

Approved: 3/9/95  
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Kenneth King at 1:30 p.m. on March 8, 1995 in Room 519-S of the Capitol.

All members were present except:  
All present

Committee staff present: Hank Avila, Legislative Research Department  
Tom Severn, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:  
Jack Tierce, Kansas Corporation Commission  
Mary Turkington, Kansas Motor Carriers Association  
Betty McBride, Department of Revenue  
Mike Miller, Kansas Independent Automobile Dealers

Others attending: See attached list

Chairman King called the meeting to order at 1:30 p.m. He offered condolences to Rep. Dillon, on behalf of the committee, on the death of his wife.

The Chair opened hearings on **SB 162, concerning motor carriers, regulation thereof**, and called on Bruce Kinzie to give an overview of the bill.

The Chair recognized Jack Tierce, Deputy Director of the Transportation Division, State Corporation Commission. He gave a brief description of each type motor carrier the Commission had regulatory authority over. He told the committee recently the United States Congress adopted legislation entitled The Federal Aviation Authorization Act of 1994 which amended the Interstate Commerce Act and this legislation provided that states would not be permitted to regulate price, routes or service of intrastate motor carriers of property after January 1, 1995. **SB 162** removes the regulatory authority of the SCC over intrastate common and contract carriers with respect to prices a carrier may charge, the routes designated by the SCC and the service obligation of a carrier while retaining SCC authority in these areas over intrastate common and contract carriers of household goods or passenger carriers. He concluded the Kansas Corporation Commission staff and the Kansas Motor Carriers Association had worked together to ascertain that all statutes have been addressed by these changes. (Attachment 1)

The next conferee was Mary Turkington, Executive Director of the Kansas Motor Carriers Association. She stated the statutory provisions proposed in **SB 162** addressed the necessary revisions in current Kansas law to respond to the federal legislation adopted by the Congress in August, 1994 and which became effective January 1, 1995. She added the economic effect of the changes imposed on the state by the Congress would be difficult to predict but it was her belief that **SB 162** offers shippers, carriers, the consuming public and regulatory officials a workable statutory framework through which these federal changes may be accommodated without major disruptions in the Kansas transportation system. She asked for support of this bill. (Attachments 2)

There were no opponents.

Following questions from the committee the Chair closed hearings on **SB 162**.

The Chair opened hearings on **SB 60, assignment of foreign titles; affidavit**.

The Chair recognized Mike Miller, Kansas Independent Automobile Dealers Association. He stated current

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on March 8, 1995.

Kansas Statutes require the use of the foreign title affidavit when a Kansas dealer transfers ownership of a foreign title to another Kansas dealer or Kansas resident and in checking with the National Automobile Dealers Association it was determined Kansas was the only state which uses this form. He told the committee this form did nothing more than duplicate the information on the front and back of the title. He asked for support for **SB 60.** (Attachment 3)

Betty McBride, Director of the Kansas Division of Vehicles, Department of Revenue, was the next conferee to testify in support of the bill. She stated the division supported this bill which would remove the requirement for vehicle dealers to provide a foreign title affidavit and since all states now issue a conforming title, which includes the information provided on a foreign title affidavit, the affidavit is no longer needed. (Attachment 4)

Written testimony was provided by Sharon Smith, P & S Auto Auction, Inc. in support of **SB 60.** (Attachment 5)

Following questions by the committee the Chair closed hearings on **SB 60.**

Representative Shore made a request for an update on the rest areas situation and this will be scheduled.

Chairman King adjourned the meeting at 2:30 p.m.

The next meeting is scheduled for March 9, 1995.



STATEMENT OF THE  
STATE CORPORATION COMMISSION

Presented to the House Transportation Committee  
March 8, 1995

SENATE BILL NO. 162

Mr. Chairman and Members of the Committee:

My name is Jack Tierce and I am the Deputy Director of the Transportation Division, State Corporation Commission.

