

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 2:07 p.m. on April 30, 2010, in Room 152-S of the Capitol.

All members were present except:

- Senator Les Donovan- excused
- Senator Mike Petersen- excused

Committee staff present:

- Bruce Kinzie, Office of the Revisor of Statutes
- Daniel Yoza, Office of the Revisor of Statutes
- Jill Shelley, Kansas Legislative Research Department

Others attending:

See attached list.

Chairman Umbarger opened the meeting to discuss further action on **S Sub for H 2650 by Committee on Transportation – Transportation works for Kansas program, financing**. The bill had been withdrawn from the calendar and re-referred to the Transportation Committee to discuss further modification.

Bruce Kinzie, Office of the Revisor of Statutes, reviewed proposed balloon amendments (Attachment 1) that include the following changes:

Provision	Section(s)
<ul style="list-style-type: none"> ● remove 45% cap of total program expenditures in any single transportation district 	New Section 1, subsection (i)
<ul style="list-style-type: none"> ● clarify which trailers would be eligible for permanent license plates 	New Sec. 2, subsection (a)
<ul style="list-style-type: none"> ● broaden expenditures in each county from highway, bridge, and substantial maintenance projects to include programs authorized under section 1, and amendments thereto 	Sec. 30, K.S.A. 68-2316
<ul style="list-style-type: none"> ● authorize the Secretary of Transportation to transfer moneys from the State Highway Fund (SHF) to the Rail Service Improvement Fund (RSIF) and back, as long as those transfers do not diminish the \$5 million to be transferred from the SHF to the RSIF each year 	Sec. 36, K.S.A. 78-5048, subsection (g)
<ul style="list-style-type: none"> ● remove a sales tax increase and related provisions 	Sec. 44 - Sec. 47, K.S.A. 79-3603, 79-3620, 79-3703 and 79-3710

Discussion followed. Senator Hensley moved, Senator Kultala seconded, to adopt the balloon amendments and designate the bill as S Sub for S Sub for H 2650. Motion carried.

Senator Kultala moved, Senator Marshall seconded, to recommend S Sub for S Sub for H 2650 favorably for passage. Motion carried.

The meeting was adjourned at 2:19 p.m. No other meetings are scheduled.

Senate Transportation

2 pm Friday 11/30/10

Whitney Jamson	KS Goodroads, Inc.
LUCK DUNCAN	KS public transit ASSN.
Spencer Duncan	Capitol Connection
Sandy Braden	Gaches, Braden & Assoc.
Sean Miller	CAPITOL STRATEGIES
Woody Rufus	KAPA
Wendy Hains	✓
Secretary Miller	KDOT
Joe Erskin	KDOT
Terry Heidner	KDOT
Lindsay Douglas	KDOT
Kyle Schneeweis	KDOT

SENATE Substitute for HOUSE BILL No. 2650

By Committee on Transportation

3-30

Proposed Amendments to Senate
Substitute for HB No. 2650
Prepared by: Bruce Kinze, Office of Revisor
of Statutes

Senate Transportation
4-30-10
Attachment I

9 AN ACT relating to transportation; providing for a transportation works
10 for Kansas program; relating to the financing thereof; amending K.S.A.
11 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-195, 8-234b, 8-2409,
12 12-1775, 68-416, 68-20,120, 68-2316, 68-2320, 68-2321 and 68-2328
13 and K.S.A. 2009 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-145, 8-172, 8-
14 2406, 8-2425, 12-6a35, 12-6a36, 12-1774, 12-1774a, 12-17,148, 12-
15 17,149, 68-2315, 68-2331, 75-5035, 75-5048, 75-5061, 75-5063, 75-
16 5064, 75-5160, 79-3492b, 79-34,141, ~~79-34,142, 79-3603, 79-3620,~~
17 ~~79-3703 and 79-3710~~ and repealing the existing sections; also repealing
18 K.S.A. 68-2314a.

and 79-34,142

19
20 *Be it enacted by the Legislature of the State of Kansas:*

21 New Section 1. (a) In order to plan, develop and operate or coor-
22 dinate the development and operation of the various modes and systems
23 of transportation within the state, the secretary of transportation is hereby
24 authorized and directed to initiate a transportation works for Kansas
25 program.

