

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 7, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Ed O'Malley- excused

Committee staff present:

Hank Avila, Kansas Legislative Research

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Secretary

Conferees appearing before the committee:

John Federico, Recreational Vehicle Industry Association

Ken Gudenkauf, Legislative Liaison for KDOT

Representative Bonnie Huy

Don McNeeley, KS Automobile Dealers Association

Vaughn Fox, Citizen, Wichita, KS

Tom Whitaker, KS Motor Carriers Association

Carmen Alldritt, Director, Div. Of Motor Vehicles

Bill Sneed, Legislative Counsel, State Farm Insurance Companies

Others attending:

See attached list.

Chairman Hayzlett opened the committee meeting by asking for bill introductions there being none the Chairman opened the hearing on **SB 372**.

**SB 372 - Regulating traffic, concerning width of motor homes or travel trailers**

The first proponent was John Federico of Federico Consulting representing Recreation Vehicle Industry Association. According to Mr. Federico, current Kansas law restricts the width of a vehicle to 102 inches. A motor home or travel trailer is allowed to exceed the 102 inch restriction if the excess width is attributable to an appurtenance that does not extend more than six inches from the body of the vehicle. (Attachment #1) Mr. Federico said that several years ago the law was changed to accommodate an awning, no wider than six inches. Now the industry wants a change in the law to allow RV's with factory or dealer installed awnings on both sides of the vehicle.

The next proponent was Ken Gudenkauf, Legislative Liaison for KDOT. (Attachment #2) Mr. Gudenkauf said this bill had been amended to limit the maximum width of the appurtenances so that they may not extend beyond the rearview mirrors with the mirrors mounted in such a way to provide the required field of view before the appurtenances are attached. Mr. Gudenkauf said with this limitation in place, KDOT's public safety concern is addressed and this limitation would be consistent with laws found in neighboring states.

Chairman Hayzlett drew the Committee's attention to the written testimony submitted by the Kansas Highway Patrol (Attachment 3).

There were no other proponents and no opponents so after the Committee's questions were answered, the Chairman closed the hearing on **SB 372**.

**HB 2645 - Vehicle title service agents, licensing**

Chairman Hayzlett recognized Representative Bonnie Huy as the first proponent. According to Representative Huy, in December 2004 their truck was stolen and it appears that the duplicate title for her truck was obtained prior to the theft. (Attachment 4) The application for the duplicate was processed in Topeka, forging her husband's name the same day that the truck was stolen that night. She said that **HB 2645** addresses the licensing and regulation of businesses that process title work for profit, and measures that are critical to closing existing loopholes that benefit criminals.

## CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 7, 2006 in Room 519-S of the Capitol.

The next proponent was Don McNeely, President of the Kansas Automobile Dealers Association. (Attachment #5) Mr. McNeely said they support licensing those persons or businesses which perform the variety of services commonly associated with a title service agency in order to provide some sort of financial accountability to those they serve. Mr. McNeely requested two amendments to the bill, one in Section 2 and another amendment in Section 4.

The next proponent was Vaughn Fox, a used car dealer in Wichita. He explained to the Committee the problem he had when he sold a vehicle his company owned. The purchaser made one payment then went delinquent. When Mr. Fox tried to repossess the vehicle after it had been sold to someone else, he wound up with a lot of legal fees. According to Mr. Fox they incurred additional costs of repossession fees, recondition expense, storage fees and the balance left on the original note and other costs. He appeared in support of **HB 2645**. (Attachment #6)

There were no other proponents and no opponents. Chairman Hayzlett recognized Tom Whitaker as appearing as a neutral on this bill. According to Mr. Whitaker, the KS Motor Carriers Association has acted as a licensing agent for the owners of truck tractors, straight trucks and semi-trailers since 1985. (Attachment #7) Mr. Whitaker said **HB 2645** would require KMCA to register with the Division of Vehicles, pay a \$75 registration fee and post a \$25,000 bond. Mr. Whitaker said they understand the bill is "consumer protection" legislation designed to protect owners of light-weight vehicles from theft and fraud. He asked that the bill be amended to apply only to those vehicles for which an odometer statement is required as provided in KSA 50-652.

Carmen Alldritt was the next conferee who spoke as a neutral to **HB 2645**. (Attachment #8) According to Director Alldritt, they are in agreement with the amendments for Motor Carriers, Dealers and Financial Institutions, as this is a part of their business and they are considered a party to the transactions. She said this bill would require the title service to keep records of identification of their customers in case there would ever be any question regarding a transaction.

After all the Committee's questions were answered, the Chairman closed the hearing on **HB 2645**.

### **HB 2646 - Certificates of title, execution of title, execution of title before a notary public**

Representative Huy combined her testimony on **HB 2645** and **HB 2646** (Attachment #4). She said that this bill (**HB 2646**) would reinstate the notary process on title work. She said it was the view of law enforcement that much of this type of activity would be drastically curtailed simply by the reinstatement of the notary requirement. She concluded by saying that licensing of title service agents, reinstatement of a notarized signature on title work and linking to NCIC will be beneficial to citizens and law enforcement when conducting criminal investigations.

Vaughn Fox was listed as a proponent for **HB 2646** too. His testimony on **HB 2645** and **HB 2646** was also combined (Attachment #6). He concluded his testimony with a list of what he considered defects in the present system.

The first opponent to testify was Carmen Alldritt, Director of the Division of Motor Vehicles. According to Director Alldritt, (Attachment #9) Kansas no longer required a notary stamp and signature on the Kansas title as of July 2002. She said Kansas has approximately one million titles with no space for a notary and stock for one million more titles had already been ordered. She said adding the notary would cause customer complaints and confusion for other jurisdictions.

The next opponent was William Sneed, Legislative Counsel with State Farm Insurance Companies. He said **HB 2646** would require paper titles issued prior to January 1, 2003, which have a lien showing to require a notary to the owner's signature on the back of the title. (Attachment #10) Mr. Sneed said State Farm agents handle thousands of losses throughout Kansas and in many areas where a notary is not readily available and it would cause additional hardship on their customers. He urged the Committee to not act upon **HB 2646**.

There being no additional proponents or opponents, the Chairman closed the hearing on **HB 2646**.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 7, 2006 in Room 519-S of the Capitol.

It was the Chairman desire to work **SB 372** so he opened it up to the Committee for motions, discussions or comments. Representative Olson made a motion to pass this bill favorably from the Committee, Representative Ruiz seconded the motion and the motion carried.

There being no additional business before the Committee the Chairman adjourned the meeting. The next Committee meeting will be on February 8, 2006 at 1:30 p.m. in Room 519-S.



