and financial condition of
- 14 the transportation revolving fund;
- 15 (f) the annual allocation and expenditure of moneys from the coor-
- 16 dinated public transportation assistance fund under K.S.A. 75-5035, and
- 17 amendments thereto;
- 18 (g) the annual allocation and expenditure of moneys from the rail
- 19 service improvement fund under K.S.A. 75-5048, and amendments
- 20 thereto, including specific information relating to any grants or loans
- 21 made under such program;
- 22 (h) the annual allocation and expenditure of moneys from the public
- 23 use general aviation airport development fund under K.S.A. 75-5061, and
- 24 amendments thereto, including specific information relating to grants
- 25 made under such program;
- 26 (i) specific recommendations for any statutory changes necessary for
- 27 the successful completion of the ~~comprehensive~~ transportation program
- 28 specified in ~~K.S.A. 68-2314a~~ *section 1, and amendments thereto,* or effi-
- 29 cient and effective operation of the Kansas department of transportation;
- 30 and
- 31 (j) an explanation of any material changes from the previous annual
- 32 report.
- 33 Sec. 29. K.S.A. 68-2320 is hereby amended to read as follows: 68-
- 34 2320. (a) On and after July 1, 1991, the secretary of transportation is
- 35 hereby authorized and empowered to issue bonds of the state of Kansas,
- 36 payable solely from revenues accruing to the state highway fund and
- 37 transferred to the highway bond debt service fund and pledged to their
- 38 payment, for the purpose of providing funds to pay costs relating to con-
- 39 struction, reconstruction, maintenance or improvement of highways in
- 40 this state and to pay all expenses incidental thereto and to the bonds. The
- 41 secretary is hereby authorized to issue bonds the total principal amount
- 42 of which shall not exceed \$890,000,000.
- 43 (b) In addition to the provisions of subsection (a), on and after July

1 1, 1999, the secretary of transportation is hereby authorized and empow-  
2 ered to issue bonds of the state of Kansas, payable solely from revenues  
3 accruing to the state highway fund and transferred to the highway bond  
4 debt service fund and pledged to their payment, for the purpose of pro-  
5 viding funds to pay costs relating to construction, reconstruction, main-  
6 tenance or improvement of highways in this state and to pay all expenses  
7 incidental thereto and to the bonds. The secretary is hereby authorized  
8 to issue bonds the total principal amount of which shall not exceed  
9 \$1,272,000,000.

10 (c) (1) *In addition to the provisions of subsections (a) and (b), on and*  
11 *after July 1, 2010, the secretary of transportation is hereby authorized*  
12 *and empowered to issue additional bonds of the state of Kansas, payable*  
13 *solely from revenues accruing to the state highway fund and transferred*  
14 *to the highway bond debt service fund and pledged to their payment, for*  
15 *the purpose of providing funds to pay costs relating to construction, re-*  
16 *construction, maintenance or improvement of highways in this state and*  
17 *to pay all expenses incidental thereto and to the bonds. No bonds shall be*  
18 *issued by the secretary pursuant to this subsection unless the secretary*  
19 *certifies that, as of the date of issuance of any such series of additional*  
20 *bonds, the maximum annual debt service on all outstanding bonds issued*  
21 *pursuant to this section and K.S.A. 68-2328, and amendments thereto,*  
22 *including the bonds to be issued on such date, will not exceed 18% of*  
23 *projected state highway fund revenues for the current or any future fiscal*  
24 *year.*

25 (2) *As used in this subsection:*

26 (A) *“Maximum annual debt service” means the maximum amount of*  
27 *debt service requirements on all outstanding bonds for the current or any*  
28 *future fiscal year;*

29 (B) *“debt service requirements” means, for each fiscal year, the ag-*  
30 *gregate principal and interest payments required to be made during such*  
31 *fiscal year on all outstanding bonds, including the additional bonds to be*  
32 *issued, less any interest subsidy payments expected to be received from*  
33 *the federal government, less any principal and interest payments irrevoc-*  
34 *ably provided for from a dedicated escrow of United States government*  
35 *securities;*

36 (C) *“projected state highway fund revenues” means all revenues pro-*  
37 *jected by the secretary of transportation to accrue to the state highway*  
38 *fund for the current or any future fiscal year; and*

39 (D) *“fiscal year” means the fiscal year of the state.*

40 (3) *Debt service requirements for variable rate bonds outstanding or*  
41 *proposed to be issued for the current or any future fiscal year for which*  
42 *the actual interest rate cannot be determined on the date of calculation*  
43 *shall be deemed to bear interest at an assume rate equal to the average of*



1 *the SIFMA swap index, or any successor variable rate index, for the im-*  
2 *mediately preceding five calendar years plus 1% and an amount deter-*  
3 *mined by the secretary that represents the then current reasonable annual*  
4 *ancillary costs associated with variable rate debt, including credit en-*  
5 *hancement, liquidity and remarketing costs; except that, debt service*  
6 *requirements for variable rate bonds that are hedged pursuant to an in-*  
7 *terest rate exchange or similar agreement that results in synthetic fixed*  
8 *rate debt shall be deemed to bear interest at the synthetic fixed rate plus*  
9 *.5% and an amount determined by the secretary that represents the then*  
10 *current reasonable annual ancillary costs associated with variable rate*  
11 *debt, including credit enhancement, liquidity and remarketing costs.*