26 (b) The transportation works for Kansas program shall provide for
27 the construction, improvement, reconstruction and maintenance of the
28 state highway system. The program shall provide for the selection of pro-
29 jects which will allow for the flexibility to meet emerging and economic
30 needs. Program expenditures may include, but not be limited to, the
31 following:

32 (1) Preservation projects to efficiently maintain a safe state highway
33 system in its original or improved condition. It is the intent of the legis-
34 lature that bridges and pavement condition of the state highway system
35 be maintained or improved as determined by the Kansas department of
36 transportation's performance measures;

37 (2) expansion and economic opportunity projects, which include ad-
38 ditions to the transportation system or which improve access, relieve con-
39 gestion and enhance economic development opportunities. The Kansas
40 department of transportation shall develop and utilize criteria for the
41 selection of expansion and economic opportunity projects. The selection
42 criteria shall include, but not be limited to, engineering and traffic data,
43 local consultation, geographic distribution and an economic impact anal-

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1 ysis evaluation; and

2 (3) modernization projects, which include improvements to the trans-
3 portation system by widening lanes or shoulders, making geometric im-
4 provements, upgrading interchanges or building rail grade separations to
5 improve the safety, condition or service of the highway system. The Kan-
6 sas department of transportation shall develop and utilize criteria for the
7 selection of modernization projects. The selection criteria shall include,
8 but not be limited to, engineering data, local consultation and geographic
9 distribution.

10 The department of transportation shall develop criteria for the incor-
11 poration of practical improvements into designs of the projects specified
12 in this subsection.

13 (c) The transportation works for Kansas program shall provide for
14 assistance, including credit and credit enhancements, to cities and coun-
15 ties in meeting their responsibilities for the construction, improvement,
16 reconstruction and maintenance of the roads and bridges not on the state
17 highway system. These expenditures may include, but not be limited to,
18 the following:

19 (1) Apportionment of the special city and county highway fund to
20 assist cities and counties with their responsibilities for roads and bridges
21 not on the state highway system;

22 (2) programs to share federal aid with cities and counties to assist
23 with their responsibilities for roads and bridges not on the state highway
24 system;

25 (3) programs to assist cities with the maintenance of city connecting
26 links as specified in K.S.A. 68-416, and amendments thereto, and local
27 partnership programs to resurface or geometrically improve city con-
28 necting links or to promote economic development;

29 (4) programs to assist cities and counties with railroad crossings of
30 roads not on the state highway system; or

31 (5) programs that allow local governments to exchange federal aid
32 funds for state funds.

33 (d) The transportation works for Kansas program shall provide for a
34 railroad program to provide assistance in accordance with K.S.A. 75-5040
35 through 75-5050, and amendments thereto, for the preservation and re-
36 vitalization of rail service in the state.

37 (e) The transportation works for Kansas program shall provide for an
38 aviation program to provide assistance for the planning, constructing, re-
39 constructing or rehabilitating the facilities of public use general aviation
40 airports, in accordance with K.S.A. 75-5061, and amendments thereto.

41 (f) The transportation works for Kansas program shall provide for
42 public transit programs to aid elderly persons, persons with disabilities
43 and the general public, in accordance with K.S.A. 75-5032 through 75-

1 5038, and amendments thereto, and K.S.A. 75-5051 through 75-5058,
2 and amendments thereto.

3 (g) The transportation works for Kansas program shall provide for a
4 multimodal economic development program to provide transportation
5 improvement assistance for transportation-sensitive economic opportu-
6 nities on a local or a regional basis.

7 (h) The secretary of transportation shall, using the department of
8 transportation selection methods and criteria, determine the projects to
9 be selected for inclusion under the transportation works for Kansas
10 program.

11 ~~(i) No single transportation district established pursuant to K.S.A. 75-
12 5002, and amendments thereto, shall receive more than 15% of the total
13 program expenditures under the provisions of the transportation works
14 for Kansas program.~~

STRICKEN

15 New Sec. 2. (a) On and after January 1, 2013, the division of vehicles
16 shall provide for the registration of and the issuance of license plates for
17 trailers which are registered for a gross weight of 54,000 pounds or more
18 in accordance with the provisions of this section. License plates issued
19 under this section shall be permanent in nature and designed in such a
20 manner as to remain with the trailer for the duration of the life span of
21 the trailer or until the title to the trailer is transferred by the owner. Such
22 license plates shall be distinctive and there shall be no year date thereon.
23 Trailers registered under the provisions of this section shall pay a one-
24 time registration fee of \$10 and shall be issued a permanent registration
25 cab card for the duration of the life span of the trailer or until the title
26 to the trailer is transferred by the owner. License plates issued under this
27 section shall not be transferable to any other trailer.

used in combination with vehicles
, as defined by K.S.A. 8-143, and
amendments thereto,

28 (b) The secretary of revenue may adopt rules and regulations in order
29 to administer the provisions of this section.

