

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Rex Crowell at
Chairperson

1:30 ~~am~~/p.m. on January 25, 1984 in room 519-S of the Capitol.

All members were present ~~except~~

Committee staff present:

Hank Avila, Legislative Research Department
Fred Carman, Office of the Revisor of Statutes
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Representative Ardena Matlack
Ms. Susan Basore, Halstead Public Schools
Mr. Gerlad Buller, Transportation Director, Halstead Public Schools
Dr. Richard L. Henderson, Superintendent, Halstead Public Schools
Dr. Bill Curtis, The Kansas Association of School Boards
Mr. Ed DeSoignie, Kansas Department of Transportation

The meeting was called to order by Chairman Rex Crowell and agendas for the following week were distributed.

The first order of business was a hearing on HB-2677, and Representative Ardena Matlack, sponsor of the bill, briefed the committee on its contents.

Ms. Susan Basore, President of the Board of Education of Halstead Public Schools, Unified District 440, testified in support of HB-2677. She stated her school district desires to add strobe lights to their school bus lighting systems as they feel the use of the bright, pulsating strobe lights would be a strong safety factor. She pointed out that the strobe light system has been successful in other states. (See Attachment 1)

Discussion was opened between Ms. Basore and committee members, and Representative Webb said he wondered if it would be detrimental to motorists coming down the road and having a bright light flashing in their eyes.

Mr. Gerald Buller, Transportation Director, Halstead Public Schools, Unified District 440, presented testimony in favor of HB-2677 and explained that he had seen strobe lights used in the state of Washington and they are very noticeable, but are not blinding, as they are a small light.

Representative Erne brought out the point that perhaps vehicles seeing the strobe lights would slow and pull to the shoulder thereby accidentally hitting children.

Dr. Richard L. Henderson, Superintendent of Schools, Halstead Public Schools, Unified District 440, testified also in support of HB-2677 and stated the strobe lights would be of a smaller size than those mounted on emergency vehicles.

Dr. Bill Curtis, Assistant Executive Director of The Kansas Association of School Boards took the stand and presented testimony on HB-2677. (See Attachment 2)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~am~~/p.m. on January 25, 1984

Dr. Curtis testified that he represents 300 member boards of education of the Kansas Association of School Boards who support enacting legislation authorizing the use of strobe lights on school buses for safety purposes. Dr. Curtis stressed that it is not the intent of the Kansas Association of School Boards to support the mandatory use of strobe lights on school buses, and that the decision should be left to the local board of education.

Chairman Crowell questioned Dr. Curtis as to whether there is any other optional safety lighting or safety equipment on a school bus, and Dr. Curtis indicated he didn't think so. Chairman Crowell also inquired as to the cost of installing a strobe light on a bus and Mr. Gerald Buller stated \$250.

Mr. Ed DeSoignie of the Kansas Department of Transportation testified that KDOT feels according to present law, it is optional to use strobe lights. He cited KSA 8-1730 which establishes lighting equipment on buses and KSA 8-2009 which provides the Secretary of Transportation the authority to establish lighting and chassis standards for school buses.

Representative Webb suggested that KDOT and the school officials confer on this matter and ascertain whether or not a bill is needed. Chairman Crowell agreed with Representative Webb's suggestion and stated that the Kansas Association of School Boards should be able to disseminate the information to its membership if strobe lights are allowable.

Dr. Bill Curtis said their attorney had advised that if it isn't specifically authorized in the statutes, it shouldn't be done. Dr. Curtis referred to a letter to Mr. Gerald Buller from Mr. Dennis Newton of KDOT which stated in their opinion KSA 8-1729 prohibits the use of strobe lights or any flashing lights other than those specifically authorized. (See Attachment 3)

The hearing on HB-2677 was concluded.

Chairman Crowell suggested the committee remove HB-2525 from the table so it could be scheduled for a hearing.

Representative Ott moved that HB-2525 be taken off the table. The motion was seconded by Representative Knopp. Motion passed.