12 *(4) Projected state highway fund revenues for the current or any fu-*  
13 *ture fiscal year for which the actual revenues cannot be determined on*  
14 *the date of calculation shall be deemed to be the actual revenues for the*  
15 *most recently completed fiscal year, adjusted in each subsequent fiscal*  
16 *year by a percentage equal to the historical average annual increase or*  
17 *decrease in revenues for the five fiscal year period prior to the current*  
18 *fiscal year, and further adjusted to take into account any increases or*  
19 *decreases in the statutory rates of any taxes or other charges or transfers*  
20 *that comprise a portion of the revenues.*

21 ~~(c)~~ *(d)* In accordance with procurement statutes, the secretary may  
22 contract with financial advisors, attorneys and such other professional  
23 services as the secretary deems necessary to carry out the provisions of  
24 this act, and to do all things necessary or convenient to carry out the  
25 powers expressly granted in this act.

26 Sec. 30. K.S.A. 68-2321 is hereby amended to read as follows: 68-  
27 2321. (a) Bonds issued shall be authorized by resolution of the secretary.  
28 The secretary shall determine the form and manner of the execution of  
29 the bonds and the bonds may be made exchangeable for bonds of another  
30 denomination or in another form. The bonds shall be dated. Bonds issued  
31 under subsections (a) and (b) of K.S.A. 68-2320, and amendments  
32 thereto, shall mature not more than 20 years from their date. *Bonds issued*  
33 *under subsection (c) of K.S.A. 68-2320, and amendments thereto, shall*  
34 *mature not more than 25 years from their date. Bonds issued for the*  
35 *purpose of refunding bonds under K.S.A. 68-2328, and amendments*  
36 *thereto, shall mature not more than 25 years from their date.* The bonds  
37 may be in such form and denominations, may bear interest payable at  
38 such times and at such rate or rates, may be payable at such places within  
39 or without the state, may be subject to such terms of redemption in  
40 advance of maturity at such prices, and may contain such terms and con-  
41 ditions, all as the secretary shall determine. The bonds shall have all the  
42 qualities of and shall be deemed to be negotiable instruments under the  
43 laws of the state of Kansas. The authorizing resolution may contain any

1 other terms, covenants and conditions that the secretary deems reason-  
2 able and desirable.

3 (b) The proceeds from the sale of the bonds authorized to be issued  
4 under this section are deemed to be trust funds which shall be deposited  
5 in the custody of the state treasurer in the highway bond proceeds fund  
6 which is hereby created. The secretary shall have responsibility for the  
7 management and control of the highway bond proceeds fund and shall  
8 provide, by resolution, for both amounts and the duration of investments  
9 of moneys in such fund. Such resolution may recommend investment and  
10 reporting policies, including acceptable levels of return, risk and security.  
11 After consultation with the secretary and subject to the terms, covenants  
12 and conditions provided in the resolutions providing for the issuance of  
13 such bonds, the director of investments shall have the authority to invest  
14 and reinvest moneys in such fund and to acquire, retain, manage, includ-  
15 ing the exercise of any voting rights, and dispose of investments of such  
16 fund. In investing or reinvesting moneys in such fund, there shall be  
17 exercised the judgment and care under the circumstances then prevailing  
18 which persons of prudence, discretion and intelligence exercise in the  
19 management of their own affairs, not in regard to speculation but in re-  
20 gard to the permanent disposition of their funds, considering the probable  
21 income as well as the probable safety of their capital, except that moneys  
22 of the fund may not be invested in common stocks. Notwithstanding any-  
23 thing to the contrary, all interest or other income of the investments,  
24 after payment of any management fees, of the highway bond proceeds  
25 fund shall be credited to the highway bond debt service fund, until pay-  
26 ments on bonds authorized by this act and interest thereon has been fully  
27 funded. Thereafter, earnings and other income shall be credited to the  
28 state highway fund.

29 (c) The authorizing resolution may provide for the execution of a trust  
30 indenture. The trust indenture may contain any terms, covenants and  
31 conditions that are deemed desirable by the secretary, including, without  
32 limitation, those pertaining to the maintenance of various funds and re-  
33 serves, the nature and extent of any security for payment of the bonds,  
34 the custody and application of the proceeds of the bonds, the collection  
35 and disposition of bond proceeds and earnings thereon, the investing for  
36 authorized purposes, and the rights, duties and obligations of the secre-  
37 tary and the holders and registered owners of the bonds.

38 (d) Any authorizing resolution and trust indenture relating to the is-  
39 suance and security of the bonds may set forth covenants, agreements  
40 and obligations therein, which may be enforced by mandamus or other  
41 appropriate proceeding at law or in equity.

42 (e) The bonds may be issued under the provisions of this act without  
43 obtaining the consent of any department, division, commission, board,

1 bureau or agency of the state and without any other proceedings or the  
2 happening of any other conditions or things than those proceedings, con-  
3 ditions or things which are specifically required by this act.