The Corporation Commission, Transportation Division, has regulatory authority over liquid pipelines, railroads and motor carriers transporting property and passengers in Kansas. This legislation deals only with motor carriers who operate as a public motor carrier of property or passengers, contract motor carrier of property or passengers, and local wrecker carriers. The following is a brief description of each type motor carrier.

PUBLIC MOTOR CARRIER OF PROPERTY OR PASSENGERS (common carrier) is a carrier who holds itself out to the public to transport for hire either interstate and intrastate.

CONTRACT MOTOR CARRIER OF PROPERTY OR PASSENGERS (contract carrier) is a carrier who holds itself out to transport for hire and is not included in the term "public motor carrier of property or passengers" either interstate and intrastate.

*House Transportation Committee  
March 8, 1995  
Attachment 1*

PRIVATE MOTOR CARRIER OF PROPERTY is a person who transports their own property which is sold or to be sold. The definition also includes a person who transports the property of others not for hire but in the furtherance of a commercial enterprise other than transportation.

LOCAL WRECKER CARRIERS perform wrecker or towing service for hire wholly within the corporate limits of a city, or between two contiguous cities and within three miles of the corporate limits.

These motor carriers are required to file an application, proof of insurance, process agent, list of vehicles, balance sheet, and must also pay the regulatory fees or be registered pursuant to the Single State Insurance Registration program before operating upon Kansas highways.

Recently, the United States Congress adopted legislation entitled The Federal Aviation Authorization Act of 1994 which amended the Interstate Commerce Act. This legislation provides that states will not be permitted to regulate price, routes or service of intrastate motor carriers of property (except household goods) after January 1, 1995. You should note that passengers are not considered property and like household goods those carriers continue to be regulated without change.

Price relates to the filing of tariffs, which establishes the rates that a motor carrier may charge.

Routes means that the Commission cannot limit a motor carrier to a certain geographic area of the state.

Service refers to the common carrier obligation to provide transportation to shippers on a first come/first serve, in a nondiscriminatory and on a non preferential basis; that obligation no longer exists.

Other amendments provide that certain areas of state regulation regarding cargo liability, bills of lading, credit rules and antitrust immunity for joint line rates would not be preempted, provided the requirements were no more burdensome than the federal rules; and the provisions apply only to a motor carrier at the request of that carrier. The act specifically did not preempt state oversight of safety and insurance.

The Kansas Attorney General, representing the Kansas Corporation Commission, joined the Oklahoma Corporation Commission, Michigan, Montana and Teamsters challenging the constitutionality of the act under the Commerce Clause, the Tenth Amendment and the Guarantee Clause of the constitution. Plaintiffs' complaints for declaratory and injunctive relief were denied by order dated December 30, 1994 in the United States District Court for the Western District of Oklahoma. The Kansas Attorney General has joined the other plaintiffs by appealing the order to the United States Court of Appeals, The Tenth Judicial Circuit.

Pursuant to K.S.A. 66-1,111 motor carriers are still required to file applications, register equipment, maintain liability/cargo insurance, process agents, balance sheets and comply with safety regulations adopted by the Commission.

This legislation affects thirty-eight (38) Kansas statutes only by eliminating the reference to price, route and service; and some minor cleanup language. Private, interstate exempt, and interstate regulated motor carriers are not affected by the changes of the federal preemption legislation. Intrastate common, contract and local wrecker carriers are the only motor carriers which are impacted.

The main change in this legislation adds a new type of certificate issued by the Commission (certificate of public service) to those common carriers transporting property other than household goods and eliminates local wreckers. The existing common and local wrecker carriers are grandfathered as having a certificate of public service without any additional filing with the Commission by those motor carriers in K.S.A. 66-1,114 as amended.

The Kansas Corporation Commission staff and the Kansas Motor Carriers Association has worked together to ascertain that all statutes have been addressed.

If you desire, I will go over the legislative changes line by line or statute by statute. Otherwise the changes deal with removal of price, route and service from the statutes to comply with federal legislation.

The Commission would request that the committee respond favorably. I will attempt to answer any questions.



STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

-----  
Supporting Senate Bill 162 which revises  
regulatory statutes affecting motor carriers.

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Presented to the House Transportation  
Committee, Rep. Kenneth R. King,  
Chairman; Statehouse, Topeka, Wednesday,  
March 8, 1995.  
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MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary E. Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I am here today along with Tom Whitaker, our Governmental Relations Director; representing our member-firms and the highway transportation industry.

We are here to support strongly the provisions of Senate Bill 162. The statutory provisions proposed in S.B. 162 address the necessary revisions in current Kansas law to respond to the federal legislation adopted by the U.S. Congress in August, 1994, and which became effective January 1, 1995.

Mr. Jack Tierce, Deputy Director of the Transportation Division of the State Corporation Commission, correctly has identified the Federal Aviation Authorization Act which fundamentally changed motor carrier state and federal regulatory relationships.

*House Transportation Committee  
March 8, 1995  
Attachment 2*



I would state at the outset that I personally am a "states righter" and that I have spent my adult life working for a transportation industry that is a quasi-public utility serving the transportation needs of the shipping public. I firmly believe that it is in the public's interest to have carriers clearly identified, to have safety and insurance requirements that protect the shipping public and fellow motorists and to assure shippers and consumers alike that transportation needs will be met whether such origin and destination points are on heavily used "traffic lanes" or in more remote communities wherever those may be.

The litigation in which the Attorney General represented the Kansas Corporation Commission to join others in contesting the federal legislation, was a necessary step to "clear the air" on whether such sweeping regulatory changes adopted by the Congress are lawful. We are here this morning facing the reality that the federal legislation apparently is lawful and that Kansas needs to revise its statutes accordingly.

I might offer a brief explanation of how this regulatory issue was brought to a head by Federal Express which did not wish to have its intrastate trucking movements involving air cargo regulated. The 9th Circuit Court of Appeals of California ruled that the State of California could not regulate such intrastate trucking movements. The U.S. Supreme Court affirmed this circuit court decision and a catalyst for change was created that ultimately reached to the Congress.



It is important to remember, as you consider this legislation, that regulatory requirements for the intrastate transportation of household goods and passengers must remain in place. Congress didn't pre-empt states from continuing to regulate these transportation services. Therefore, Senate Bill 162 has been most carefully drafted not to disturb the statutory requirements for such transportation.

Mr. Tierce further has explained that only price, routes and service are the areas states will not be permitted to regulate for intrastate motor carriers...those transporting goods between points and places in Kansas.

The federal legislation does not change regulatory requirements for:

- private carriers
- interstate "exempt" for-hire carriers
- interstate regulated motor carriers

The Kansas Corporation Commission will continue to require:

1. An application for a certificate of public service from any new carrier proposing to offer intrastate for-hire transportation service. If granted, all such intrastate certificates will be state-wide as to territory authorized to serve.
2. All existing intrastate carriers of property now holding certificates of convenience and necessity from the KCC, will be "grandfathered" for state-wide service if such carriers are in compliance with current rules and regulations.



3. All carriers will continue to be required to register annually with the Commission, each power unit that will be operated in the state at \$10 per power unit. (This has been the law since 1956.)
4. Proper insurance must be filed and maintained by all KCC carriers.
5. Financial responsibility will be a factor to be documented by any new applicant.
6. Carriers must comply with the safety regulations adopted by the Commission. [Kansas currently has adopted the federal safety rules and regulations in most instances].
7. The KCC will develop rules involving:
  - uniform cargo liability rules
  - uniform bills of lading & receipts for property being transported
  - uniform credit rules; and
  - antitrust immunity for joint line rates or routes, classifications and mileage guides where applicable.

Carriers can choose to be governed by one or more of the four permissible rules outlined here.

8. It is not "open season" for anyone to go lease or buy a truck and simply begin hauling property for others. Carriers must file an application with the KCC and receive the proper credential from the Commission.

By way of clarification, those operating vehicles with farm registration credentials will continue to be restricted by registration limitations imposed by chapter 8 prohibiting such vehicles from hauling "for-hire." The regulatory reform proposals do not change such restrictions.