The next order of business taken up was SB-176. Mr. Fred Carman distributed a balloon on SB-176 and committee discussion ensued. (See Attachment 4)

Representative Cloud made the motion to adopt the changes in the balloon with the exception of placing \$30 in place of \$26. The motion was seconded by Representative Webb. Motion passed.

Representative Erne recommended the bill read 16,000 lbs. or less for a fee of \$25. Committee discussion ensued regarding the effect on the tax and tags law of reinserting line 220 in conjunction with either leaving in or removing the new language on lines 212 and 213.

The meeting was adjourned at 2:45.


Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 1-25-84

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Or Richard L. Henderson	Halstead Kas	Halstead Pub Sch/s
Juan Basore	Berthuy, Ks.	" " "
Derald Buller	Halstead, Ks	" " "
Ardena Matlack	Clearwater	Legislature
Tom Whitaker	Topeka	Ks Motor Carriers Assn
Mary Tarrington	Topeka	Kansas Motor Carriers Assn
John Blythe	Manhattan Ks	Ks Farm Bureau
CONRAD ODELL	Lyons KS	BRANSON TRUCK LINE, INC.
Deanna Tuller	Miltonvale	
Mary Wilson	Minneapolis	
John Sprurgeon	Lawrence	Budget
John Sprurgeon	Topeka	Myrtle Leaders Office
B. Cushman	Topeka	Council of Farm Orgs.
Paul E. Fleener	Manhattan	Ks. Farm Bureau
Joellen McGonahan	Topeka	AAA Auto Club
Terry Brockman	1928 B W Ashburn TOP KS 66604	INTERIA MR Norman E. Justice
Bill Green	TOPEKA	K.C.C.
EDWARD R. DE SOENIE	TOPEKA	KDOT

Support Testimony for HB 2677

Mr. Chairman and Members of the Committee:

Introductions

We are pleased to see you consider the merits of H.B. 2677 and are here in support of the bill.

Last winter our school district became interested in the possibility of adding strobe lights to our school bus lighting systems. In response to our inquiry concerning such equipment, the Department of Transportation felt it was probably illegal under present statutes to add strobe lights to school buses. Therefore, last summer I contacted Representative Ardena Matlack with our concern and the result of her efforts is H.B. 2677.

In times when adverse weather conditions cause poor visibility, we feel there is a clear and present danger to students due to the short distance conventional lighting may be seen. Some of our buses travel busy highways making stops to load and unload children. We feel the use of the bright, pulsating strobe light would be an effective addition to the bus lighting system and a strong safety factor as well. Because strobe lights are more intense and flash at a faster rate than regular sealed-beam lights, they would better alert motorists. Also, we understand, the strobe system has been successful and a strong safety factor in other states.

Please consider the merits of student safety and approve H.B. 2677 allowing the use of strobe lights on school buses during adverse conditions.

Submitted by:

Susan Basore, President
Board of Education
Halstead Public Schools
Unified School District 440

Dr. Richard L. Henderson
Superintendent of Schools
Halstead Public Schools
Unified School District 440

Gerald Buller
Transportation Director
Halstead Public Schools
Unified School District 440

Attachment 1

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

Testimony on H.B. 2677
Before the
House Transportation Committee

by
Dr. Bill Curtis, Assistant Executive Director
Kansas Association of School Boards

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the 300 member boards of education of the Kansas Association of School Boards. We appear today in support of House Bill 2677.

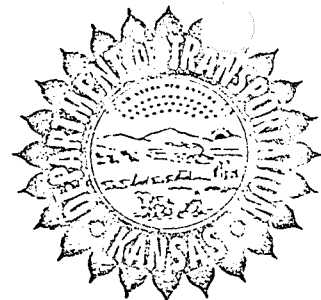
Last November the Delegate Assembly of the Kansas Association of School Boards took action to support enacting legislation which would authorize the use of strobe lights on school buses for safety purposes. H.B. 2677 accomplishes that goal. We wish to stress that the legislation should be permissive. It is not the intent of the Kansas Association of School Boards to support the mandatory use of strobe lights on school buses. The decision should be left to the local board of education.