30 (c) This section shall be part of and supplemental to article 1 of chap-
31 ter 8 of the Kansas Statutes Annotated.

32 Sec. 3. K.S.A. 2009 Supp. 8-142 is hereby amended to read as fol-
33 lows: 8-142. It shall be unlawful for any person to commit any of the
34 following acts and except as otherwise provided, violation is subject to
35 penalties provided in K.S.A. 8-149, and amendments thereto:

36 *First:* To operate, or for the owner thereof knowingly to permit the
37 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and
38 amendments thereto, which is not registered, or for which a certificate
39 of title has not been issued or which does not have attached thereto and
40 displayed thereon the license plate or plates assigned thereto by the di-
41 vision for the current registration year, including any registration decal
42 required to be affixed to any such license plate pursuant to K.S.A. 8-134,
43 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-

1 135, 8-198 and 8-1751a, and amendments thereto. A violation of this *First*
2 by a person unlawfully claiming that a motor vehicle is exempt from reg-
3 istration as a self-propelled crane under subsection (b) of K.S.A. 8-128,
4 and amendments thereto, shall constitute an unclassified misdemeanor
5 punishable by a fine of not less than \$500.

6 *Second:* To display or cause or permit to be displayed, or to have in
7 possession, any registration receipt, certificate of title, registration license
8 plate, registration decal, accessible parking placard or accessible parking
9 identification card knowing the same to be fictitious or to have been
10 canceled, revoked, suspended or altered. A violation of this part *Second*
11 shall constitute an unclassified misdemeanor punishable by a fine of not
12 less than \$100 and forfeiture of the item. A mandatory court appearance
13 shall be required of any person violating this part *Second*. This part *Sec-*
14 *ond* shall not apply to the possession of: (a) Model year license plates
15 displayed on antique vehicles as allowed under K.S.A. 8-172, and amend-
16 ments thereto; or (b) distinctive license plates allowed under K.S.A. 8-
17 1,147, and amendments thereto.

18 *Third:* To lend to or knowingly permit the use by one not entitled
19 thereto any registration receipt, certificate of title, registration license
20 plate or registration decal issued to the person so lending or permitting
21 the use thereof.

22 *Fourth:* To fail or refuse to surrender to the division, upon demand,
23 any registration receipt, certificate of title, registration license plate or
24 registration decal which has been suspended, canceled or revoked.

25 *Fifth:* To use a false or fictitious name or address in any application for
26 a certificate of title, the registration of any vehicle or for any renewal or
27 duplicate thereof, or knowingly to make a false statement or knowingly
28 to conceal a material fact or otherwise commit a fraud in any such
29 application.

30 *Sixth:* For the owner of a motor vehicle to file application for the reg-
31 istration thereof, in any county other than the county in which the owner
32 of the vehicle resides or has a bona fide place of business, which place is
33 not an office or facility established or maintained solely for the purpose
34 of obtaining registration.

35 *Seventh:* To operate on the highways of this state a vehicle or combi-
36 nation of vehicles whose weight with cargo is in excess of the gross weight
37 for which the truck or truck tractor propelling the same is registered,
38 except as provided by K.S.A. 8-143, and amendments thereto, and sub-
39 sections (a) to (f), inclusive, of K.S.A. 8-1911, and amendments thereto.
40 Such gross weight shall not be required to be in excess of the limitations
41 described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for
42 such vehicle or combination of vehicles of which it is a part. Any person
43 or owner who operates a vehicle in this state with a registration in violation

1 of subsection ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, shall be
2 required to pay the additional fee equal to the fee required by the appli-
3 cable registration fee schedule, less the amount of the fee required for
4 the gross weight for which the vehicle is registered to obtain the proper
5 registration therewith. A fine of \$75 shall be assessed for all such gross
6 weight registration violations.

