

Approved: 2/1/95
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES .

The meeting was called to order by Chairperson Ben Vidricksen at 9:00 a.m. on January 24, 1995 in Room 254-E of the Capitol.

All members were present except:
Senator Brady
Senator Burke

Committee staff present: Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research
Bruce Kinzie, Revisor of Statutes
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Betty McBride - Kansas Division of Vehicles
Mike Miller - Kansas Independent Automobile Dealers Association
Sharon Smith - P & S Auto Auction, Inc.

Others attending: See attached list

SB 60 - CONCERNING THE ASSIGNMENT OF FOREIGN TITLES

Betty McBride appeared on behalf of the Kansas Division of Vehicles in support of the request that the law be amended. (Attachment 1)

Mike Miller explained that the 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 resident. This affidavit is a duplication of information on the title so is therefore obsolete. (Attachment 2)

Sharon Smith discussed the fact that Kansas is the only state in the union that requires foreign title assignment affidavits to verify a vehicle's identification number. This creates more paper work and occasionally delays in the procedure. Inasmuch as the Kansas foreign title assignment affidavit is not a needed document it was requested that this requirement be eliminated. (Attachment 3)

A motion was made by Senator Harris to remove this requirement from the bill. A second was made by Senator Papay. Motion carried.

A motion was made by Senator Papay to approve the minutes of the January 18 meeting. This was seconded by Senator Rock. Motion carried.

The meeting was adjourned by the Chairman.

SENATE TRANSPORTATION AND UTILITIES
COMMITTEE GUEST LIST

DATE: JAN 24, 1995

NAME	REPRESENTING
Sharry Drybread	Ks Auto Dealers Assn
STEVE RODINA	KHP
Jim Keele	B.L.E.
Tom Whitaker	Ks Motor Carriers Assn.
Jacquie Dake	KIADA
Sharon Smith	P&S Auto Auction
Mike Miller	Topeka
Betty M ^o Bide	Topeka
Pat Wiechman	KADRA-Topeka
Ken Belar	Raytheon Aventura Corp.

STATE OF KANSAS

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



(913) 296-3601
FAX (913) 296-3258

To: Honorable Senator Ben Vidricksen, Chairman
Senate Committee on Transportation and Utilities

From: Betty McBride, Director
Kansas Division of Vehicles

Date: January 24, 1995

Mr. Chairman, members of the committee,

I am Betty McBride, 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 the request by the Kansas Independent Car Dealers Association that the law be amended to remove the requirement 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.

SENATE TRANSPORTATION

DATE: 1/24

ATTACHMENT: /



KANSAS INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION



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

Date: January 24, 1995
To: Senate Transportation Committee
Subject: SB 60 -- Vehicle Title Bill -- Foreign Title Affidavit
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.

It is my assumption that the use of the foreign title affidavit originated at a time when the microfilming of the back of the titles was unable to be done. Therefore, the form was devised to accomplish the purpose of filming the back of the title. Since there is no longer a problem of filming the back of the titles, the foreign title affidavit is obsolete.

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.

Individually we struggle to be heard—Collectively we are heard.

SENATE TRANSPORTATION
DATE: 1/24
ATTACHMENT: 2

Legislat
copy

Ck Int _____ E# _____

Rev., RP Use ONLY

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

TITLE AND REGISTRATION APPLICATION

Plate No.

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



0891009411180761

DKL

INNOVATIVE AUTO MARKETING

4200 S TOPEKA BLVD TOPEKA KS 66609

CARRIED OVER

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.	
Penalty	
TOTAL	

VEHICLE TYPE	AU	REG. TYPE	PLATE NO.
CLASS 10		SITUS SN	
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

STATE OF MISSOURI

CERTIFICATE OF TITLE

TITLE NUMBER

04817BJ660

ORIGINAL

UG780134

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)

RELEASE OF LIEN-The holder of lien on the vehicle described in this certificate of title does hereby state that the lien described in said certificate of title is released and discharged.

FIRST LIEN

LIEN DATE

NAME OF FIRM

AMERICAN BANK
11501 BLUE RIDGE B
KANSAS CITY
MO 64134

07/12/91

Mercantile Bank of K.C. f/k/a

American Bank
SIGNATURE OF AUTHORIZED AGENT

DATE RELEASED: 6-1-94

SECOND LIEN

SUBJECT TO
FUTURE ADVANCES

NAME OF FIRM

SIGNATURE OF AUTHORIZED AGENT

DATE RELEASED:

MILEAGE STATEMENT

*ACTUAL MILEAGE.

MO 860-0331 (11-89) C14144645

Raymond 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 sellers 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.
			<i>[Signature]</i>	<i>[Signature]</i>

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)	TERRY HAWCOCK, D.P.		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	DEALER NO.
			<i>[Signature]</i>	<i>[Signature]</i>

REASSIGNMENT BY REGISTERED DEALER	PURCHASER(S) NAME (PRINTED OR TYPED)	Meridian Leasing		SALE PRICE: \$
	ADDRESS	542 Grandview Rd Merriam, 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)	TERRY HAWCOCK, D.P.		HAND PRINTED NAME(S) BY SELLER(S) (AGENT/POSITION)	DEALER NO.
			<i>[Signature]</i>	<i>[Signature]</i>

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.
			<i>[Signature]</i>	<i>[Signature]</i>

This is a true & exact copy of the original title
Kath Hansen
notary mce 8-20-96
JA

KANSAS DEPARTMENT OF REVENUE
DIVISION OF VEHICLES
TOPEKA, KANSAS 66626-0001

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 # IN4PB21S7JC799818

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:

Southtown 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
Name Address City State Date of Assignment
^{4th} Innovative Auto Marketing 4200 S. Topeka Topeka, KS 11-2-94
Assignment 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.

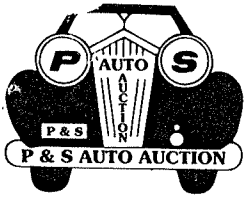
TERESA HAWKINS
Notary Public - Notary Seal
STATE OF MISSOURI
City County

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.



P & S AUTO AUCTION, Inc.

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

15th Street and 238 Highway
ELWOOD, KANSAS 66024

TO: SENATE 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.

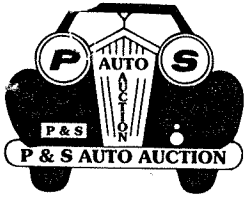
EACH OF THESE STATES, AND COUNTIES WITH-IN THESE STATES, HAVE NUMEROUS LAWS TO WHICH ONE ABIDES BY. THERE ARE MANY ITEMS THAT HAVE TO BE VERIFIED BEFORE A VEHICLE SALE CAN BE FINALIZED.

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 EVERYONE 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

SENATE TRANSPORTATION
—DATE: 1/24
ATTACHMENT: 3



P & S AUTO AUCTION, Inc.

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

15th Street and 238 Highway
ELWOOD, KANSAS 66024

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 PAPERWORK SUCH AS A SEPARATE ODOMETER STATEMENT. THERE IS NOTHING FOUND ON A KANSAS FOREIGN TITLE ASSIGNMENT AFFIDAVIT THAT CANNOT BE FOUND ON THE TITLE.

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.