We urge your support of H.B. 2677. Thank you for your consideration.

Attachment 2

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

March 3, 1983

Gerald Buller
Transportation Manager
USD 440
520 W. 6th St.
Halstead, KS 67056

Dear Mr. Buller:

Sorry for the delay in responding to your request for an opinion concerning the use of a strobe light on a school bus. The light would be used primarily as an additional warning system during foggy or rainy conditions.

This topic has been discussed and reviewed at length by several of our Kansas Department of Transportation staff members, and it is our opinion that K.S.A. 8-1729 prohibits the use of a strobe light or any flashing light other than those authorized specifically in the statutes adopted by the Kansas legislature. Part (c) of K.S.A. 8-1729 states that "Flashing lights are prohibited except as authorized or required in K.S.A. 8-1717, 8-1720, 8-1721, 8-1723 (e), 8-1731 and K.S.A. 1980 Supp. 8-1722, 8-1730 and 8-1730a and any amendments thereto". The statutes referred to include specific lighting requirements for specific types of vehicles, such as police cars, authorized emergency vehicles, trash trucks, church and school buses. For each type of vehicle, the statutes indicate what types of special lighting devices are required or permitted, and in no instance does it authorize the use of strobe lights.

I indicated during our telephone conversation that the school transportation regulations do not prohibit strobe lights, but the statutes take precedence over any regulations. To be completely honest about your request, our office is interested in the effectiveness of strobe lights on school buses for inclement weather conditions. I have reviewed materials and viewed films on the performance of strobe lights and was very impressed. I do have some concerns about the strobe light being over used, which might cause motorists to ignore it, but from all indications, the strobe system has been successful and a strong safety factor in other states.

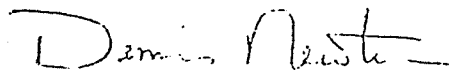
Attachment 3

As I indicated above, this is how my office interprets the statutes. I would recommend that you request a written opinion from the Attorney General on this topic. If it is illegal, it would require legislative action to amend the statute. The Attorney Generals office may be available to waive this prohibitive requirement to allow you to test the effectiveness of strobe lights on the motoring public. I am not sure of their waiver authority.

If I can be of further service, please advise.

Sincerely,

DONALD L. CODA, CHIEF
Bureau of Management Services



DENNIS NEWTON
School Pupil Transportation

DLC:DN:wc.

SENATE BILL No. 176

HOUSE SUBSTITUTE FOR

By Committee on Transportation

2-8

AN ACT concerning registration of vehicles; cost to register certain farm vehicles; amending K.S.A. 8-143 and repealing the existing section.

1983 Supp.

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

Section 1. K.S.A. 1983 Supp. 8-143 is hereby amended to read as follows:

8-143. (1) All applications for the registration of motorcycles, motorized bicycles and passenger vehicles other than trucks and truck tractors, except as otherwise provided, shall be accompanied by an annual license fee as follows: For motorized bicycles, \$5; for motorcycles, \$10 ; for passenger vehicles, other than motorcycles, used solely for the carrying of persons for pleasure or business, and for hearses and ambulances a fee of (i) \$13 for those having a gross weight of 3,000 pounds or less; (ii) \$16.25 for those having a gross weight of more than 3,000 pounds and less than 4,000 pounds; (iii) \$19.50 for those having a gross weight of 4,000 pounds and not more than 4,500 pounds; and (iv) \$26 for those having a gross weight of more than 4,500 pounds;

Attachment 4

Atch. 4

for each electrically propelled motor vehicle, except electrically propelled vehicles intended for the purpose of transporting any commodity, goods, merchandise, produce or freight, or passengers for hire, a fee of \$6.50. The annual registration fee for each motor vehicle, trailer or semitrailer owned by any political or taxing subdivision of this state or by any agency or instrumentality of any one or more political or taxing subdivisions of this state and used exclusively for governmental purposes and not for any private or utility purposes, which is not otherwise exempt from registration, shall be \$2.