**HOUSE TRANSPORTATION COMMITTEE**

**DATE** 2-07-06

<b>NAME</b>	<b>REPRESENTING</b>
<i>Matthew J. Smith</i>	KINHA
<i>Tom Whitaker</i>	KS Motor Carriers Assn.
<i>Debra Williams</i>	KS Motor Carriers ASSOC.
<i>Ray Fox</i>	AUTO VAGU
<i>Ken Gudenkauf</i>	KDOT
<i>Sara Turpin</i>	Rep. Henry

**Testimony In Support of SB 372****Presented By: John Federico on Behalf of The RVIA****House Transportation Committee****February 7, 2006**

My name is John Federico of Federico Consulting, here on behalf of the Recreation Vehicle Industry Association (RVIA). I appear before you today in support of SB 372. Mr. Chairman, the RVIA, and the entire recreational vehicle industry respectfully requests the support of your committee on SB 372, and help bring our Kansas statutes closer to uniformity with our surrounding states and indeed, with the majority of states in the country. (See attached map)

**Background**

Hearings were held on SB 372 on January 18<sup>th</sup> in Senate Transportation Committee. RVIA, after conferring with the Kansas Highway Patrol and the Kansas Department of Transportation, offered amendments to the original version of the bill. The amended version of SB 372 received unanimous support from the Committee. It was debated on the floor of the Senate on January 25<sup>th</sup> and by a vote of 40-0, advanced to the House for your consideration.

**What The Bill Does**

Current Kansas law restricts the width of a vehicle to 102 inches. A motor home or travel trailer is allowed to exceed the 102 inch restriction if the excess width is attributable to an appurtenance that does not extend more than six inches from the body of the vehicle. The RVIA was instrumental in changing Kansas law several years ago to allow for a 102 inch wide RV to also accommodate an awning, no wider than six inches. Now, as they have done in the majority of states, the RVIA needs the law changed again to accommodate the changing needs of today's RV consumer. As such, SB 372 will simply allow (in a very restrictive manner) RV's with factory or dealer installed awnings on both sides of the vehicle to be driven on Kansas roads and not run afoul of the law.

**Safety**

Rightfully so, one of the primary concerns of all interested parties to this bill, was safety. Statistical data supports the notion that traditionally, RV owners either

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Attachment # 1

because of their age and maturity, or the fact that they are protective their investment, are some of the safest drivers on the road. Regarding the awning, we are NOT asking that the actual width of the vehicle get any wider. We are simply asking that the measurement of the width of the RV, exclude the awnings. The awnings are about 10-12 feet in the air and well inside the width of the side view mirrors.

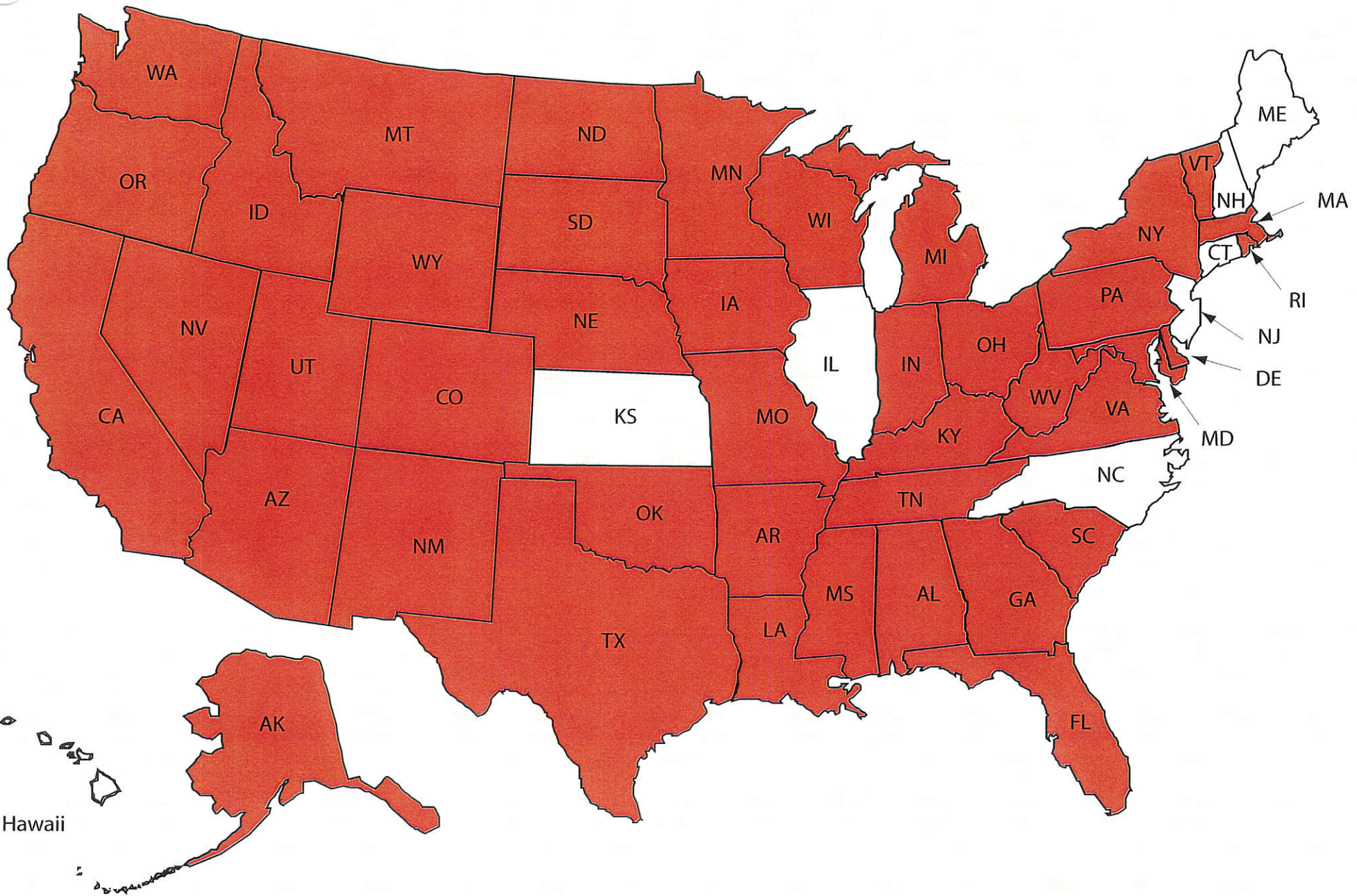
NOTE: Here's an important point to keep in mind: the insurance industry has chosen to NOT raise their rates for RVs with awnings that extend beyond the 102 inch limitation because they have not seen any increase in claims for damage on such vehicles.