7 *Eighth:* To operate a local truck or truck tractor which is registered for
8 a gross weight of more than 12,000 pounds as a common carrier outside
9 a radius of three miles beyond the corporate limits of the city in which
10 such vehicle was based when registered and licensed or to operate any
11 other local truck or truck tractor licensed for a gross weight of more than
12 12,000 pounds outside a radius of 25 miles beyond the corporate limits
13 of the city in which such vehicle was based when registered and licensed,
14 except as provided in subsection ~~(2)~~ (b) of K.S.A. 8-143 or 8-143i, and
15 amendments thereto.

16 *Ninth:* To operate on the highways of this state a farm truck or farm
17 trailer other than to transport: (a) Agricultural products produced by such
18 owner; (b) commodities purchased by the owner for use on the farm
19 owned or rented by the owner of such vehicles; (c) commodities for re-
20 ligious or educational institutions being transported by the owner of such
21 vehicles for charity and without compensation of any kind, except as pro-
22 vided in subsection (c) of K.S.A. 66-1,109, and amendments thereto; or
23 (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top,
24 dirt or fill material to a township road maintenance or construction site
25 of the township in which the owner of such truck resides.

26 *Tenth:* To operate a farm truck or truck tractor used in combination
27 with a trailer or semitrailer for a gross weight which does not include the
28 empty weight of the truck or truck tractor or of the combination of any
29 truck or truck tractor and any type of trailer or semitrailer, plus the max-
30 imum weight of cargo which will be transported on or with the same; and
31 such farm truck or farm truck tractor used to transport a gross weight of
32 more than 54,000 pounds shall have durably lettered on the side of the
33 motor vehicle the words "farm vehicle—not for hire."

34 *Eleventh:* To operate on the highways of this state any truck or truck
35 tractor without the current quarter of license fees being paid thereon.

36 *Twelfth:* To operate on the highways of this state a truck or truck tractor
37 without carrying in the cab a copy of the registration receipt for such
38 vehicle or without having painted or otherwise durably marked on said
39 vehicle on both sides thereof, the gross weight for which said vehicle is
40 licensed and the name and address of the owner thereof, except as pro-
41 vided in K.S.A. 8-143e, and amendments thereto.

42 *Thirteenth:* To operate on the highways of this state a farm trailer car-
43 rying more than 6,000 pounds without being registered and the registra-

1 tion fees paid thereon.

2 *Fourteenth:* To operate more than 6,000 miles in any calendar year any
3 truck or truck tractor which has been registered and licensed to operate
4 not more than 6,000 miles in such calendar year, as provided in subsection
5 ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, unless the additional
6 fee required by ~~said such~~ subsection ~~(2)~~ (b) has been paid.

7 *Fifteenth:* For any owner who has registered a truck or truck tractor
8 on the basis of operating not more than 6,000 miles to fail to keep the
9 records required by the director of vehicles, or to fail to comply with rules
10 and regulations of the secretary of revenue relating to such registration.

11 *Sixteenth:* To operate a vehicle or combination of vehicles on the na-
12 tional system of interstate and defense highways with a gross weight
13 greater than permitted by the laws of the United States Congress.

14 Sec. 4. K.S.A. 2009 Supp. 8-143 is hereby amended to read as fol-
15 lows: 8-143. ~~(1)~~ (a) All applications for the registration of motorcycles,
16 motorized bicycles and passenger vehicles other than trucks and truck
17 tractors, except as otherwise provided, shall be accompanied by an annual
18 license fee as follows: ~~For motorized bicycles, \$11, for motorcycles, \$16,~~
19 ~~for passenger vehicles, other than motorcycles, used solely for the car-~~
20 ~~rying of persons for pleasure or business, and for hearses and ambulances~~
21 ~~a fee of (i) \$30 for those having a gross weight of 4,500 pounds or less;~~
22 ~~(ii) \$40 for those having a gross weight of more than 4,500 pounds;~~

23 (1) *For motorized bicycles, \$11, on January 1, 2013, \$21, on January*
24 *1, 2014, \$31;*

25 (2) *for motorcycles, \$16, on January 1, 2013, \$26, on January 1, 2014,*
26 *\$36;*

27 (3) *for passenger vehicles, other than motorcycles, used solely for the*
28 *carrying of persons for pleasure or business, and for hearses and ambu-*
29 *lances a fee of:*