(2) As used in this subsection, the term "gross weight" shall mean and include the empty weight of truck, or of combination of truck or truck tractor and any type trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same, except that when the empty weight of a truck plus the maximum weight of cargo which will be transported thereon is 12,000 pounds or less, "gross weight" shall not include the weight of any travel trailer propelled thereby which is being used for private recreational purposes. The gross weight license fees hereinafter prescribed shall only apply to the truck or truck tractor used as the propelling unit for the cargo and vehicle propelled, either as a single vehicle or combination of vehicles. On application for the registration of a truck or truck tractor, the owner thereof shall declare as a part of such application the maximum gross weight said owner desires to be applicable to such vehicle, which declared gross weight in no event shall be in excess

A.
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of the limitations described by K.S.A. 8-1908 and 8-1909 and amendments thereto, for such vehicle or combination of vehicles of which it will be a part. All applications for the registration of trucks or truck tractors, except as otherwise provided herein, shall be accompanied by an annual license fee as follows:

For a gross weight of 12,000 lbs. or less	\$25
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. . .	75.00
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. . .	100.00
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. . .	150.00
For a gross weight of more than 24,000 lbs. and not more than 30,000 lbs. . .	235.00
For a gross weight of more than 30,000 lbs; and not more than 36,000 lbs. . .	285.00
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs. . .	360.00
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs. . .	460.00
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs. . .	615.00
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. . .	765.00
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. . .	915.00
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs. . .	1,175.00
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs. . .	1,325.00
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs. . .	1,475.00

If the applicant for registration of any truck or truck tractor for a gross weight of more than 12,000 pounds is the state of Kansas or any political or taxing subdivision or agency of the state, whose truck or truck tractor is not otherwise entitled to the \$2 license fee or otherwise exempt from all fees, said vehicle may be licensed for a fee in accordance with the schedule hereinafter prescribed for local trucks or truck tractors.

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If the applicant for registration of any truck or truck tractor for a gross weight of more than 12,000 pounds shall under oath state in writing on a form prescribed and furnished by the director of vehicles that the applicant does not expect to operate it more than 6,000 miles in the calendar year for which the applicant seeks registration, and that if the applicant shall operate it more than 6,000 miles during such registration year such applicant will pay an additional fee equal to the fee required by the preceding schedule, less the amount of the fee paid at time of registration, said vehicle may be licensed for a fee in accordance with the schedule hereinafter prescribed for local trucks or truck tractors; and whenever the same is registered on a local truck or truck tractor fee basis a tab or marker shall be issued in connection with the regular license number plate, which tab or marker shall be attached or affixed to and displayed with the regular license number plate and the failure to have the same attached, affixed or displayed shall be subject to the same penalties as provided by law for the failure to display the regular license number plate; and the secretary of revenue may adopt rules and regulations requiring the owners of trucks and truck tractors so registered on a local truck or truck tractor fee basis to keep such records and make such reports of mileage of such vehicles as the secretary of revenue shall deem proper.

A transporter delivering vehicles not said transporter's own by the driveaway method where such vehicles are being driven, towed, or transported singly, or by the saddlemount, towbar, or fullmount methods, or by any lawful combination thereof, may apply for license number plates which may be transferred from one such vehicle or combination to another for each delivery without further registration, and the annual license fee for such license number plates shall be as follows:

For the first such set of license plates	\$30
For each additional such set of license plates	13

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

For a gross weight of not more than 12,000 lbs.	25.00
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. . .	\$ 47.00
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. . .	75.00
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. . .	100.00
For a gross weight of more than 24,000 lbs. and not more than 30,000 lbs. . .	135.00
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs. . .	160.00
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs. . .	185.00
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs. . .	235.00
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs. . .	315.00
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. . .	360.00
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. . .	440.00
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs. . .	575.00
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs. . .	675.00
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs. . .	775.00