4 Sec. 31. K.S.A. 68-2328 is hereby amended to read as follows: 68-  
5 2328. (a) Bonds may be issued for the purpose of refunding, either at  
6 maturity or in advance of maturity, any bonds issued under this act, *any*  
7 *interest on such bonds or both bonds and the interest thereof.* ~~Bonds may~~  
8 ~~be issued subsequent to the effective date of this act for the purpose of~~  
9 ~~refunding, either at maturity or in advance of maturity, bonds issued~~  
10 ~~under article 23 of chapter 68 of the Kansas Statutes Annotated, and~~  
11 ~~amendments thereto.~~ Such refunding bonds may either be sold or deliv-  
12 ered in exchange for the bonds being refunded. If sold, the proceeds may  
13 either be applied to the payment of the bonds being refunded or depos-  
14 ited in trust and there maintained in cash or investments for the retire-  
15 ment of the bonds being refunded, as shall be specified by the secretary  
16 and the authorizing resolution or trust indenture securing such refunding  
17 bonds. The authorizing resolution or trust indenture securing the re-  
18 funding bonds may provide that the refunding bonds shall have the same  
19 security for their payment as provided for the bonds being refunded.  
20 Refunding bonds shall be sold and secured in accordance with the pro-  
21 visions of this act pertaining to the sale and security of the bonds. Any  
22 bonds that have been issued pursuant to this section shall not be counted  
23 toward the limit on the aggregate principal amount of bonds established  
24 under *subsections (a) and (b) of K.S.A. 68-2320, and amendments thereto.*

25 (b) When all bonds issued under article 23 of chapter 68 of the Kansas  
26 Statutes Annotated, and amendments thereto, have either been paid or  
27 the lien of such bonds shall have been defeased in accordance with their  
28 terms so that the bonds are deemed to have been paid, the secretary of  
29 transportation shall certify such facts to the director of accounts and re-  
30 ports and upon receipt of such certification the director of accounts and  
31 reports shall transfer all moneys in the state freeway fund to the state  
32 highway fund and upon such transfer all liabilities of the state freeway  
33 fund are hereby transferred to and imposed upon the state highway fund  
34 and the state freeway fund is hereby abolished. Upon the abolition of the  
35 state freeway fund, any reference to the state freeway fund or any des-  
36 ignation thereof, in any statute, contract or other document shall mean  
37 the state highway fund.

38 Sec. 32. K.S.A. 2009 Supp. 68-2331 is hereby amended to read as  
39 follows: 68-2331. (a) For the purpose of financing a portion of the com-  
40 prehensive transportation program, ~~K.S.A. 68-2314a, et seq., and amend-~~  
41 ~~ments thereto,~~ the Kansas development finance authority is hereby au-  
42 thorized to issue one or more series of revenue bonds pursuant to the  
43 Kansas development finance authority act, K.S.A. 74-8901 et seq., and

1 amendments thereto, in an amount necessary to provide a deposit or  
2 deposits in a total amount not to exceed \$150,000,000 to the state highway  
3 fund plus amounts necessary to pay the costs of issuance of the bonds,  
4 including any credit enhancement, and provide any required reserves for  
5 the bonds. The principal amount, interest rates and final maturity of such  
6 revenue bonds and any bonds issued to refund such bonds or parameters  
7 for such principal amount, interest rates and final maturity shall be ap-  
8 proved by the secretary of transportation and by a resolution of the state  
9 finance council. The bonds, and interest thereon, issued pursuant to this  
10 section shall be payable from moneys appropriated by the state for such  
11 purpose. The bonds and interest thereon, issued pursuant to this section  
12 shall be obligations only of the authority and in no event shall such bonds  
13 constitute an indebtedness or obligation of the Kansas department of  
14 transportation or an indebtedness or obligation for which the faith and  
15 credit or any assets of the Kansas department of transportation are  
16 pledged.

17 (b) (1) The authority may pledge the contract or contracts authorized  
18 in subsection (c), or any part thereof, for the payment or redemption of  
19 the bonds, and covenant as to the use and disposition of money available  
20 to the authority for payments of the bonds. The authority is authorized  
21 to enter into any agreements necessary or desirable to effectuate the  
22 purposes of this section.

23 (2) The proceeds from the sale of the bonds, other than refunding  
24 bonds, issued pursuant to this section, after payment of any costs related  
25 to the issuance of such bonds, shall be paid by the authority to the Kansas  
26 department of transportation to be applied to the payment, in full or in  
27 part, of the construction projects authorized by the comprehensive trans-  
28 portation program.

29 (3) The state hereby pledges and covenants with the holders of any  
30 bonds issued pursuant to the provisions of this section, that it will not  
31 limit or alter the rights or powers vested in the authority by this section,  
32 nor limit or alter the rights or powers of the authority, the department of  
33 administration or the Kansas department of transportation, in any manner  
34 which would jeopardize the interest of the holders or any trustee of such  
35 holders or inhibit or prevent performance or fulfillment by the authority,  
36 the department of administration or the Kansas department of transpor-  
37 tation with respect to the terms of any agreement made with the holders  
38 of the bonds or agreements made pursuant to this section, except that  
39 the failure of the legislature to appropriate moneys for any purpose shall  
40 not be deemed a violation of this pledge and covenant. The department  
41 of administration is hereby specifically authorized to include this pledge  
42 and covenant in any agreement with the authority. The authority is hereby  
43 specifically authorized to include this pledge and covenant in any bond

1 resolution, trust indenture or agreement for the benefit of holders of the  
2 bonds.

