

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on March 18, 2008 in Room 519-S of the Capitol.

All members were present except:

Representative Jerry Henry- excused
Representative Ronnie Metzker- excused
Representative Gene Rardin- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Charles Letcher, Treasurer, Johnson County

Others attending:

See attached list.

Chairman Hayzlett opened the meeting. He opened hearings on **SB 521**.

SB 521 - Vehicle Registrations; Dishonor of Payment

The Chairman recognized Charles Letcher, Treasurer of Johnson County as the first proponent of this bill. (Attachment #1) Mr. Letcher explained **SB 521** which changes the term "check" to "payment instrument" and adds language for rejected or reversed credit card payments. He said these revisions will add clarity to the existing statute to standardize and expand the authority of the sheriff while recovering revenue through the enforcement of motor vehicle laws.

There were no other proponents and no opponents. After all questions were answered the Chairman closed the hearings on **SB 521**.

Chairman Hayzlett introduced Tim Sowton, representing R.L. Polk and Co. He was there with Paul Kanitra, Government Relations Manager with CARFAX, to make a presentation to the Committee. Mr. Sowton explained that CARFAX does background checks on pre-owned vehicles. He said by using the Vehicle Identification Number CARFAX can produce a detailed vehicle history report on virtually every car, truck, or S.U.V. in North America for the purpose of helping consumers, dealers and businesses in finding and avoiding hidden problems and making smarter auto purchasing decisions.

The Chairman opened **HB 2926** for discussion, questions or motions. During discussions Representative Huntington made a motion to change "shall" to "may" on line 19. The motion was seconded by Representative Ballard. After more discussion the motion was withdrawn.

Representative Sloan made a motion to remove the word "demolish" and add "remove, haul or transport any debris from demolished..." The motion was seconded by Representative Worley, the motion carried.

Representative Peck made a motion to remove the wording referring to the National Guard as a participant in matters relating to the demolition of structures, seconded by Representative Huntington and the motion carried.

Representative Peck made a motion to favorably pass **HB 2926, as amended.** The motion was seconded by Representative King and the motion carried.

Chairman Hayzlett opened **SB 523** for discussions, questions and motions. The Chairman recognized Senator Ostmeyer who spoke in support of this bill. Representative Peck made a motion to favorably pass this bill and place it on the consent calendar. Representative Vickrey seconded the motion and the motion carried.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on March 18, 2008 in Room 519-S of the Capitol.

The Chairman opened **SB 522** for discussions, questions and motions. After discussions Representative Swanson made a motion to add the wording, ...“except that the unused registration fee may be transferred to another fleet motor vehicle which is registered at the same or greater weight.” The motion was seconded by Representative McLachlan and the motion carried.

Representative Vickrey made a motion to favorably pass **SB 522, as amended**, the motion was seconded by Representative Humerickhouse and the motion carried.

Chairman Hayzlett opened **SB 521** for discussions, questions and motions. Representative Sloan made a motion to favorably pass SB 521, seconded by Representative Menghini, the motion carried.

There was discussion on **SB 294**.

There being no further business the meeting was adjourned. The next meeting will be on March 20, at 1:30 p.m., in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE

DATE Mar. 18, 2008

NAME	REPRESENTING
Terry Heidner	KDOT
Jim HANNI	AAA
Tim Sawton	R.L. Polk & Co.
Wm Barker	Attorney, Tpeka
Tom Whitaker	KMCA
KEVIN GREGG	KMCA



TESTIMONY

House Committee on Transportation

Senate Bill No. 521

March 18, 2008

Representative Gary Hayzlett, Chairman and members of the House Committee on Transportation, I am Charles M. Letcher, Treasurer of Johnson County and I thank you for the opportunity to testify on behalf of Johnson County in favor of Senate Bill No. 521. We support this measure to change the term "check" to "payment instrument" and to add language for rejected or reversed credit card payments. These revisions will add clarity to the existing statute thus standardizing and expanding the authority of the sheriff while recovering revenue through the enforcement of motor vehicle laws.

Currently, the term "check" is not defined in K.S.A. 8-145a to include other payment types such as electronic checks or wire transfers. By changing the term "check" to "payment instrument" within the statute, we can specifically address these and other types of payment activities based on the meaning ascribed to "payment instrument" in K.S.A. 9-508. This definition states: *"payment instrument" means any electronic or written check, draft, money order, travelers check or other electronic or written instrument or order for the transmission or payment of money, sold or issued to one or more persons, whether or not such instrument is negotiable. The term "payment instrument" does not include any credit card voucher, any letter of credit or any instrument which is redeemable by the issuer in goods or services.* The change in language will allow the sheriff to pursue collection of insufficient or no-fund payments made by motor vehicle customers regardless of whether the transaction was done as an electronic or written instrument since these payment types will be clearly defined in the statute.

Also, per K.S.A. 8-145a, the sheriff has the authority to recover the license plate from a motorcycle or motor vehicle for which an insufficient or no-fund check was used to pay for the registration. The addition of language related to credit card transactions will provide the same enforcement method to the sheriff for rejected or reversed credit card payments as they will have for all other payment instruments. For these reasons, Johnson County supports SB521.

In conclusion, the Johnson County Treasurer's Department respectfully requests that this legislation be advanced from this committee for further action. Thank you for your attention and I will be happy to stand for questions.

House Transportation
Date: 3-18-08
Attachment # 1