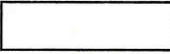

### Summary

In closing Mr. Chairman, I again urge you to join the majority of states in changing the law to accommodate the changing needs of recreational vehicle consumers and thusly, the design of modern-day motor coaches. We feel strongly that the changes we have proposed are reasonable and provide the necessary restrictions to keep our roads safe, while inviting RV-driving, free-spending out-of-state consumers to visit our state. Thank you for your time and consideration.

# States Allowing RV Appurtenances To Extend Beyond 102"

1-3



 States that have not yet enacted legislation extending RV appurtenances beyond 102"  
 Permits RV Appurtenances to extend beyond 102"



# KANSAS

DEPARTMENT OF TRANSPORTATION  
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

## TESTIMONY BEFORE THE HOUSE TRANSPORTATION COMMITTEE

### REGARDING SENATE BILL 372 RELATING TO RECREATIONAL VEHICLES

FEBRUARY 7, 2006

Mr. Chairman and Committee Members:

Good morning. My name is Ken Gudenkauf, Legislative Liaison for the Kansas Department of Transportation (KDOT). I appreciate the opportunity to testify on Senate Bill 372.

When Senate Bill 372 was introduced, it amended K.S.A. 8-1902 to eliminate the 108-inch width restriction that applies to appurtenances attached to motor homes and travel trailers. KDOT has significant concerns for public safety if any manufacturer could permanently affix any appurtenance onto the sides of these vehicles without limit.

However, in working with Mr. John Federico, the bill was amended to limit the maximum width of the appurtenances so that they may not extend beyond the rearview mirrors with the mirrors mounted in such a way to provide the required field of view before the appurtenances are attached. With this limitation in place, KDOT's public safety concern is addressed, and this limitation would be consistent with laws found in neighboring states.

KDOT supports Senate Bill 372 as amended.

Thank you, Mr. Chairman. I would be glad to answer any questions.

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Attachment # 2



# K A N S A S

WILLIAM R. SECK, SUPERINTENDENT

KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

## **Kansas Highway Patrol Summary of Written Testimony**

### **2006 Senate Bill 372**

### **House Transportation Committee**

**February 7, 2006**

The Kansas Highway Patrol appreciates the opportunity to provide the following written comment on changes set forth in 2006 Senate Bill 372.

Provisions in SB 372 would allow the width of a motor home or travel trailer to exceed 102 inches if such excess width is attributable to an appurtenance no wider than the rearview mirrors. The bill goes on to say that the mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

While the Patrol understands the intent of SB 372, we are concerned with any proposed legislation that allows for added widths or lengths to vehicles traveling Kansas' roadways. Our concern is focused on the safety of those traveling in these vehicles as well as those traveling in vehicles meeting or overtaking these vehicles. By allowing vehicles to grow in size, while the size of Kansas' roadways primarily stays the same, could be disastrous.

Since its original introduction, SB 372 has been amended to limit the size of appurtenances to no wider than the rearview mirrors, language similar to law found in other jurisdictions. The Patrol is more comfortable with this compromise. Keeping the widths of these vehicles to no wider than the mirrors will help to ensure we don't allow vehicles to grow to dangerous widths.

Again, the safety and protection of those traveling Kansas' roadway is extremely important to the Patrol, and for that reason, we encourage committee members to give SB 372 careful consideration. The Patrol appreciates the opportunity to share our comments and concerns on this important subject.

###

House Transportation  
Date: 2-7-06  
Attachment # 3

STATE OF KANSAS

**Bonnie Huy**  
Representative, 87th District  
Capitol Building, Room 110-5  
Topeka, Kansas 66612  
(785) 296-7644  
huy@house.state.ks.us



Committee Assignments  
Member:  
• Appropriations  
• Education Budget

HOUSE OF REPRESENTATIVES  
87<sup>TH</sup> DISTRICT

Testimony in Support of  
House Bills 2645 and 2646  
Before the House Transportation Committee  
By Representative Bonnie Huy

February 7, 2006

Chairman Hayzlett and Committee Members:

I appreciate the opportunity to appear in support of House Bills 2645 and 2646, both of which address fraudulent title documentation pertaining to vehicular theft.

I would first like to share my personal experience and what I have learned as a victim of vehicular theft.

Back in December 2004, our truck was stolen along with my husband's tools that he had collected over the past 50 years.

Between December 2004 and October 2005, I periodically contacted the detective assigned to our case to inquire about the status of the investigation. When I called in October 2005, I remarked that, if the truck were still in the state, at least the title could not be transferred because we held the title. The detective enlightened me about how simple it is to obtain a duplicate title in Kansas. I was astonished to learn that law enforcement rarely, if ever, checks with the Department of Vehicles to ascertain if a duplicate title has been processed. I requested that he run a check with the DOV and received a follow-up call the next day informing me that the title had transferred three times.

It is incredibly easy for a thief to steal a vehicle, obtain a duplicate title, transfer title by forging the owner's signature and get away with it because of the current loopholes in Kansas. For example:

- The Department of Vehicles is not presently linked to the National Crime Information Center (NCIC), the computerized index of criminal justice information, which includes stolen properties.

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- Property crimes are the lowest priority for law enforcement and are not strongly pursued due to heavy caseloads.
- An application for a duplicate title and title transfer can be processed simply by forging the owner's name because a notarized signature nor identification is required.
- Currently there is no oversight or regulation of title service businesses and no requirement to either obtain proof of ownership or to maintain records of title work.

Ironically, it appears that the duplicate title for our truck was obtained prior to the theft. The application for the duplicate was processed in Topeka forging my husband's name the same day that the truck was stolen that night. All of the information on the application was correct except for the mileage, which was a "guesstimate" because the truck had not yet been stolen. For the convenience of the unscrupulous, a records check regarding how a vehicle is titled can be obtained on line through Kansas, Inc., and we assume that occurred prior to the theft. It appears that the theft was preplanned down to the very last detail.

By personally pursuing our case, we were fortunate that our truck was recovered at the address of the last owner of record, minus the tools.

Following our experience, I worked closely with law enforcement and the Department of Vehicles in drafting HBs 2645 and 2646. In fact, I requested that a representative from the Wichita Police Department testify today concerning the need to tighten existing loopholes. Although that request was denied, I would like to convey information provided by law enforcement and the need for "checks and balances" in the system as expressed by investigators.

Since the change in statute in 2002 that removed the notary requirement, I was told that investigators noticed immediate criminal activity and forged title documents.