3 (4) Revenue bonds may be issued pursuant to this section without  
4 obtaining the consent of any department, division, commission, board or  
5 agency of the state, other than the approvals of the state finance council  
6 required by this section, and without any other proceedings or the oc-  
7 currence of any other conditions or other things other than those pro-  
8 ceedings, conditions or things which are specifically required by the Kan-  
9 sas development finance authority act.

10 (c) The department of administration and the authority are author-  
11 ized to enter into one or more contracts to implement the payment ar-  
12 rangement that is provided for in this section. The contract or contracts  
13 shall provide for payment of the amounts required to be paid pursuant  
14 to this section and shall set forth the procedure for the transfer of moneys  
15 for the purpose of paying such moneys. The contract or contracts shall  
16 contain such terms and conditions including principal amount, interest  
17 rates and final maturity as shall be approved by resolution of the state  
18 finance council and shall include, but not be limited to, terms and con-  
19 ditions necessary or desirable to provide for repayment of and to secure  
20 any bonds of the authority issued pursuant to this section.

21 (d) In addition to the bonds authorized under subsection (a), if the  
22 incremental increases in the amount of federal funds estimated to be  
23 available to fund the comprehensive transportation program projects for  
24 state fiscal years 2005 through 2009 by the congressional reauthorization  
25 of the federal highway program are less than the anticipated federal re-  
26 ceipts, the Kansas development finance authority is authorized to issue  
27 one or more series of revenue bonds pursuant to the Kansas development  
28 finance authority act, K.S.A. 74-8901 et seq., and amendments thereto.  
29 Such bonds shall be in an amount necessary to provide a deposit or de-  
30 posits in a total amount not to exceed the lesser of the federal shortfall  
31 or \$60,000,000 to the state highway fund. The purpose of such bonds  
32 shall be to off-set shortfalls in anticipated federal receipts. The issuance  
33 of such bonds shall be approved by resolution of the state finance council  
34 and shall be issued in accordance with the provisions of this section.

35 No bonds shall be issued pursuant to this subsection prior to the review  
36 and recommendation to the state finance council of such issuance by the  
37 legislative budget committee.

38 (e) The approvals by the state finance council required by subsection  
39 (a), (c) and (d) are hereby characterized as matters of legislative delega-  
40 tion and subject to the guidelines prescribed in subsection (c) of K.S.A.  
41 75-3711c, and amendments thereto. Such approvals may be given by the  
42 state finance council when the legislature is in session.

43 (f) Except for bonds authorized under subsection (d), no bonds shall

1 be issued pursuant to this section prior to the review of and recommen-  
 2 dation to the state finance council of such issuance by the standing com-  
 3 mittees on transportation of the house of representatives and the senate.

4 Sec. 33. K.S.A. 2009 Supp. 75-5063 is hereby amended to read as  
 5 follows: 75-5063. The secretary of transportation is hereby authorized to  
 6 establish a transportation revolving fund to provide assistance to govern-  
 7 mental units for transportation projects. *The secretary may authorize the*  
 8 *creation of separate accounts within the transportation revolving fund*  
 9 *with respect to major highway enhancement projects.*

10 Sec. 34. K.S.A. 2009 Supp. 75-5064 is hereby amended to read as  
 11 follows: 75-5064. As used in K.S.A. 2009 Supp. 75-5063 through 75-5069,  
 12 *and amendments thereto:*

13 (a) “Cost” means as applied to any qualified project, any or all costs,  
 14 whenever incurred, approved by the department, for carrying out a qual-  
 15 ified project;

16 (b) “department” means the Kansas department of transportation es-  
 17 tablished under K.S.A. 75-5001, and amendments thereto;

18 (c) “fund” means the Kansas transportation revolving fund estab-  
 19 lished by K.S.A. 2009 Supp. 75-5066, *and amendments thereto, including*  
 20 *one or more of the separate accounts within such fund;*

21 (d) “governmental unit” means any town, city, district, county, com-  
 22 mission, agency, authority, board or other instrumentality of the state or  
 23 of any of its political subdivisions, including any combination thereof,  
 24 which is responsible for the construction, ownership or operation of a  
 25 qualified project;

26 (e) “*major highway enhancement project*” means a highway project  
 27 *determined by the secretary to be of local, regional or statewide economic*  
 28 *significance, including, but not limited to, the construction of new high-*  
 29 *ways, construction of additional traffic lanes, improved access control,*  
 30 *corridor improvements, construction, reconstruction or improvement of*  
 31 *highway interchanges that have not been developed, have been under-*  
 32 *developed or are unlikely to be developed in the absence of governmental*  
 33 *assistance;*