I would add, Mr. Chairman and members of the Committee, that the economic effect of the changes imposed on the state by the Congress will be difficult to predict. For some carriers, especially wholly intrastate carriers, the changes may be devastating. For others with major interstate operations, the changes may not be as challenging.

We believe the work product before you offers shippers, carriers, the consuming public and regulatory officials a workable statutory framework through which these federal changes may be accommodated without major disruptions in the Kansas transportation system.

Our industry deeply appreciates the cooperation and consideration we have received from the State Corporation Commission and its staff in our combined effort to bring a workable legislative proposal to you as you create sound public policy to address these regulatory changes.

The Kansas Motor Carriers Association expects to continue to work with its members and affected shippers to provide the quality transportation service that directly helps drive the economy of our state.

We ask your support of Senate Bill 162.

We will be pleased to respond to any questions we might answer.

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## KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION



Citizens Bank & Trust Building • 6th & Humboldt • Manhattan, Kansas 66502  
Phone: 913-776-0044 FAX: 913-776-7085

Date: March 8, 1995  
To: Senate Transportation Committee  
Subject: SB 60 -- Assignment of foreign titles; affidavits  
From: Kansas Independent Automobile Dealers Association

My name is Mike Miller, and I am with the Kansas Independent Automobile Dealers Association which represents over 230 independent used car dealerships in Kansas. We also represent four auto auctions in the state.

I have a used car dealership here in Topeka called Innovative Auto Marketing and the example which is attached is relating to the purchase of a vehicle by my dealership.

Current Kansas statutes require the use of the foreign title affidavit when a Kansas dealer transfers ownership of a foreign title to another Kansas dealer or Kansas resident. This form, however, does nothing more than duplicate the information on the front and back of the title.

The attached example involved a Kansas dealer selling a foreign or out-of-state titled vehicle at a Missouri auction to another Kansas dealer. The only problem is the Missouri auction does not know what Kansas law requires nor does it have the forms. This causes unnecessary delays in the processing of the title as the title must be sent back to the Missouri auction with the Kansas foreign title affidavit with instructions on what to do.

We have contacted the National Automobile Dealers Association to determine how many other states use this type of form and, apparently, Kansas is the only state.

Used car dealerships, new car dealerships, and the auctions, as well as the title and registration area of the Motor Vehicle Department will benefit by the elimination of the Kansas foreign title affidavit. We would appreciate your vote in favor of Senate Bill 60.

*House Transportation Committee  
March 8, 1995  
Attachment 3*

*Individually we struggle to be heard—Collectively we cannot be ignored.*



Leg. copy

Ck Int \_\_\_\_\_ E# \_\_\_\_\_

Rev., RP Use

**KANSAS**  
Department of Revenue  
Division of Vehicles  
Topeka, KS 66626-0001



Plate No.

**TITLE AND REGISTRATION APPLICATION**

TRANSACTION  
TYPE **TOAUZZ** DESCRIPTION  
TITLE ONLY  
DATE 11-18-1994



0891009411180761

DKL

INNOVATIVE AUTO MARKETING

4200 S TOPEKA BLVD TOPEKA KS 66609

VEHICLE ID NUMBER	VEHICLE TYPE	AUTOMOBILE	PLATE NO.
1N4PB21S7JC799818	REGISTRATION TYPE	UNKNOWN	RGSTRN TYPE
MAKE MODEL YEAR	STYLE	TRUCK CLASS	REGISTRATION EXPIRES:
NISS 88	4D		
MILEAGE PUR/To KS DATE	EMP/GROSS WT.		
0092655 A 11-08-1994	02208		