The real problem for law enforcement started when the criminals figured out how easy it was to apply for a duplicate title due to the lack of "checks and balances" in the system. They just simply forge and complete an affidavit for power of attorney and receive a duplicate title on any vehicle of choice. The vehicle is usually immediately sold and the new buyer has no way to know if the seller is in fact the actual owner due to the lack of oversight and the absence of a notarized signature on that transfer of title. There also is no in-state check to detect the stolen status of a Vehicle Identification Number (VIN) when the application for a duplicate title is processed.

HB 2646 would reinstate the notary process on title work. It is the view of law enforcement that much of this type of activity would be drastically curtailed simply

by reinstatement of the notary requirement. I'm told this has been a "tried and true" system that was in place for many years and is still required for certain financial and business practices, and historically has not been fraught with fraud. As stated to me by a representative of law enforcement: "In my past experience, if I proved a violation of a notary regulation, it was easy to notify the state and have that notary sanctioned or his/her privileges revoked."

HB 2645 addresses the licensing and regulation of businesses that process title work for profit, measures that are critical to closing existing loopholes that benefit criminals. For example, in Wichita we have a glaring example of a "bad actor" that operates almost completely "under the radar screen." The word on the street is that this person will apply for and process duplicate vehicle titles and vehicle registrations for anyone for cash -- no questions asked. According to law enforcement, this person is even willing to forge documents. Whenever law enforcement has inquired about a particular transaction, the standard answer from this person is: "I do not have any record of nor do I remember that transaction. I did not ask for identification and I do not know if they were being truthful or not." Because this person requires no proof of ownership or identification, illegal aliens who do not have drivers' licenses frequently utilize her services. *(All persons involved with our truck were illegal aliens.)*

House Bill 2645 is not intended to be burdensome to legitimate title businesses most of whom are honest and have a reputation for cooperating with law enforcement. The intent of this legislation is to tighten a few of the existing loopholes utilized by criminals and a few unscrupulous title agents; to implement oversight and to provide compliance tools for law enforcement – and, lastly, to enact some safeguards for victims of vehicular theft. Other licensed businesses, such as new and used auto dealers, scrap metal dealers, hotel/motel owners and others, are subject to law enforcement scrutiny. It only makes sense that the same scrutiny be applied to title service businesses that daily process title documents, which can now easily be obtained through forgery.

*As examples of how uncomplicated it is for criminals to obtain a duplicate title and transfer ownership by forging a signature, I have attached to this testimony copies of the forged documents processed on our vehicle.*

Licensing of title service agents, reinstatement of a notarized signature on title work and linking to NCIC (which is now underway by the Department of Vehicles) will be beneficial to citizens and law enforcement when conducting criminal investigations.

If we don't tighten the known loopholes that make it all too easy for the criminal, we may as well erect a billboard stating, "Crime Pays in Kansas."

I ask for your favorable support for both HBs 2645 and 2646 for the benefit of Kansas citizens and to provide compliance tools for law enforcement.

Thank you for your time and attention. I'll stand for questions.

Respectfully,

A handwritten signature in black ink that reads "Bonnie Huy". The first letter "B" is large and stylized, with a horizontal line extending to the left. The signature is written in a cursive style.

Representative Bonnie Huy

Huy - Original #

<p>DEPARTMENT OF REVENUE ASSIGNMENT NUMBER 1</p>	<p>NAME BY Walter J. a/o Bonnie J. Huy</p> <p>ADDRESS 1142 S. Gouverneur, Wichita, KS 67207</p> <p>26</p> <p>DEALER Davis Moore Nissan, Inc. B304</p> <p>KS</p> <p>SC</p>
<p>DEPARTMENT OF REVENUE ASSIGNMENT NUMBER 2</p>	<p>NAME BY</p> <p>ADDRESS</p> <p>DEALER</p>
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<p>DEPARTMENT OF REVENUE ASSIGNMENT NUMBER 26</p>	<p>NAME BY Davis Moore Nissan, Inc. By <i>E. Beck</i></p> <p>ADDRESS Davis Moore Nissan, Inc. By <i>E. Beck</i></p> <p>DEALER <i>X</i> <del>WALTER J. HUY</del> <i>X</i> <del>WALTER J. HUY</del> <i>X</i> <del>WALTER J. HUY</del></p> <p>5/9/97</p> <p>5/9/97</p> <p>DEPARTMENT OF REVENUE ASSIGNMENT NUMBER 27</p> <p>NAME BY</p> <p>ADDRESS</p> <p>DEALER</p>
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JERRIE A. GOOCH  
Notary Public - State of Kansas  
My App. Expires June 20, 1998

5/9/97

5/9/97

JERRIE A. GOOCH  
Notary Public - State of Kansas  
My App. Expires June 20, 1998

none

License Tag No.	Auto	Truck	Trlr	Mic	Mbl Hn	Arro	Day	Antq	Dis	Spec	Pcra	Mtr Bycl	Netl	Ex-POW
Title Number	<b>Forged Duplicate # 2</b>													

CHECK ONE:  DUPLICATE TITLE \$7.00     SECURED TITLE \$7.00     REISSUE TITLE \$7.00    \$ \_\_\_\_\_ Total Fee

Name: Willy, Walter J Last First Middle Initial 2012  
 Name: Willy, Bonnie J Last First Middle Initial  
 Name: \_\_\_\_\_ Last First Middle Initial  
 Current Address: 1142 Governor Row Ct Middle Initial \_\_\_\_\_  
Wichita City Ks 67207 State \_\_\_\_\_ Zip \_\_\_\_\_

AND #	or	AND/or	%	DBA	
AND #	or	AND/or	%	DBA	WROS
AND #	or	AND/or	%	DBA	WROS

Applicant Telephone No. \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Vch. Yr. 97 Make Mercury Style SL Odometer Now Reads 75012  
 Vch. Id. # 1N6SD1614VC380703 (No Tenths)

CHECK ONE  
 Actual  
 Not Actual  
 Exceeds Mechanical Limits

FOR OFFICE USE ONLY

APPLICATION DATE	SI	PURCHASE DATE	CL	EMPTY WEIGHT	MILEAGE
------------------	----	---------------	----	--------------	---------

1. Secured Party \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 2. Secured Party \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**\*DUPLICATE TITLE APPLICANTS ONLY**  
 I certify that I am the lawful owner of the vehicle described above for which Certificate of Title was issued to me by the State of Kansas, and that my original certificate of title has been lost () , mutilated () , or has become illegible () . (Check one.)  
**NOTARIZATION REQUIRED**

I certify that all information stated above is true and correct.  
 Signature of Last Registered Owner: Walter J Willy Social Security or FEIN # \_\_\_\_\_  
 Date: 12/10/12  
 Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Appointment expires \_\_\_\_\_ Notary Public \_\_\_\_\_

**INSTRUCTIONS**

- Signature of owner(s) must correspond to name on face of title.
- Use current mailing address.
- Statutory fee is \$7.00 for duplicate, \$7.00 for secured and \$7.00 for reissue.
- To remove existing lien, submit a notarized release.
- Existing Kansas title must be submitted in the case of secured or reissue applications. (If title has been destroyed or lost, application must also be made for Duplicate Title, as provided on form.)
- Note name and address of secured party.
- Copy of security agreement is not necessary.
- If legal document or power of attorney is used, please attach to application.
- Current mileage required.
- Social Security No., Federal Employee Identification No. or Vendor ID No. is optional.
- Mail to: Local County Treasurer's Office

Duplicate Title — Replaces the original title that has been lost, mutilated or stolen.  
 Reissue Title — Releases a lien from a title.  
 Secured Title — Adds or changes a lien on the title.