34 ~~(e)~~ (f) “private enterprise” means a private person or entity that has  
 35 entered into a contract with a public authority to design, finance, con-  
 36 struct and/or operate a qualified project that is within the jurisdiction of  
 37 such public authority;

38 ~~(f)~~ (g) “project” means the acquisition, construction, improvement,  
 39 repair, rehabilitation, maintenance or extension of transportation ~~facilities~~  
 40 *projects;*

41 ~~(g)~~ (h) “project costs” means all costs or expenses which are necessary  
 42 or incident to a project and which are directly attributable thereto;

43 ~~(h)~~ (i) “project revenues” means all rates, rents, fees, assessments,

1 charges and other receipts derived or to be derived by a qualified bor-  
 2 rower from a qualified project;

3 ~~(j)~~ (j) “qualified borrower” means any governmental unit or private  
 4 enterprise which is authorized to construct, operate or own a qualified  
 5 project;

6 ~~(k)~~ (k) “qualified project” means any public or private transportation  
 7 project, including, without limitation, the construction, reconstruction,  
 8 resurfacing, restoration, rehabilitation or replacement of public or private  
 9 transportation ~~facilities~~ *projects* within the state;

10 ~~(l)~~ (l) “revenues” means when used with respect to the department,  
 11 any receipts, fees, revenues or other payments received or to be received  
 12 by the department under K.S.A. 2009 Supp. 75-5063 through 75-5069,  
 13 *and amendments thereto*;

14 ~~(m)~~ (m) “secretary” means the secretary of the Kansas department of  
 15 transportation;

16 ~~(n)~~ (n) “transportation project” means any bridge, culvert, highway,  
 17 road, street, *major highway enhancement project* or combination thereof.

18 Sec. 35. K.S.A. 2009 Supp. 75-5160 is hereby amended to read as  
 19 follows: 75-5160. (a) In addition to any registration fee prescribed under  
 20 article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments  
 21 thereto, all applicants for vehicle registration shall pay at the time of  
 22 registration a nonrefundable division of vehicles modernization surcharge  
 23 in the amount of \$4 for each vehicle being registered.

24 (b) *Until January 1, 2013*, the provisions of this section shall not apply  
 25 to vehicles registered under K.S.A. 8-1,100 through 8-1,123 and K.S.A.  
 26 2008 Supp. 8-1,123a, and amendments thereto. *On and after January 1,*  
 27 *2013, the provisions of this section shall apply to such vehicles.*

28 ~~(c) The provisions of this section shall expire on January 1, 2013.~~

29 Sec. 36. K.S.A. 2009 Supp. 79-3408c is hereby amended to read as  
 30 follows: 79-3408c. (a) A tax is hereby imposed on the use, sale or delivery  
 31 of all motor-vehicle fuel or special fuel owned at 12:01 a.m. ~~July 1, 1999~~  
 32 *January 1, 2010*, and on ~~July~~ *January* 1 of each year thereafter, by any  
 33 licensed distributor or licensed retailer at a rate per gallon, or fraction  
 34 thereof, equal to the amount, if any, by which the tax per gallon, or frac-  
 35 tion thereof, in effect on such date as prescribed by K.S.A. 79-3408, and  
 36 amendments thereto, exceeds the rate of tax upon such motor-vehicle  
 37 fuel or special fuel which was in effect on the preceding day. Such tax  
 38 shall be paid by the licensed distributor or licensed retailer owning such  
 39 motor-vehicle fuel or special fuel at such time and date. On or before the  
 40 25th day of the month in which a tax is imposed under this section, every  
 41 such distributor and retail dealer shall make a report to the director on a  
 42 form prescribed and furnished by the director showing the total number  
 43 of gallons, or fraction thereof, of such motor-vehicle fuel or special fuel

1 owned at the time the tax is imposed under this section and such report  
2 shall be accompanied by a remittance of the tax due.

3 Any licensed distributor or licensed retailer who shall fail to make such  
4 report or pay such tax, within the time prescribed, shall be subject to the  
5 same penalties and interest charges prescribed by the motor-vehicle fuel  
6 or special fuel tax law for failure of a licensed distributor to make monthly  
7 reports and payments of motor-vehicle fuel or special fuel tax. The pro-  
8 visions of the motor-fuel tax law relating to remedies for the collection of  
9 delinquent motor-fuel taxes from distributors shall apply to the collection  
10 of taxes imposed by this section which have become delinquent from  
11 licensed distributors and licensed retailers. All taxes, penalties and inter-  
12 est collected by the director under the tax imposed by this section shall  
13 be remitted by the director to the state treasurer in accordance with the  
14 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
15 each such remittance, the state treasurer shall deposit the entire amount  
16 in the state treasury to the credit of the funds and in the amounts specified  
17 in K.S.A. 79-34,142, and amendments thereto.