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A truck or truck tractor owned by a person engaged in farming and which truck or truck tractor is used by such owner to transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such farm truck or truck tractor, shall be classified as a farm truck or truck tractor and the annual license fee for such farm truck shall be as follows:

registered for a gross weight of more than 12,000 pounds, and which is

For a gross weight of 12,000 lbs. or less	025.00
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. . .	\$25
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. . .	26.00
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. . .	42.00
For a gross weight of more than 24,000 lbs. . .	60.00

For a gross weight of more than 24,000 lbs. and not more than 54,000 lbs.	62
For a gross weight of more than 54,000 lbs. and not more than 66,000 lbs.	200
For a gross weight of more than 66,000 lbs. . .	500

~~but the provisions of this paragraph shall not apply to any truck tractor which is used to pull or propel a vehicle or combinations of vehicles having a gross weight in excess of 12,000 pounds.~~ A vehicle licensed as a farm truck or truck tractor may be used by the owner thereof to transport, for charity and without compensation of any kind, commodities for religious or educational institutions. A truck which is licensed as a farm truck may also be used for the transportation of sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides.

Any applicant for registration of any farm truck or farm truck tractor used in combination with a trailer or semitrailer shall register the farm truck or farm truck tractor for a gross weight which shall include the empty weight of the truck or truck tractor or of the combination of any truck or truck tractor and any type of trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same. The applicant for registration of any farm truck or farm truck tractor used to transport a gross weight of more than 54,000 pounds shall durably letter on the side of the motor vehicle the words "farm vehicle—not for hire." If an applicant for registration of any farm truck or farm truck tractor operates such vehicle for any use or purpose not authorized for a farm truck or farm truck tractor, such applicant shall pay an additional fee equal to the fee required for the registration of all trucks or truck tractors not registered as local, 6,000-mile or farm truck or farm truck tractor motor vehicles, less the amount of the fee paid at time of registration. Nothing in this or the preceding paragraph shall authorize a gross weight of a vehicle or combination of vehicles on the national system of interstate and defense highways greater than permitted by laws of the United States congress.]

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Ex-
cept as hereinafter provided, the annual li-
cense fee for each local urban transit bus
used in local urban transit operations ex-
empted under the provisions of subsection
(a) of K.S.A. 66-1,109 and amendments
thereto, shall be based on the passenger
seating capacity of the bus and shall be as
follows:

8 or more, but less than 31 passengers .	\$15.00
31 or more, but less than 40 passengers	30.00
More than 39 passengers	60.00

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

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For licensing purposes, station wagons with a carrying capacity of less than 10 passengers shall be subject to registration fees based on the weight of the vehicles, as provided in subsection (1) of this section. Station wagons with a carrying capacity of 10 or more passengers shall be subject to the truck classifications and license fees therefor shall be as herein provided.

(a) For any trailer, semitrailer, mobile home, travel trailer or pole trailer the annual license fee shall be as follows: For any such vehicle with a gross weight of more than 12,000 pounds the annual fee shall be \$25; any such vehicle grossing more than 8,000 pounds but not over 12,000 pounds, the annual fee shall be \$15; for any such vehicle grossing more than 2,000 pounds but not over 8,000 pounds, the annual fee shall be \$10. Any such vehicle having a gross weight of 2,000 pounds or less may, at the owner's option, be registered and the fee for such registration shall be \$10.