**RELEASE OF LIEN**

STATE OF KANSAS, \_\_\_\_\_ COUNTY, ss  
 The lien of Kansas title \_\_\_\_\_ in the name of: \_\_\_\_\_, for the following described vehicle, year \_\_\_\_\_, make \_\_\_\_\_, ID # \_\_\_\_\_, is hereby released.  
 Lienholder \_\_\_\_\_  
 By \_\_\_\_\_  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

My appointment expires: \_\_\_\_\_ Notary Public \_\_\_\_\_

FOR OFFICE USE ONLY



**TITLE SERVICE/INDIVIDUAL AUTHORIZATION**

Vehicle Information MUST be Provided:

<u>07</u> Year	<u>Mercury</u> Make	<u>M6S16J4VC380703</u> Vehicle Identification Number
-------------------	------------------------	---

**INDIVIDUAL**

WALTER J HILL owner of the  
aforementioned vehicle, authorize the following authorized agent/individual to present title  
application and accept delivery of the originated title.

Walter Hill Person/Dealership Picking Up Title MID America TITLE SERVICE  
Vehicle Owner's Signature Date 12/70/01

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

SEAL

Notary Public

**DEALERSHIP**

I, \_\_\_\_\_ owner of

\_\_\_\_\_ Dealership Name \_\_\_\_\_ Dealer Number

authorize \_\_\_\_\_  
Name of Title Service/Title Service Representative  
to present title application on the vehicle described above and accept delivery of the originated title

\_\_\_\_\_ Dealership Signature \_\_\_\_\_ Date

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

SEAL

Notary Public

# First Title Transfer #3

**DO NOT ACCEPT TITLE SHOWING ANY ERASURES, WHITEOUT, ALTERATIONS OR MUTILATIONS**

ASSIGNMENT OF TITLE	<p>The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:</p> <p>Name of Purchaser(s) <u>JOSE CONCEPCION MARTINEZ</u></p> <p>Address <u>4244 ST HILDAVILL</u> <u>ON WICHITA</u> <u>KS 67216</u></p> <p>City _____ State _____ ZIP _____</p> <p>Member or Summed Party _____</p> <p>I, seller(s), 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:</p> <p><input checked="" type="checkbox"/> The mileage stated is in excess of the mechanical limits of the odometer.</p> <p><input type="checkbox"/> The odometer reading is not actual mileage.</p> <p><b>WARNING-ODOMETER DISCREPANCY.</b></p> <p>I, buyer(s), am aware of the odometer certification made by seller(s).</p> <p><u>J. Concepcion MTR</u> Buyer's Signature (Authorized Agent, if Dealership)</p> <p>Buyer's Hand Printed Name (Same Person(s) that Signed Above)</p> <p>PURCHASE PRICE of the vehicle was: \$ <u>2,500</u></p> <p>Vehicle was sold and delivered on: _____</p> <p>(Seller MUST record the date) <u>2005</u> Month <u>2</u> Day <u>25</u> Year _____</p> <p>I, the undersigned hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title assignment is true and correct to the best of my belief. (This sentence ensures that the law provides severe penalties for making false statements under oath.)</p> <p><u>Walter J. May</u> Seller Signature (if Dealership, Authorized Agent)</p> <p><u>WALTER J MAY</u> Seller's Hand Printed Name (Same Person(s) that Signed Above)</p> <p>Dealer Number, if applicable _____</p>
FIRST RE-ASSIGNMENT BY LICENSED DEALER	<p>The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:</p> <p>Name of Purchaser(s) _____</p> <p>Address _____</p> <p>City _____ State _____ ZIP _____</p> <p>Member or Summed Party _____</p> <p>I, seller(s), 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:</p> <p><input type="checkbox"/> The mileage stated is in excess of the mechanical limits of the odometer.</p> <p><input type="checkbox"/> The odometer reading is not actual mileage.</p> <p><b>WARNING-ODOMETER DISCREPANCY.</b></p> <p>I, buyer(s), am aware of the odometer certification made by seller(s).</p> <p>Buyer's Signature (Authorized Agent, if Dealership) _____</p> <p>Buyer's Hand Printed Name (Same Person(s) that Signed Above) _____</p> <p>PURCHASE PRICE (Retail Sale ONLY) \$ _____</p> <p>Vehicle was sold and delivered on: _____</p> <p>(Seller MUST record the date) _____ Month _____ Day _____ Year _____</p> <p>I, the undersigned, hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title reassignment is true and correct to the best of my belief. I am aware that this law provides severe penalties for making false statements under oath.</p> <p>Seller Signature (Authorized Agent of Dealership) _____</p> <p>Seller's Hand Printed Name (Same Person(s) that Signed Above) _____</p> <p>Dealer's Name (Print or Type) _____</p> <p>Dealer Number _____</p>
SECOND RE-ASSIGNMENT BY LICENSED DEALER	<p>The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:</p> <p>Name of Purchaser(s) _____</p> <p>Address _____</p> <p>City _____ State _____ ZIP _____</p> <p>Member or Summed Party _____</p> <p>I, seller(s), 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:</p> <p><input type="checkbox"/> The mileage stated is in excess of the mechanical limits of the odometer.</p> <p><input type="checkbox"/> The odometer reading is not actual mileage.</p> <p><b>WARNING-ODOMETER DISCREPANCY.</b></p> <p>I, buyer(s), am aware of the odometer certification made by seller(s).</p> <p>Buyer's Signature (Authorized Agent, if Dealership) _____</p> <p>Buyer's Hand Printed Name (Same Person(s) that Signed Above) _____</p> <p>PURCHASE PRICE (Retail Sale ONLY) \$ _____</p> <p>Vehicle was sold and delivered on: _____</p> <p>(Seller MUST record the date) _____ Month _____ Day _____ Year _____</p> <p>I, the undersigned, hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title reassignment is true and correct to the best of my belief. I am aware that this law provides severe penalties for making false statements under oath.</p> <p>Seller Signature (Authorized Agent of Dealership) _____</p> <p>Seller's Hand Printed Name (Same Person(s) that Signed Above) _____</p> <p>Dealer's Name (Print or Type) _____</p> <p>Dealer Number _____</p>

If application for Kansas title and registration is not made within 30 days of date the vehicle was sold and delivered, penalty and interest will be assessed.  
 Only One Additional Dealer Re-Assignment May be Attached

# AFFIDAVIT TO A FACT

Complete vehicle information and check appropriate statement(s).