18 (b) Whenever the rate of tax upon motor-vehicle fuels or special fuels  
19 fixed pursuant to K.S.A. 79-3408, and amendments thereto, which be-  
20 come effective on ~~July 1, 1999~~ *January 1, 2010*, or on ~~July~~ *January* 1 in  
21 any year thereafter is less than the rate of tax upon such fuel in effect on  
22 the preceding day, the licensed distributor or licensed retailer owning  
23 such fuel at 12:01 a.m. on the date such reduction in taxes becomes  
24 effective shall be entitled to a refund of taxes paid upon such fuel in an  
25 amount equal to the amount by which taxes were reduced from the  
26 amount of motor-vehicle fuels or special fuels taxes per gallon, or fraction  
27 thereof, actually paid upon each gallon, or fraction thereof, of motor-  
28 vehicle fuels or special fuels multiplied by the number of gallons of motor-  
29 vehicle fuels or special fuels owned by the distributor or dealer on such  
30 date. On or before the 25th day of the month in which such tax is reduced,  
31 every such distributor and retailer shall make a report to the director on  
32 a form prescribed and furnished by the director showing the total number  
33 of gallons of such motor-vehicle fuel or special fuel owned by such dis-  
34 tributor or retailer at 12:01 a.m. on the date upon which such tax was  
35 reduced. It shall be the duty of the director of taxation to examine all  
36 such claims and determine the amount to which each claimant is entitled.  
37 In the event any distributor or retailer entitled to such refund shall owe  
38 the state any motor-vehicle fuel or special fuel tax, penalties, or interest,  
39 the refund authorized by this section shall upon being determined by the  
40 director be credited upon the amount of such taxes, penalties and interest.  
41 Whenever the director shall determine that any distributor or retailer  
42 shall be entitled to a refund under any of the provisions of this section,  
43 and such refund cannot be effected by giving credit therefor, as herein-



1 before provided, or against the future motor-vehicle fuel or special fuel  
2 tax liability of such taxpayer the director shall certify the amount of the  
3 refund to the state director of accounts and reports, who shall draw a  
4 warrant for the amount so certified on the state treasurer in favor of the  
5 distributor or retailer entitled to such refund, and mail, or otherwise de-  
6 liver, the same to the distributor entitled thereto. Such warrant shall be  
7 paid by the state treasurer to such distributor or retailer from the motor-  
8 vehicle fuel or special fuel tax refund fund.

9 (c) The provisions of this section shall not apply to any licensed re-  
10 tailer who is a native American whose licensed place of business or busi-  
11 nesses are located on such retailer's reservation, nor to any native Amer-  
12 ican tribes having licensed places of business or businesses located on  
13 such tribe's reservation.

14 Sec. 37. K.S.A. 2009 Supp. 79-3491a is hereby amended to read as  
15 follows: 79-3491a. (a) A tax is hereby imposed on all LP-gas motor fuels  
16 owned at 12:01 a.m. ~~July 1, 1999~~ *January 1, 2010*, and on ~~July~~ *January* 1  
17 of each year thereafter, by any LP-gas motor fuels user or LP-gas motor  
18 fuels dealer at a rate per gallon, or fraction thereof, equal to the amount,  
19 if any, by which the tax per gallon, or fraction thereof, in effect on such  
20 date as prescribed by K.S.A. 79-3492, and amendments thereto, exceeds  
21 the rate of tax per gallon actually paid upon such fuel. Such tax shall be  
22 paid by the LP-gas motor fuel user or LP-gas motor fuel dealer owning  
23 such LP-gas motor fuels at such time and date. On or before the 25th  
24 day of the month in which such tax is imposed under this section, every  
25 such LP-gas motor fuel user and LP-gas motor fuel dealer shall make a  
26 report to the director on a form prescribed and furnished by the director  
27 showing the total number of gallons, or fraction thereof, of such LP-gas  
28 motor fuels owned by the user or dealer at the time the tax is imposed  
29 under this section, and such report shall be accompanied by a remittance  
30 of the tax due.

31 Any LP-gas motor fuels user or LP-gas motor fuels dealer who shall  
32 fail to make such report or pay such tax, within the time prescribed, shall  
33 be subject to the same penalties and interest charges prescribed by the  
34 liquefied petroleum motor fuel tax law for failure of a licensed distributor  
35 to make monthly reports and payments of LP-gas motor fuel tax. The  
36 provisions of the liquefied petroleum motor fuel tax law relating to rem-  
37 edies for the collection of delinquent LP-motor fuel taxes from distrib-  
38 utors shall apply to the collection of taxes imposed by this section which  
39 have become delinquent from LP-gas motor fuels users and LP-gas motor  
40 fuels dealers. All taxes, penalties and interest collected by the director  
41 under the tax imposed by this section shall be remitted by the director  
42 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
43 and amendments thereto. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount in the state treasury to the credit  
2 of the funds and in the amounts specified in K.S.A. 79-34,142, and  
3 amendments thereto.

4 The words and phrases used in this section shall have the meanings  
5 ascribed to them in K.S.A. 79-3490, and amendments thereto.