Any trailer, semitrailer, mobile home or travel trailer owned by a nonresident of this state and based in another state, and which is properly registered and licensed in the state of residence of the owner or in the state where based, may be operated in this state without being registered or licensed in this state if the truck or truck tractor propelling the same is properly registered and licensed in this state, or is registered and licensed in some other state and is entitled to reciprocal privileges of operation in this state but this provision shall not apply to any trailer or semitrailer owned by a nonresident of this state when such trailer or semitrailer is owned by a person who has proportionately registered and licensed a fleet of vehicles under the provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto, or under the terms of any reciprocal or proration agreement made pursuant thereto. A farm trailer used in carrying not more than 6,000 pounds owned by a person engaged in farming and which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or

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rented by the owner of such trailer shall not be subject to the registration and registration fees prescribed by this act for trailers, and the weight of any such farm trailer, plus the cargo weight of 6,000 pounds or less, shall not be considered in determining the gross weight for which the farm truck or truck tractor propelling the same shall be registered. Any nonself-propelled vehicle used and designed for applying fertilizers to the soil or for picking up and transporting hay or forage from a field to a storage area or from a storage area to a feedlot, and which is only incidentally moved or operated upon the highways, shall not be subject to registration and registration fees prescribed by this act for trailers.

(b) Any truck or truck tractor having a gross weight of 4,000 pounds or over, using solid tires, shall pay a license fee of double the amount herein charged. The annual fees herein provided for trucks, truck tractors and trailers not subject to K.S.A. 8-134a and amendments thereto, shall be due January 1 of each year and payable on or before February 15 in each year. If said fee is not paid by said date a penalty of \$1 shall be added to the fee charged herein for each month or fraction thereof and until December 31 of each registration year. The annual registration fee for all passenger vehicles and vehicles subject to K.S.A. 8-134a and amendments thereto, shall be due on or before the last day of the month in which the registration plate expires and shall be due for other vehicles as provided by K.S.A. 8-134 and amendments thereto. If said registration fee is not paid by said date a penalty of \$1 shall be added to the fee charged herein for each month or fraction thereof until such registration fee is paid. Members of the armed forces of the United States shall be permitted to apply for registration at any time and be subject to registration fee, less penalties, applicable at the time the application is made. If any motorcycle, motorized bicycle, trailer, semitrailer, mobile home, travel trailer, or pole trailer be either purchased or acquired after the anniversary or renewal date in any registration year there shall immediately become due and payable a regis-

13 10.1
tration fee as follows: If purchased or acquired between the anniversary or renewal date of any registration year and the first six months of such registration year, the annual fee hereinbefore provided; if purchased or acquired during the last six months of any registration year, 50% of such annual fee. If any truck or truck tractor, except trucks subject to K.S.A. 8-134a and amendments thereto, is purchased or acquired prior to April 1 of any year the fee shall be the annual fee hereinbefore provided, but if such truck or truck tractor is purchased or acquired after the end of March of any year, the license fee for such year shall be reduced 1/12 for each calendar month which has elapsed since the beginning of the year. If any truck registered for a gross weight of 12,000 pounds or less or passenger vehicle is purchased or acquired and less than 12 months remain in the registration period, the fee shall be 1/12 of the annual fee for each calendar month remaining in the registration period.

(c) The owner of any motorcycle, motorized bicycle, passenger vehicle, truck, truck tractor, trailer, semitrailer, or electrically propelled vehicle who fails to pay the registration fee or fees herein provided on the date when the same becomes due and payable shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a penalty in the sum of \$1 for each month or fraction thereof during which such fee has remained unpaid after it became due and payable; and in addition thereto shall be subject to such other punishment as is provided in this act. Upon the transfer of motorcycles, motorized bicycles, passenger vehicles, trailers, semitrailers, trucks or truck tractors, on which registration fees have been paid for the year in which the transfer is made, either (A) to a corporation by one or more persons, solely in exchange for stock or securities in such corporation, or (B) by one corporation to another corporation when all of the assets of such corporation are transferred to the other corporation, then in either case (A) or case (B) the corporation shall be exempt from the payment of registration fees on such vehicles for the year in which such transfer is made. Appli-

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cations for transfer or registration shall be accompanied by a fee of \$1. When the registration of a vehicle has expired at midnight on the last day of any registration year, and such vehicle is not thereafter operated upon the highways, then any application for renewal of registration made subsequent to the anniversary or renewal date of any registration year following the expiration of such registration and for succeeding registration years in which such vehicle has not been registered, shall be accompanied by an affidavit of nonoperation and nonuse and such application for renewal or registration shall be received by the division of vehicles upon payment of the proper fees for the current registration year and without penalty.