Please Type or Print Clearly

## VEHICLE INFORMATION

Must be Completed

Year 1997 Make NISS ID # 1N6SD16S4VC380703

**VEHICLE GIFT CERTIFICATION** I, the undersigned, certify that the above referenced vehicle was presented as a gift to \_\_\_\_\_  
Donor Signature \_\_\_\_\_

**ONE AND THE SAME PERSON** I, the undersigned, certify that JOSE CONCEPCION MARTINEZ  
and J CONCEPCION MTZ are one and the same person.

**DISCLAIMING VEHICLE OWNERSHIP**  
I, the undersigned, certify that I am disclaiming ownership of the above referenced vehicle.

**TITLE OR MSO ASSIGNMENT** (Name addition) We, the undersigned, certify the above referenced vehicle assignment was not properly completed at time of purchase.  
Name of person to be added on assignment: \_\_\_\_\_  
(Both parties must sign below)

**VEHICLE NON-USE** I, the undersigned, certify that the above referenced vehicle was not at any time operated during the year(s) of \_\_\_\_\_ and \_\_\_\_\_ (Report full calendar years only.)

**RELATIVES OF A MEMBER OF THE MILITARY** (Renewals, only)  
I, the undersigned, certify that I am the \_\_\_\_\_ of \_\_\_\_\_  
Relationship \_\_\_\_\_  
(Applicant Military Personnel)

**SAFETY INSPECTION CERTIFICATION**  
I, the undersigned, certify that the above referenced vehicle has been modified to meet all safety requirements as per Kansas statutes, for the purpose of obtaining Kansas title and registration.

## AFFIANT'S CERTIFICATION

I certify that all information and statement(s) made above are true to the best of my knowledge.

Affiant's Signature(s) JOSE CONCEPCION MTZ

Date 03-07-05

Date \_\_\_\_\_

# Second Title Transfer #

## NOT ACCEPT TITLE SHOWING ANY ERASURES, WHITEOUT, ALTERATIONS OR MUTILATIONS

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

Name of Purchaser(s) Prince Basanta  
 Address 1027 S Laura City Wichita State KS ZIP 67211

Lienholder or Secured Party \_\_\_\_\_ Address \_\_\_\_\_

I, seller(s), 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:  
 The mileage stated is in excess of the mechanical limit of the odometer.  
 The odometer reading is not actual mileage.  
**WARNING-ODOMETER DISCREPANCY.**  
 I, buyer(s), am aware of the odometer certification made by seller(s).

Vehicle was sold and delivered on: 5-20-05 Month 10 Day 05 Year  
 (Seller MUST record the date.)  
 I, the undersigned, hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title assignment is true and correct to the best of my belief. I am aware that the law provides severe penalties for making false statements under oath.

Buyer(s) Signature (Authorized Agent, if Dealership) Prince Basanta  
 Seller Signature (if Dealership, Authorized Agent) JOSE CONCEPCION MARTINEZ  
 Buyer's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_  
 Seller's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_

PURCHASE PRICE of the vehicle was: \$ 2500  
 Dealer Number, if applicable \_\_\_\_\_

ASSIGNMENT OF TITLE

FIRST RE-ASSIGNMENT BY LICENSED DEALER

SECOND RE-ASSIGNMENT BY LICENSED DEALER

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

Name of Purchaser(s) \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Lienholder or Secured Party \_\_\_\_\_ Address \_\_\_\_\_

I, seller(s), 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:  
 The mileage stated is in excess of the mechanical limit of the odometer.  
 The odometer reading is not actual mileage.  
**WARNING-ODOMETER DISCREPANCY.**  
 I, buyer(s), am aware of the odometer certification made by seller(s).

Vehicle was sold and delivered on: \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year  
 (Seller MUST record the date.)  
 I, the undersigned, hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title reassignment is true and correct to the best of my belief. I am aware that the law provides severe penalties for making false statements under oath.

Buyer(s) Signature (Authorized Agent, if Dealership) \_\_\_\_\_  
 Seller Signature (Authorized Agent of Dealership) \_\_\_\_\_  
 Buyer's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_  
 Seller's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_

PURCHASE PRICE (Retail Sale ONLY) \$ \_\_\_\_\_  
 Dealership's Name (Print or Type) \_\_\_\_\_ Dealer Number \_\_\_\_\_

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

Name of Purchaser(s) \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Lienholder or Secured Party \_\_\_\_\_ Address \_\_\_\_\_

I, seller(s), 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:  
 The mileage stated is in excess of the mechanical limit of the odometer.  
 The odometer reading is not actual mileage.  
**WARNING-ODOMETER DISCREPANCY.**  
 I, buyer(s), am aware of the odometer certification made by seller(s).

Vehicle was sold and delivered on: \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year  
 (Seller MUST record the date.)  
 I, the undersigned, hereby swear or affirm that I am the seller of the motor vehicle described herein and that the information provided in this title reassignment is true and correct to the best of my belief. I am aware that the law provides severe penalties for making false statements under oath.

Buyer(s) Signature (Authorized Agent, if Dealership) \_\_\_\_\_  
 Seller Signature (Authorized Agent of Dealership) \_\_\_\_\_  
 Buyer's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_  
 Seller's Hand Printed Name (Same Person(s) that Signed Above) \_\_\_\_\_

PURCHASE PRICE (Retail Sale ONLY) \$ \_\_\_\_\_  
 Dealership's Name (Print or Type) \_\_\_\_\_ Dealer Number \_\_\_\_\_

application for Kansas title and registration is not made within 30 days of date the vehicle was sold and delivered, penalty and interest will be assessed.  
 Only One Additional Dealer Re-Assignment May be Attached



## KANSAS AUTOMOBILE DEALERS ASSOCIATION

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February 7, 2006

To: Chairman Gary Hayzlett  
and Members of the House Transportation Committee

From: Don L. McNeely, KADA President

Re: House Bill 2645

Chairman Hayzlett and Members of the Committee:

Good Afternoon, my name is Don McNeely, and I serve as President of the Kansas Automobile Dealers Association, a trade association representing the state's franchised motor vehicle dealers, which as a member service performs the services of a title service agency to meet the needs of our membership. I appear before you today in support of licensing those persons or businesses which perform the variety of services commonly associated with a title service agency in order to provide some sort of financial accountability to those they serve.