6 (b) Whenever the rate of tax upon LP-gas motor fuels fixed pursuant  
7 to K.S.A. 79-3492, and amendments thereto, which becomes effective on  
8 ~~July 1, 1999~~ *January 1, 2010*, or on ~~July~~ *January* 1 in any year thereafter,  
9 is less than the rate of tax upon such fuels in effect on the preceding day,  
10 the user or dealer owning such fuels at 12:01 a.m. on the date such re-  
11 duction in taxes becomes effective shall be entitled to a refund of taxes  
12 paid upon such fuels in an amount equal to the amount by which taxes  
13 were reduced from the amount of tax per gallon, or fraction thereof,  
14 actually paid upon each gallon, or fraction thereof, of LP-gas motor fuels  
15 multiplied by the number of gallons of fuel owned by the user or dealer  
16 on such date. On or before the 25th day of the month in which such tax  
17 is reduced, every such user or dealer shall make a report to the director  
18 on a form prescribed and furnished by the director showing the total  
19 number of gallons of such LP-gas motor fuels owned by such user or  
20 dealer at 12:01 a.m. on the date upon which such tax was reduced. It shall  
21 be the duty of the director of taxation to examine all such claims and  
22 determine the amount to which any claimant is entitled. In the event any  
23 user or dealer entitled to such refund shall owe the state any LP-gas motor  
24 fuels tax, penalties or interest, the refund authorized by this section shall  
25 upon being determined by the director be credited upon the amount of  
26 such taxes, penalties and interest. Whenever the director shall determine  
27 that any user or dealer shall be entitled to a refund under any of the  
28 provisions of this section, and such refund cannot be effected by giving  
29 credit therefor, as hereinbefore provided, or against the future LP-gas  
30 motor fuel tax liability of such taxpayer the director shall certify the  
31 amount of the refund to the state director of accounts and reports, who  
32 shall draw a warrant for the amount so certified on the state treasurer in  
33 favor of the user or dealer entitled to such refund, and mail, or otherwise  
34 deliver, the same to the user or dealer entitled thereto. Such warrant shall  
35 be paid by the state treasurer to such user or dealer from the LP-gas  
36 motor fuels tax refund fund which is hereby established in the state treas-  
37 ury.

38 (c) A fund designated as the LP-gas motor fuels tax refund fund not  
39 to exceed \$1,000,000 shall be set apart and maintained by the director of  
40 taxation from the LP-gas motor fuels tax collected under the provisions  
41 of article 34 of chapter 79 of Kansas Statutes Annotated, and amendments  
42 thereto, and held by the state treasurer for the payment of all refunds  
43 authorized by this section.

1     Sec. 38. K.S.A. 2009 Supp. 79-3492b is hereby amended to read as  
2 follows: 79-3492b. Alternatively to the methods otherwise set forth in this  
3 act, special LP-gas permit users operating motor vehicles on the public  
4 highways of this state may upon application to the director on forms  
5 prescribed by the director elect to pay taxes in advance on LP-gas for  
6 each and every motor vehicle owned or operated by them and propelled  
7 in whole or in part with LP-gas during the calendar year and thereafter  
8 to purchase LP-gas tax free in lieu of securing a bonded user's permit  
9 and filing monthly reports and tax payments and keeping the records  
10 otherwise provided for in this act. The amount of such tax for each motor  
11 vehicle shall, except as otherwise provided, be based upon the gross  
12 weight of the motor vehicle and the number of miles it was operated on  
13 the public highways of this state during the previous year pursuant to the  
14 following schedules:













1 In the event any additional motor vehicles equipped to use LP-gas as a  
2 fuel are placed in operation by a special LP-gas permit user after the first  
3 month of any calendar year, a tax shall become due and payable to this  
4 state and is hereby imposed at the tax rate prescribed herein prorated on  
5 the basis of the weight and mileage for the months operated in the cal-  
6 endar year. The director shall issue special permit decals for each motor  
7 vehicle on which taxes have been paid in advance as provided herein,  
8 which shall be affixed on each such vehicle in the manner prescribed by  
9 the director.

10 Sec. 39. K.S.A. 2009 Supp. 79-34,118 is hereby amended to read as  
11 follows: 79-34,118. Upon application to the director of taxation and pay-  
12 ment of the fee prescribed under this section any interstate motor fuel  
13 user may obtain a 24-hour motor fuel permit or a 72-hour motor fuel  
14 permit which shall authorize one commercial motor vehicle to be oper-  
15 ated for a period of 24-hours or 72-hours, respectively, without compli-  
16 ance with the other provisions of the interstate motor fuel use act and in  
17 lieu of the tax imposed by K.S.A. 79-34,109 and amendments thereto.  
18 The fee for each 24-hour motor fuel permit issued under this section shall  
19 be \$13 *until January 1, 2013*, \$15 *until January 1, 2014*, and \$16.50  
20 *thereafter*. The fee for each 72-hour motor fuel permit issued under this  
21 section shall be \$25 *until January 1, 2013*, \$27 *until January 1, 2014*, and  
22 \$28.50 *thereafter*. Motor fuel permits may be purchased in multiples of  
23 three upon making proper application and payment of the required fees.  
24 The secretary of revenue shall adopt rules and regulations specifying the  
25 conditions under which motor fuel permits will be issued and providing  
26 for the issuance thereof. The secretary may designate agents or contract  
27 with private individuals, firms or corporations to issue such motor fuel  
28 permits so that such permits will be obtainable at convenient locations.