30 (A) *For those having a gross weight of 4,500 pounds or less, \$30, on*
31 *January 1, 2013, \$40, on January 1, 2014, \$50; and*

32 (B) *for those having a gross weight of more than 4,500 pounds, \$40,*
33 *on January 1, 2013, \$50, on January 1, 2014, \$60;*

34 (4) *for each electrically propelled motor vehicle, except electrically*
35 *propelled vehicles intended for the purpose of transporting any com-*
36 *modity, goods, merchandise, produce or freight, or passengers for hire,*
37 *a fee of \$14, on January 1, 2013, \$24, on January 1, 2014, \$34.*

38 (5) *Except for motor vehicles, trailers or semitrailers registered under*
39 *the provisions of K.S.A. 8-1,134, and amendments thereto, the annual*
40 *registration fee for each motor vehicle, trailer or semitrailer owned by*
41 *any political or taxing subdivision of this state or by any agency or instru-*
42 *mentality of any one or more political or taxing subdivisions of this state*
43 *and used exclusively for governmental purposes and not for any private*

1 or utility purposes, which is not otherwise exempt from registration, shall
2 be \$2.

3 ~~(2)~~ (b) (1) As used in this subsection, the term "gross weight" shall
4 mean and include the empty weight of the truck, or combination of the
5 truck or truck tractor and any type trailer or semitrailer, plus the maxi-
6 mum weight of cargo which will be transported on or with the same,
7 except when the empty weight of a truck plus the maximum weight of
8 cargo which will be transported thereon is 12,000 pounds or less. The
9 term gross weight shall not include: The weight of any travel trailer pro-
10 pelled thereby which is being used for private recreational purposes; or
11 the weight of any vehicle or combination of vehicles for which wrecker
12 or towing service, as defined in K.S.A. 66-1329, and amendments thereto,
13 is to be provided by a wrecker or tow truck, as defined in K.S.A. 66-1329,
14 and amendments thereto. Such wrecker or tow truck shall be registered
15 for the empty weight of such vehicle fully equipped for the recovery or
16 towing of vehicles. The gross weight license fees hereinafter prescribed
17 shall only apply to the truck or truck tractor used as the propelling unit
18 for the cargo and vehicle propelled, either as a single vehicle or combi-
19 nation of vehicles. On application for the registration of a truck or truck
20 tractor, the owner thereof shall declare as a part of such application the
21 maximum gross weight the owner desires to be applicable to such vehicle,
22 which declared gross weight in no event shall be in excess of the limita-
23 tions described by K.S.A. 8-1908 and 8-1909, and amendments thereto,
24 for such vehicle or combination of vehicles of which it will be a part. All
25 applications for the registration of trucks or truck tractors, except as oth-
26 erwise provided herein, shall be accompanied by an annual license fee as
27 follows:

28 (A) *Prior to January 1, 2013:*

29 For a gross weight of 12,000 lbs. or less	\$40
30 For a gross weight of more than 12,000 lbs. and not more than 16,000	
31 lbs.	102
32 For a gross weight of more than 16,000 lbs. and not more than 20,000	
33 lbs.	132
34 For a gross weight of more than 20,000 lbs. and not more than 24,000	
35 lbs.	197
36 For a gross weight of more than 24,000 lbs. and not more than 26,000	
37 lbs.	312
38 For a gross weight of more than 26,000 lbs. and not more than 30,000	
39 lbs.	312
40 For a gross weight of more than 30,000 lbs. and not more than 36,000	
41 lbs.	375
42 For a gross weight of more than 36,000 lbs. and not more than 42,000	
43 lbs.	475