Due to the fact, the state's motor vehicle dealers are already licensed with the Division of Vehicles, which requires an annual licensing fee, an established place of business, minimum liability insurance, property and sales tax clearance, \$30,000 bonding, and open records inspections, we request that Section 2 be amended with the following:

*"This act shall not apply to any person who is licensed under the provisions of K.S.A. 8-2401, et seq, and amendments thereto."*

In addition, as an organization which operates a title service agency, the recordkeeping requirements as currently set forth in Section 4 (a) would create an unnecessary burden, volumes of paperwork and in many respects be duplicative in nature, when essentially a record of each transaction is all that is needed. In this respect, we request that the current provisions of Section 4 (a) be stricken and replaced with the following:

*"Every licensee shall maintain for three years, a log containing a record entry of the date of each application, the name of the person for whom the title services were performed, the name of the owner and the vehicle identification number for each vehicle."*

On behalf of the Kansas Automobile Dealers Association, I would like to thank the Members of the Committee for allowing me to appear before you this afternoon and we respectfully request your support of our proposed amendments to HB 2645. I would be happy to answer any questions you may have.

House Transportation  
Date: 2-7-06  
Attachment # 5

800 S.W. Jackson, Suite 1110 • Topeka, KS 66612

Telephone (785) 233-6456 • Fax (785) 233-1462

Testimony in Support of  
House Bills 2645 and 2646  
Before the House Transportation Committee  
By Vaughn Fox

February 7, 2006

Chairman Hayzlett and Committee Members:

My name is Vaughn Fox. I am a used car dealer in Wichita. I appreciate the opportunity to appear before you in support of House Bills 2645 and 2646.

In 1989, I was a partner of a Corporation that consisted of two Licensed Kansas Vehicle Dealerships – one in Kinsley KS which operated as Fox Equipment Company established by our family in 1947 – the other was Value Automotive Inc. located Wichita.

Fox Equipment purchased a 1981 Ford F-150 Pickup from a broker who handled vehicle dispositions for KP&L Gas Services Company in Topeka. Subsequently, an application for a dealer title only was made through the Edwards County Treasurer in Kinsley. The new title was issued in the name of Fox Equipment.

In December 1989, Fox Equipment Co., was closed and all inventory and assets were merged into Value Automotive Inc. in Wichita. At this time, the back of the Kansas Certificate of Title was assigned to Value Automotive Inc.

In May 1990, Value Automotive Inc sold this vehicle to a customer in Wichita who made a down payment and financed the balance through a retail sales contract for a term of three months, which included charges for credit life and disability insurance, vendor's single interest insurance, state filing fees and interest. The customer made one payment and then skipped out on the remaining balance. Pursuant to Kansas and Federal law, a notice to cure default was issued, giving the customer twenty days to cure defaults. Attempts were made to locate this customer without success and all mail was returned to us.

House Transportation  
Date: 2-7-06  
Attachment # 6

A notice of security interest as required by the State of Kansas was completed and signed by our customer showing our firm as the secured interest, which was filed with the Department of Revenue, Secured Title Section.

In April 1991 a different customer came to our dealership in Wichita driving the Pickup we had sold to the previous customer. He expressed an interest in a vehicle on our lot, provided us with his driver's license, home and work addresses, and took a demonstration drive. During his demonstration drive, I verified the identification number of the pickup and determined that it was the one we financed and was owed money by the previous customer. No mention of the vehicle status was made to the new customer as we determined that a peaceful repossession would be the best alternative, which was subsequently accomplished by our repossession agent.

Following repossession a Wichita police detective contacted our office and advised that we had stolen this vehicle from the person as opposed to repossessing it. The detective further advised that he had in his possession a Kansas Certificate of Title for this vehicle duly assigned from Fox Equipment to this person. That same date, I met with the detective and discovered a fraudulent duplicate certificate of title in the name of Fox Equipment that had been assigned to this person in April 1990 and notarized by his wife. Only the company name Fox Equipment appeared both in the signature line and printed line. The detective was advised that this title was a fraud and forgery. He did not have much knowledge of how title procedures worked and was at a loss to understand what had transpired. At one point, the detective requested that we return the vehicle to the customer and proceed with civil action. We refused and informed him that to have the customer proceed with civil action against our firm.

At this time, we requested a complete title history report from the State of Kansas. Upon receipt of this report, we also found that the customer's wife had in fact notarized a duplicate title application in the name of KP and L Company the original owner of this vehicle. This application also was not signed by an individual, but had K P And L Company in the signature line. Because Fox Equipment was the last registered owner according to State records, this application was denied. The customer's wife then completed an application in the name of Fox Equipment, again with no signature and only Fox Equipment on the signature line.

After consultation with the State of Kansas, title and registration department and

much paper work, a title was finally issued in the name of Value Automotive Inc. This pickup was then stored under lock for approximately five months to assure that it was not stolen from our firm and was finally sold at a huge loss.

We also incurred additional costs of repossession fees; recondition expense, floor plan interest expense, and storage fees, and the balance left on the original note in the amount of \$2141.96 as well as loss of use, extra mileage and stress of the whole ordeal.

#### SUMMARY OF DEFECTS IN PRESENT SYSTEM:

1. The State of Kansas Motor Vehicle Department failed to deny any duplicate title applications even though we filed the notice of security interest, as required by State Law.
2. There is no provision for reporting vehicles that have skipped from a retail sales contract; however, with the State now holding secured titles this problem should mostly be alleviated. I feel that a legitimate lien holder should be allowed report a stolen vehicle to the National Crime Information Center (NCIC) and that the Division of Vehicles be linked to NCIC.
3. The Sedgwick County Treasurer was lax in not requiring that the application for a duplicate title contain both an individual signature and identification as to ownership. County Treasurers should also have to follow the guidelines as outlined in Representatives Huy's House Bill 2645.
4. The lack of knowledge by most law enforcement agencies in following the flow of title and registration procedures.
5. The lack of notary process on title work.
6. The fact that most Dealerships are Corporations and as such cannot represent themselves without legal counsel. There should be a provision for recovery of actual attorney fees as most bonds are underwritten by Insurance Companies, who will likely appeal most legal action to infinity.

Thank you for your time and I would be glad to answer any questions.