**FEE SUMMARY**

TYPE	AMOUNT
TITLE FEE	7.00

*Need foreign title affidavit*

*last assignment must be notarized.*

TOTAL AMOUNT 7.00  
date 11-18-94

Property Tax Statement Prior Year Tax

Tax Paid	VEHICLE TYPE	REG. TYPE	PLATE NO.
Penalty	CLASS 10	SITUS SN	
TOTAL	TAX VALUE	TAX UNIT 0	

INNOVATIVE AUTO MARKETING  
4200 S TOPEKA BLVD  
TOPEKA KS 66609

Int/#	Date
Et/Rel	
Dt Rel	
QM	
Ttl#	
Corrs#	

AMOUNT RECEIVED 7.00  
CHANGE DUE 0.00

9856593

RECEIVED

11/18/94

DOV's Copy

STATE OF MISSOURI

CERTIFICATE OF TITLE

TITLE NUMBER  
UG780134

04817BJ660

ORIGINAL

VEHICLE IDENTIFICATION NUMBER	YEAR	MAKE	MODEL	BODY STYLE	FUEL
1N4PB21S7JC799818	88	NISS	SENTRA	FODOR	G
CYL HP PREVIOUS STATE	MILEAGE AT TIME OF TRANSFER	TAX	PURCHASE DATE	DATE ISSUED	
4 14	61347*	EX 06	07/12/91	03/06/92	

OWNER  
MILLER THOMAS J  
11701 CLEVELAND AVE  
KANSAS CITY MO 64137

MAIL TO  
AMERICAN BANK  
11501 BLUE RIDGE B  
KANSAS CITY MO 64134

VEHICLE SUBJECT TO FOLLOWING LIEN(S)

FIRST LIEN  
AMERICAN BANK  
11501 BLUE RIDGE B  
KANSAS CITY  
MO 64134

LIEN DATE 07/12/91  
NAME OF FIRM Mercantile Bank of K.C. f/k/a American Bank

SIGNATURE OF AUTHORIZED AGENT  
*[Handwritten Signature]*

DATE RELEASED 6-1-94

SECOND LIEN  
SUBJECT TO  
FUTURE ADVANCES

SIGNATURE OF AUTHORIZED AGENT

DATE RELEASED:

MILEAGE STATEMENT

\*ACTUAL MILEAGE.

MO 860-0331 (11-89) C14144645

*Ronald J. Wagner Jr.*  
DIRECTOR OF REVENUE



DOR-387 (11-89)

ANY ALTERATION OR ERASURE VOIDS THIS TITLE

C14144645

INSTRUCTIONS: Federal law (and State law, if applicable) requires that all seller(s) state the mileage in connection with the transfer of ownership. Failing to complete or providing a false statement may result in fines and/or imprisonment. All owners must sign as SELLERS AFTER the PURCHASER(S) NAME, LIENHOLDER, SALE PRICE, DATE OF SALE AND MILEAGE spaces are completed. PURCHASER(S) must apply for a new Certificate of Title within 30 days from the date of purchase or pay a delinquent penalty. All liens on the front of this Certificate of Title must be released before purchaser applies for a new Certificate of Title. ALL PURCHASERS MUST SIGN. If purchaser/seller is an agent/officer of a firm, record official position after printed name. All purchasers/sellers should retain a copy of the front and back of this Certificate of Title.

WARNING: ALTERATIONS, ERASURES OR MISTREATMENT WILL VOID THIS CERTIFICATE OF TITLE.

ASSIGNMENT OF TITLE: I/We hereby assign and warrant Certificate of Title of the vehicle described on the front of this Certificate of Title subject to the following lien(s) or encumbrance(s), if any, and none other. I/We further certify the accuracy of the sale price and mileage as specified below.

