

Approved August 4, 1989
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

1:50 ~~xxx~~ p.m. on March 28, 1989 in room 519-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Legislative Research
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Mr. Tom Skinner, Kansas Department of Revenue

The meeting was called to order by Chairman Crowell and the first order of business was a hearing on HB-2552, concerning motor vehicles; relating to information required on certificates of title.

Mr. Tom Skinner, Kansas Department of Revenue, testified in support of HB-2552. (See Attachment 1)

A motion was made by Representative Russell that antique vehicles be included in HB-2552. The motion was seconded by Representative Everhart. Motion carried.

A motion was made by Representative Roenbaugh that HB-2552 be recommended favorable as amended for passage. The motion was seconded by Representative Lacey. Motion carried.

The next bill taken up was SB-129 concerning the use of certain vehicle registration fees by the county treasurer.

Representative Allen gave the subcommittee report on SB-129.

A motion was made by Representative Allen that SB-129 be amended by striking lines 47 to 53 and inserting \$7,800 per year and change the amount in Line 75 to \$2.50. The motion was seconded by Representative Empson. Motion carried.

A motion was made by Representative Justice that SB-129 be recommended as amended favorable for passage. The motion was seconded by Representative Wilbert. Motion carried.

A motion was made by Representative Justice that the subject matter in SB-129 be recommended for an interim study. The motion was seconded by Representative Wilbert. Motion carried.

The next bill taken up was SB-141 concerning penalty for transferring ownership to a motor vehicle or mobile home and failing to show oneself on the certificate of title.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:50 ~~xxx~~ p.m. on March 28, 1989

A motion was made by Representative Lucas that SB-141 be recommended favorable for passage. The motion was seconded by Representative Dean. Motion carried.

The next bill taken up was SB-128 concerning bonding requirements under the Vehicle Dealers' and Manufacturers' Licensing Act.

A motion was made by Representative Everhart that SB-128 be amended on Page 4, line 135 to read \$15,000 instead of \$20,000. The motion was seconded by Representative Lacey.

A substitute motion was made by Representative Gross that SB-128 remain at \$20,000 for new vehicle dealers and \$10,000 for used car dealers.

After further discussion, Representative Gross withdrew his substitute motion.

On the original motion, a voice vote was taken. Motion passed on a division 10-8.

A motion was made by Representative Empson that the Kansas Consumer Protection provision be deleted from line 139 of SB-128. The motion was seconded by Representative Wilbert. Motion carried on a division 11-7.

A motion was made by Representative Dean that SB-128 be reported adversely. Motion died for lack of a second.

A motion was made by Representative Empson that SB-128 be recommended favorable as amended for passage. The motion was seconded by Representative Freeman. Motion carried.

Representative Dean requested that he be recorded as voting "no".

The next bill taken up was SB-140 concerning the denial, suspension or revocation of a vehicle dealers' license.

A motion was made by Representative Shore that SB-140 be recommended favorable for passage. The motion was seconded by Representative Blumenthal. Motion carried.

The meeting was adjourned at 2:40 p.m.


Rex Crowell, Chairman



KANSAS DEPARTMENT OF REVENUE

Division of Vehicles

Robert B. Docking State Office Building

Topeka, Kansas 66626-0001

M E M O R A N D U M

TO: REPRESENTATIVE CROWELL, CHAIRMAN
HOUSE TRANSPORTATION COMMITTEE

FROM: TOM W. SKINNER, DIRECTOR *TWS*
DIVISION OF VEHICLES

DATE: MARCH 28, 1989

By April 29, 1989, a new rule promulgated by the National Highway Traffic Administration, will become effective and will amend certain portions of the truth in the mileage act of 1986. Among the amended portions of the act will be a requirement that both the seller and the buyer sign the odometer statement. The area of the title most convenient for the buyer to sign the odometer statement is directly below the signature of the seller, the space currently reserved for the notary. Out of fifty (50) states thirty-three (33) states do not require a notary certification.

Notarization of the certificate of title was originally supposed to validate the identity of the vehicle owner at the time of sale. However; it is impossible to verify notary information because notaries are not required to keep records on their notary activities. There have been few, if any occasions in the past to prosecute a notary for false notarization.

Attached is a copy of the language to be placed on the back of the title. This language has been approved by the National Highway Traffic Safety Administration.

TWS/jrl
attachment
file

LANGUAGE APPROVED BY
NATIONAL HIGHWAY TRAFFIC
SAFETY ADMINISTRATION

Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

ASSIGNMENT OF TITLE

The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

1. The mileage stated is in excess of its mechanical limits
 2. The odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

Signature(s) of Seller(s) _____

DATE OF SALE _____

Printed Name(s) of Seller(s) _____

I am aware of the above odometer certification made by the seller(s)

Signature(s) of Buyer(s) _____

Printed Name(s) _____

FIRST RE-ASSIGNMENT BY DEALER

The undersigned dealer hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

1. The mileage stated is in excess of its mechanical limits
 2. The odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

Signature(s) of Seller(s) _____

DATE OF SALE _____

Printed Name(s) _____

I am aware of the above odometer certification made by the seller(s)

Signature(s) of Buyer(s) _____

Printed Name(s) _____

SECOND RE-ASSIGNMENT BY DEALER

The undersigned dealer hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

1. The mileage stated is in excess of its mechanical limits
 2. The odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

Signature(s) of Seller(s) _____

DATE OF SALE _____

Printed Name(s) _____

I am aware of the above odometer certification made by the seller(s)

Signature(s) of Buyer(s) _____

Printed Name(s) _____

THIRD RE-ASSIGNMENT BY DEALER

The undersigned dealer hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

1. The mileage stated is in excess of its mechanical limits
 2. The odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY

Signature(s) of Seller(s) _____

DATE OF SALE _____

Printed Name(s) _____

I am aware of the above odometer certification made by the seller(s)

Signature(s) of Buyer(s) _____

Printed Name(s) _____

NO ADDITIONAL RE-ASSIGNMENTS PERMITTED

(AAWVA-12-88)