# Kansas Motor Carriers Association

Trucking Solutions Since 1936

**Calvin Koehn**  
Circle K Transport, Inc.  
President

**Jeff Robertson**  
J.M.J. Projects  
Chairman of the Board

**Mike Miller**  
Miller Trucking, LTD  
First Vice President

**Michael Topp**  
TT&T Towing, Inc.  
Second Vice President

**Gale Fischer**  
Golden Plains Trucking, Inc.  
Treasurer

**Larry "Doc" Criqui**  
Kansas Van & Storage  
Criqui Corp.  
Corporate Secretary

**Jerry Arensdorf**  
Arensdorf Trucking, Inc.  
ATA State Vice President

**Ken Leicht**  
Rawhide Trucking, Inc.  
ATA Alternate State VP

**Mike Ross**  
Ross Truck Line of Salina, Inc.  
ProTruck PAC Chairman

**Kelly Kile**  
Wal-Mart Stores, Inc.  
Public Relations Chairman

**Dave Eaton**  
Cummins Central Power, LLC  
Allied Industries Chairman

**Tom Whitaker**  
Executive Director

## Legislative Testimony

Presented by the Kansas Motor Carriers Association  
Before the House Transportation Committee  
Representative Gary Hayzlett, Chairman  
February 7, 2006

### MR. CHAIRMAN AND MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE:

I am Tom Whitaker, executive director of the Kansas Motor Carriers Association. I appear here this afternoon representing our 1,250 member-firms requesting an amendment to House Bill No. 2645.

The Kansas Motor Carriers Association has acted as a licensing agent for the owners of truck tractors, straight trucks and semi-trailers since 1985. HB 2645 would require KMCA to register with the Division of Vehicles, pay a \$75.00 registration fee and post a \$25,000 bond. In the twenty plus years KMCA has assisted trucking companies with vehicle registration and titling requirements, not one complaint has been registered against our Association.

As we understand the intent of HB 2645, the bill is "consumer protection" legislation designed to protect owners of light-weight vehicles from theft and fraud. If this is truly the intent of HB 2645, KMCA would ask that the bill be amended to apply only to those vehicles for which an odometer statement is required as provided in K.S.A. 50-652.

#### **K.S.A. 50-652. Odometer statement required; exceptions.**

A completed odometer statement shall be a required document for a title for a motor vehicle, except for motor vehicles which are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds.

With this amendment, KMCA would not object to HB 2645. Thank you for the opportunity to appear before you today. I would be pleased to respond to any questions you may have.

House Transportation  
Date: 2-7-06  
Attachment # 7



# K A N S A S

JOAN WAGNON, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES

**TO:** Chairman Gary Hayzlett  
Members of the House Transportation Committee

**FROM:** Carmen Alldritt, Director  
Division of Vehicles

**DATE:** February 7, 2006

**SUBJECT:** House Bill 2645 – Title Service Agents

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We have approximately twenty five title service agents or businesses in Kansas. They are located throughout the state, but primarily in Kansas City, Wichita, Topeka, Hutchinson, Salina and two out of Missouri. Title services are used by some dealers and often, some individuals. All vehicle work is taken for processing to the County Treasurers' offices, and it is stamped "hand-carry". The agents bring that work to our front counter at the Docking Building for same day printing of titles or whatever their business needs require.

The Division is in agreement with amendments for Motor Carriers, Dealers and Financial Institutions, as this is a part of their business and we consider them a party to the transaction.

This bill would require the title service to keep records of identification of their customers in case there would ever be any question regarding a transaction. The bonding would be in place for any consumer issues that might arise. And, of course, since we do tax clearance on any licenses issued, such as dealers licensing, title service agents would be subject to that process.

House Transportation  
Date: 2-7-06  
Attachment # 8



# K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE  
DIVISION OF VEHICLES

KATHLEEN SEBELIUS, GOVERNOR

**TO:** Chairman Gary Hayzlett  
Members of the House Transportation Committee

**FROM:** Carmen Alldritt, Director  
Division of Vehicles

**DATE:** February 7, 2006

**SUBJECT:** House Bill 2646 – Title Notary

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As of July 1, 2002, Kansas no longer required a notary stamp and signature on the Kansas title. This was done for various reasons such as conformity among the other states and to be more in line with business practices in today's world.

Kansas has approximately one million titles with no space for a notary, and I've just ordered title stock for one million titles which also have no notary space. To add the notary would cause customer complaints and confusion for other jurisdictions. The vehicle staff at your County Treasurers offices would certainly bear the brunt of customer dissatisfaction, which would then escalate to you.

With technology advances incorporated into the "new" Kansas title, I feel to step back and require notarization of the title would be counterproductive.

House Transportation  
Date: 2-7-06  
Attachment # 9

**Memorandum**

**TO:** THE HONORABLE GARY HAYZLETT, CHAIRMAN  
HOUSE TRANSPORTATION COMMITTEE

**FROM:** WILLIAM W. SNEED, LEGISLATIVE COUNSEL  
THE STATE FARM INSURANCE COMPANIES

**RE:** H.B. 2646

**DATE:** FEBRUARY 7, 2006

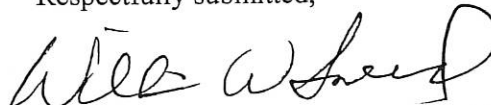
Mr. Chairman, Members of the Committee: My name is William Sneed and I am Legislative Counsel for The State Farm Insurance Companies. State Farm is the largest insurer of homes and automobiles in Kansas. State Farm insures one out of every three cars and one out of every four homes in the United States. We appreciate the opportunity to present testimony regarding House Bill 2646. After reviewing H.B. 2646, we would respectfully request the Committee to not take action on this bill.

This bill would require paper titles issued prior to January 1, 2003, which have a lien showing to require a notary to the owner's signature on the back of the title. As you might imagine, State Farm and its team of agents handle thousands of losses throughout the State of Kansas. Inasmuch as Kansas is largely a rural state, this would put undue hardship on many of State Farm customers who do not have ready access to a State Farm claim office where we have a notary public. Many customers have to travel dozens of miles to even get a notary, whether with State Farm or some other public organization. This will cause undue delay in getting a settlement transaction made with our customers and thereby cause them more interruptions in getting on with their daily activities than would be necessary.

We appreciate the opportunity to work with the sponsors of this bill if the Committee deems necessary. However, based upon its current form, we respectfully request the Committee not act favorably on House Bill 2646.

Thank you very much and I'm available for further questions on this matter, at your convenience.

Respectfully submitted,



William W. Sneed

House Transportation  
Date: 2-7-06  
Attachment # 10

WWS: pmk