ASSIGNMENT	PURCHASER(S) NAME (PRINTED OR TYPED)	SOUTHTOWN FORD		SALE PRICE: \$
	ADDRESS	5651 RED BRIDGE RD. KC MO 64137		DATE OF SALE: 09/17/94
	LIENHOLDER(S) NAME (PRINTED OR TYPED)			DATE OF LIEN:
	ADDRESS			
ODOMETER READING (NO TENTHS)	92508	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS	<input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)	<i>[Signature]</i>		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)	TINA MC WILLIAMS, BILLER		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
			DEALER NO.	
			D. Howard Miller	
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)	HMH AUTOSPORT		SALE PRICE: \$
	ADDRESS	7135 E 291 HWY LEE'S SUMMIT MO		DATE OF SALE: 9/22/94
	LIENHOLDER(S) NAME (PRINTED OR TYPED)			DATE OF LIEN:
	ADDRESS			
ODOMETER READING (NO TENTHS)	92539	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS	<input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)	<i>[Signature]</i>		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)	Tina Mc Williams, Biller		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
			DEALER NO.	
			D413	
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)	Meridian Leasing		SALE PRICE: \$
	ADDRESS	5412 Grandview Rd Mericks KS		DATE OF SALE: 10-25-94
	LIENHOLDER(S) NAME (PRINTED OR TYPED)			DATE OF LIEN:
	ADDRESS			
ODOMETER READING (NO TENTHS)	92579	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS	<input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)	<i>[Signature]</i>		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)	Tina Mc Williams, Biller		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
			DEALER NO.	
			D413	
REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)	Innovative Auto Marketing		SALE PRICE: \$
	ADDRESS	Topeka KS		DATE OF SALE: 11-2-94
	LIENHOLDER(S) NAME (PRINTED OR TYPED)			DATE OF LIEN:
	ADDRESS			
ODOMETER READING (NO TENTHS)	92,655	I state that the odometer now reads the aforementioned miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the following statements is checked.	<input type="checkbox"/> MILEAGE IN EXCESS OF ITS MECHANICAL LIMITS	<input type="checkbox"/> MILEAGE READING IS NOT ACTUAL (WARNING-ODOMETER DISCREPANCY)
SIGNATURE OF ALL PURCHASER(S)	<i>[Signature]</i>		SIGNATURE OF ALL SELLER(S)	
HAND PRINTED NAME(S) BY PURCHASER(S) (AGENT/POSITION)	Mike Miller		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	
			DEALER NO.	
			4215	

This is a true & exact copy of the original title

Kath Hansen

4 mo notary mce 8-20-96

**FOREIGN TITLE ASSIGNMENT AFFIDAVIT**  
(This affidavit cannot be used as an assignment to a title)

Dealer Name Merriam Rental & Leasing Dealer No. 4215

I, \_\_\_\_\_, agent or authorized representative for the above dealership, on behalf of same certify:

1. That such dealer has warranted, and by the execution of this affidavit does warrant to the purchaser or transferee and all persons claiming or who shall claim under, by or through the purchaser or transferee named that, at the time of sale, transfer and delivery by the dealer, the vehicle described as

Year 1988, Make Nissan, Style Fodor

ID # 1N4PB21S7JC799818

is free and clear of all liens and mortgages whatsoever, except those otherwise appearing on the foreign title from the State of Missouri, Title number UG780134.

2. That title information relating to all previous assignments is as follows:

1st Assignment:

Southaven Ford 5651 Red Bridge Rd Kansas City, Mo 9-17-94  
Name Address City State Date of Assignment

2nd Assignment:

HMH Autosport 7135 E. 291 Hwy Lee's Summit, Mo. 9-22-94  
Name Address City State Date of Assignment

3rd Assignment:

Merriam Rental & Leasing 5412 Grandview Rd Merriam, KS 10-25-94  
<sup>4th</sup> Innovative Auto Marketing 4200 S. Topeka Topeka, KS 11-2-94  
Assign Name Address City State Date of Assignment

3. That this dealership has full right and authority to sell and transfer the vehicle.

4. That the mileage on the described vehicle's odometer at the time the dealer took possession of the vehicle was 92579 and the mileage at the time of sale, transfer and delivery was 92655 and that a Federal Odometer Statement has been completed.

Date 11/23/94 Signature Mike Miller

Dated this 23 day of Nov, 1994.