(3) Any nonresident of Kansas purchasing a vehicle from a Kansas resident and desiring to secure registration on the vehicle in the state of such person's residence may make application in the office of any county treasurer for a fifteen-day temporary registration. The county treasurer upon presentation of evidence of ownership in the applicant and evidence the sales tax has been paid, if due, shall charge and collect a fee of \$2 for each fifteen-day temporary license and issue a sticker or paper registration as may be determined by the director of vehicles, and the said registration so issued shall be valid for a period of 15 days from the date of issuance.

(4) Any owner of any truck or truck tractor where the annual registration fee has been paid and the vehicle is sold, junked, repossessed, foreclosed by a mechanic's lien or title transferred by operation of law, and the registration thereon is not going to be transferred to another vehicle may secure a refund for the registration fee for the remaining portion of the year by making application to the division of vehicles on a form and in the manner prescribed by the

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director of vehicles, accompanied by all license number plates and attachments issued in connection therewith. If the owner of the registration becomes deceased and the vehicle is not going to be used on the highway, and title is not being currently transferred, the proper representative of the estate shall be entitled to said refund. The refund shall be made only for the period of time remaining in the registration year from the date of completion and filing of the application with and delivery of the license number plates and attachments to the division of vehicles. Where the registration is secured under a quarterly payment annual registration fee, as provided for in K.S.A. 8-143a and amendments thereto, such refund shall be made on the quarterly fee paid and unused and all remaining quarterly payments shall be canceled. Any truck or truck tractor having the registration fee paid on said quarterly payment basis, all quarterly payments due or a fraction of quarterly payment due shall be paid before said title may be transferred, except that in case of death, the filing of the application and returning of the registration number plates and attachment shall cancel the remaining annual payments due. Whenever said truck or truck tractor, where the registration is secured on a quarterly payment of the annual registration, the one repossessing the truck or truck tractor, or foreclosing by a mechanic's lien, or securing title by court order, the mortgagor or the assigns of the mortgagor, or the one securing title may pay the balance due on date of application for title, but the payments for the remaining portion of the year shall not be canceled unless application is made and the registration number plates and attachments are surrendered. Nothing in this subsection shall apply when registration is secured under the provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto. Notwithstanding any of the forego-

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ing provisions of this section, no refund shall be made under the provisions of this section where the amount thereof does not exceed \$10. The division of vehicles shall furnish such blank forms as may be required under the provisions of this subsection as it deems necessary to be completed by the applicant. Whenever a registration which has been secured on a quarterly basis shall be canceled as provided in this subsection, the division of vehicles shall notify the county treasurer issuing the original registration of such cancellation so that the county treasurer may, and the county treasurer shall cancel the registration of such vehicle in the county treasurer's office and release any lien issued in connection with such registration.

(5) Every owner of a mobile home or travel trailer designed for or intended to be moved upon any highway in this state shall, before the same is so moved, apply for and obtain the proper registration thereof as provided in this act, except when such unit is permitted to be moved under the special provisions relating to secured parties, manufacturers, dealers and nonresidents contained in this act. At the time of registering any mobile home or travel trailer for the purpose of moving any such vehicle upon any highway in this state, the owner thereof shall indicate on the registration form whether or not such vehicle is being moved permanently to a location outside of the county in which such vehicle is being registered. No such vehicle which the owner thereof intends to move to a permanent location outside the boundaries of such county shall be registered for movement on the highways of this state until all taxes levied against such vehicle have been paid. A copy of such registration form shall be sent to the county clerk or assessor of the county to which such vehicle is being moved. When such mobile home or travel trailer is used for living quarters and not operated on the highways, the owner shall make application for nonhighway registration and the annual fee in this case shall be \$2; and such owner shall be exempt from