29 Sec. 40. K.S.A. 2009 Supp. 79-34,141 is hereby amended to read as  
30 follows: 79-34,141. (a) On and after January 1, 2007, ~~until July 1, 2020~~  
31 *through December 31, 2012*, the tax imposed under this act shall be not  
32 less than:

33 (1) On motor-vehicle fuels other than E85 fuels, \$.24 per gallon, or  
34 fraction thereof;

35 (2) on special fuels, \$.26 per gallon, or fraction thereof;

36 (3) on LP-gas, \$.23 per gallon, or fraction thereof; and

37 (4) on E85 fuels, \$.17 per gallon, or fraction thereof.

38 (b) On and after ~~July 1, 2020~~ *January 1, 2013, through December 31,*  
39 *2013*, the tax rates imposed under this act shall be not less than:

40 (1) On motor-vehicle fuels other than E85 fuels, ~~\$.18~~ \$.28 per gallon,  
41 or fraction thereof;

42 (2) on special fuels, ~~\$.20~~ \$.30 per gallon, or fraction thereof;

43 (3) on LP-gas, ~~\$.17~~ \$.27 per gallon, or fraction thereof; and

- 1 (4) on E85 fuels, ~~\$.11~~ \$.21 per gallon, or fraction thereof.
- 2 (c) *On and after January 1, 2014, the tax rates imposed under this*
- 3 *act shall not be less than:*
- 4 (1) *On motor-vehicle fuels other than E85 fuels, \$.31 per gallon, or*
- 5 *fraction thereof;*
- 6 (2) *on special fuels, \$.33 per gallon, or fraction thereof;*
- 7 (3) *on LP-gas, \$.30 per gallon, or fraction thereof; and*
- 8 (4) *on E85 fuels, \$.24 per gallon, or fraction thereof.*
- 9 (d) (1) *Beginning January 1, 2013, and on January 1 of each year*
- 10 *thereafter, the director of taxation shall adjust the tax rates under this*
- 11 *section and K.S.A. 79-3492b, and amendments thereto, by the percentage*
- 12 *change in the average of the consumer price index for the most recent 12-*
- 13 *month period ending September 30, compared to the base year average,*
- 14 *which is the average for the 12-month period ending September 30, 2012,*
- 15 *and round to the nearest 1/10 of a cent.*
- 16 (2) *For the purpose of this subsection, “consumer price index” means*
- 17 *the average over a 12-month period of the national consumer price index,*
- 18 *not seasonally adjusted, published monthly by the bureau of labor statis-*
- 19 *tics, United States department of labor designated as the national con-*
- 20 *sumer price index for all urban consumers-United States city average.*
- 21 Sec. 41. K.S.A. 2009 Supp. 79-34,142 is hereby amended to read as
- 22 follows: 79-34,142. ~~(a) On and after July 1, 2002, until July 1, 2003, the~~
- 23 ~~state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,~~
- 24 ~~79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as~~
- 25 ~~follows: To the state highway fund 64.6% and to the special city and~~
- 26 ~~county highway fund 35.4%.~~
- 27 ~~—(b) On and after July 1, 2003, until July 1, 2020, The state treasurer~~
- 28 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~
- 29 ~~3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To~~
- 30 ~~the state highway fund 66.37% and to the special city and county highway~~
- 31 ~~fund 33.63%.~~
- 32 ~~(c) On and after July 1, 2020, the state treasurer shall credit amounts~~
- 33 ~~received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and~~
- 34 ~~79-34,118 and amendments thereto as follows: To the state highway fund~~
- 35 ~~55.3% and to the special city and county highway fund 44.7%.~~
- 36 Sec. 42. K.S.A. 2009 Supp. 79-34,142 is hereby amended to read as
- 37 follows: 79-34,142. ~~(a) On and after July 1, 2002, until July 1, 2003, the~~
- 38 ~~state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,~~
- 39 ~~79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as~~
- 40 ~~follows: To the state highway fund 64.6% and to the special city and~~
- 41 ~~county highway fund 35.4%.~~
- 42 ~~—(b) On and after July 1, 2003, until July 1, 2020, the state treasurer~~
- 43 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~

1 3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To  
2 the state highway fund 66.37% and to the special city and county highway  
3 fund 33.63%.

4 ~~(c) On and after July 1, 2020, the state treasurer shall credit amounts~~  
5 ~~received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and~~  
6 ~~79-34,118 and amendments thereto as follows: To the state highway fund~~  
7 ~~55.3% and to the special city and county highway fund 44.7%.~~

8 Sec. 43. K.S.A. 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-  
9 195, 8-234b, 8-2409, 12-1775, 68-416, 68-20,120, 68-2314a, 68-2320, 68-  
10 2321 and 68-2328 and K.S.A. 2009 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-  
11 145, 8-172, 8-2406, 8-2425, 12-6a35, 12-6a36, 12-1774, 12-1774a,  
12 12-17,148, 12-17,149, 68-2315, 68-2331, 75-5063, 75-5064, 75-5160, 79-  
13 3408c, 79-3491a, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 are  
14 hereby repealed.

15 Sec. 44. This act shall take effect and be in force from and after its  
16 publication in the statute book.