TERESA HAWKINS  
Notary Public - Notary Seal  
STATE OF MISSOURI  
City County

Teresa Hawkins  
Notary Public

My Commission Expires: July 28, 1996  
My commission/appointment expires:

Foreign title assignment affidavit must be completed for all foreign (out-of-state) titles that have been assigned by a Kansas Dealer to another Kansas Dealer or individual. Complete abstract of all re-assignments on the back of the title is necessary. More than one Foreign Title Assignment is acceptable.

**DIRECTION:** Affidavit must be completed in duplicate by the dealership desiring to assign a foreign title. The original copy should be delivered to the customer along with the title. The duplicate copy must be retained in the dealer's files for three (3) years.



STATE OF KANSAS



Betty McBride, Director  
Robert B. Docking State Office Building  
915 S.W. Harrison St.  
Topeka, Kansas 66626-0001

(913) 296-3601  
FAX (913) 296-3852

Department of Revenue  
Division of Vehicles

To: Honorable Kenneth King, Chairman  
House Committee on Transportation

From: Betty McBride, Director  
Kansas Division of Vehicles

A handwritten signature in cursive script, appearing to read "Betty McBride", is written over the "From:" line.

Date: March 8, 1995

Mr. Chairman, Members of the Committee,

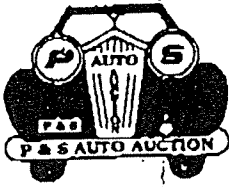
My name is Betty McBride. I am the Director of the Kansas Division of Vehicles, and I appear before you on behalf of the Kansas Department of Revenue regarding Senate Bill 60.

This bill amends 1994 Supp. K.S.A. 8-135, which currently requires Kansas vehicle dealers to provide a foreign title affidavit on every used vehicle not originally titled in Kansas.

The division supports this bill, as amended by the Senate Committee of the Whole, removing the requirement for vehicle dealers to provide a foreign title affidavit. Since all states now issue a conforming title, which includes the information provided on a foreign title affidavit, the affidavit is no longer needed.

I appreciate this opportunity to appear before you and I would stand for your questions.

*House Transportation Committee  
March 8, 1995  
Attachment 4*



# P & S AUTO AUCTION, Inc.

Phone: (913) 365-0460 • Fax: (913) 365-0601

15th Street and 238 Highway  
ELWOOD, KANSAS 66024

Date: March 8, 1995  
To: House Transportation Committee  
Subject: SB 60, Foreign Title Affidavits

My name is Sharon Smith. I have been employed at P&S Auto Auction in Elwood, Kansas as a Title Clerk for the past 12 years. During this time I have seen many changes, laws, and restrictions concerning automobile titling. The location of our auto auction borders the Missouri, Iowa, and Nebraska state lines.

Each of these states, and counties within these states, have numerous laws to which one abides by. There are many items that have to be verified before a vehicle sale can be finalized.

The first item, and probably the most important item, is the verification of the vehicle's identification number. The mileage, issue dates, purchase dates, signatures, lien releases, notary seals, and in the state of Kansas, foreign title assignment affidavits, also have to be verified. The state of Kansas is the only state in the union that requires this kind of document. If each and every one of these items are not correct when issuing a title, many problems can arise, and on some occasions, an extended period of time can pass before a title is completed.

At times a title might have 3 or 4 individual pieces of paper stapled or paper clipped to it, and things have a tendency of getting lost.

The Kansas foreign title assignment affidavit is an unneeded piece of paper. The information recorded on this affidavit is an exact duplication of what has been recorded on the title. A title, by itself, can tell you all the information you would ever need to research this vehicle at a later date. Each and every state has been issuing conforming titles that have a place for both the seller and purchaser to sign and print their names to verify the mileage on the particular automobile, eliminating unneeded paper work such as a separate odometer statement. There is nothing found on a Kansas foreign title assignment affidavit that cannot be found on the title.

*House Transportation Committee  
March 8, 1995  
Attachment 5*

March 8, 1995  
House Transportation Committee

Every person whose job involved the titling of a vehicle would appreciate the elimination of this unneeded affidavit, so we can concern ourselves with numerous other affidavits that have much more importance than the Kansas foreign title assignment affidavit.