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the license fees as provided in paragraph (a) of subsection (2) of this section so long as such mobile home or travel trailer is not operated on the highway. If the owner of a mobile home also owns the land where such vehicle is located, or where such vehicle is placed on a permanent foundation, and where such owner has registered such vehicle with the county clerk for real estate tax purposes in the county where located, then no registration under this act shall be required. The director of vehicles shall design such nonhighway registration forms to be used as provided in K.S.A. 8-129 and amendments thereto. The division of vehicles shall furnish a number plate of a distinctive type to the owner of every mobile home or travel trailer registering the same for nonhighway purposes under the provisions of this act. Said number plate shall be displayed in a conspicuous place on each such vehicle in accordance with rules and regulations adopted by the secretary of revenue relating thereto. Said nonhighway forms shall be an additional copy of the registration receipt and the owner of said mobile home or travel trailer shall retain one copy of the registration receipt in said vehicle at all times. The receipt shall contain the same information as the director of vehicles deemed necessary for purpose of registration and shall be validated by the county treasurer at the time of application. The issuance of such nonhighway registration shall be subject to the provisions of K.S.A. 8-173 and amendments thereto, and other sections of this act providing for the titling and registering of all vehicles; and when the owner of a mobile home or travel trailer, registered for nonhighway use, disposes of said unit and acquires another mobile home or travel trailer, and the owner does not intend to operate it on the public highways, said owner shall transfer the nonhighway registration to the newly acquired vehicle in the same manner provided in K.S.A. 8-135 and amendments

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thereto. The provisions of K.S.A. 8-153 and amendments thereto shall be deemed to include all vehicles as defined in K.S.A. 8-126 and any amendments thereto.

Sec. 2. K.S.A. 1983 Supp. 8-143 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after January 1, 1985, and its publication in the statute book.

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A truck or truck tractor owned by a person engaged in farming and which truck or truck tractor is used by such owner to transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such farm truck or truck tractor, shall be classified as a farm truck or truck tractor and the annual license fee for such farm truck shall be as follows:

registered for a gross weight of more than 12,000 pounds, and which is

For a gross weight of 12,000 lbs. or less	\$25.00
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs. . .	\$25
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs. . .	26.00
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs. . .	42.00
For a gross weight of more than 24,000 lbs.	62.00

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For a gross weight of more than 24,000 lbs. and not more than 54,000 lbs.	62
For a gross weight of more than 54,000 lbs. and not more than 66,000 lbs.	200
For a gross weight of more than 66,000 lbs. . .	500

~~but the provisions of this paragraph shall not apply to any truck tractor which is used to pull or propel a vehicle or combinations of vehicles having a gross weight in excess of 42,000 pounds.~~ A vehicle licensed as a farm truck or truck tractor may be used by the owner thereof to transport, for charity and without compensation of any kind, commodities for religious or educational institutions. A truck which is licensed as a farm truck may also be used for the transportation of sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides.

Any applicant for registration of any farm truck or farm truck tractor used in combination with a trailer or semitrailer shall register the farm truck or farm truck tractor for a gross weight which shall include the empty weight of the truck or truck tractor or of the combination of any truck or truck tractor and any type of trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same. The applicant for registration of any farm truck or farm truck tractor used to transport a gross weight of more than 54,000 pounds shall durably letter on the side of the motor vehicle the words "farm vehicle—not for hire." If an applicant for registration of any farm truck or farm truck tractor operates such vehicle for any use or purpose not authorized for a farm truck or farm truck tractor, such applicant shall pay an additional fee equal to the fee required for the registration of all trucks or truck tractors not registered as local, 6,000-mile or farm truck or farm truck tractor motor vehicles, less the amount of the fee paid at time of registration. Nothing in this or the preceding paragraph shall authorize a gross weight of a vehicle or combination of vehicles on the national system of interstate and defense highways greater than permitted by laws of the United States congress.]