1	For a gross weight of more than 42,000 lbs. and not more than 48,000	
2	lbs.	605
3	For a gross weight of more than 48,000 lbs. and not more than 54,000	
4	lbs.	805
5	For a gross weight of more than 54,000 lbs. and not more than 60,000	
6	lbs.	1,010
7	For a gross weight of more than 60,000 lbs. and not more than 66,000	
8	lbs.	1,210
9	For a gross weight of more than 66,000 lbs. and not more than 74,000	
10	lbs.	1,535
11	For a gross weight of more than 74,000 lbs. and not more than 80,000	
12	lbs.	1,735
13	For a gross weight of more than 80,000 lbs. and not more than 85,500	
14	lbs.	1,935
15	<i>(B) On January 1, 2013, through December 31, 2013:</i>	
16	<i>For a gross weight of 12,000 lbs. or less</i>	\$50
17	<i>For a gross weight of more than 12,000 lbs. and not more than 16,000</i>	
18	<i> lbs.</i>	152
19	<i>For a gross weight of more than 16,000 lbs. and not more than 20,000</i>	
20	<i> lbs.</i>	182
21	<i>For a gross weight of more than 20,000 lbs. and not more than 24,000</i>	
22	<i> lbs.</i>	247
23	<i>For a gross weight of more than 24,000 lbs. and not more than 26,000</i>	
24	<i> lbs.</i>	362
25	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
26	<i> lbs.</i>	362
27	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
28	<i> lbs.</i>	425
29	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
30	<i> lbs.</i>	525
31	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
32	<i> lbs.</i>	655
33	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
34	<i> lbs.</i>	855
35	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
36	<i> lbs.</i>	1,095
37	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
38	<i> lbs.</i>	1,295
39	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
40	<i> lbs.</i>	1,620
41	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
42	<i> lbs.</i>	1,820
43		

1	For a gross weight of more than 80,000 lbs. and not more than 85,500	
2	lbs.	2,020
3	(C) On January 1, 2014:	
4	For a gross weight of 12,000 lbs. or less	\$60
5	For a gross weight of more than 12,000 lbs. and not more than 16,000	
6	lbs.	202
7	For a gross weight of more than 16,000 lbs. and not more than 20,000	
8	lbs.	232
9	For a gross weight of more than 20,000 lbs. and not more than 24,000	
10	lbs.	297
11	For a gross weight of more than 24,000 lbs. and not more than 26,000	
12	lbs.	412
13	For a gross weight of more than 26,000 lbs. and not more than 30,000	
14	lbs.	412
15	For a gross weight of more than 30,000 lbs. and not more than 36,000	
16	lbs.	475
17	For a gross weight of more than 36,000 lbs. and not more than 42,000	
18	lbs.	575
19	For a gross weight of more than 42,000 lbs. and not more than 48,000	
20	lbs.	705
21	For a gross weight of more than 48,000 lbs. and not more than 54,000	
22	lbs.	905
23	For a gross weight of more than 54,000 lbs. and not more than 60,000	
24	lbs.	1,145
25	For a gross weight of more than 60,000 lbs. and not more than 66,000	
26	lbs.	1,345
27	For a gross weight of more than 66,000 lbs. and not more than 74,000	
28	lbs.	1,670
29	For a gross weight of more than 74,000 lbs. and not more than 80,000	
30	lbs.	1,870
31	For a gross weight of more than 80,000 lbs. and not more than 85,500	
32	lbs.	2,070

33 (2) If the applicant for registration of any truck or truck tractor for a
34 gross weight of more than 12,000 pounds is the state of Kansas or any
35 political or taxing subdivision or agency of the state, except a city or
36 county, whose truck or truck tractor is not otherwise entitled to the \$2
37 license fee or otherwise exempt from all fees, such vehicle may be li-
38 censed for a fee in accordance with the schedule hereinafter prescribed
39 for local trucks or truck tractors.

40 (3) If the applicant for registration of any truck or truck tractor for a
41 gross weight of more than 12,000 pounds shall under oath state in writing
42 on a form prescribed and furnished by the director of vehicles that the
43 applicant does not expect to operate it more than 6,000 miles in the

1 calendar year for which the applicant seeks registration, and that if the
 2 applicant shall operate it more than 6,000 miles during such registration
 3 year such applicant will pay an additional fee equal to the fee required
 4 by the preceding schedule *under paragraph (1)*, less the amount of the
 5 fee paid at time of registration, such vehicle may be licensed for a fee in
 6 accordance with the schedule hereinafter prescribed for local trucks or
 7 truck tractors, ~~and whenever the same.~~ *Whenever a truck or truck tractor*
 8 *is registered on a local truck or truck tractor fee basis a tab or marker*
 9 *shall be issued in connection with the regular license plate, which tab or*
 10 *marker shall be attached or affixed to and displayed with the regular*
 11 *license plate and the failure to have the same attached, affixed or dis-*
 12 *played shall be subject to the same penalties as provided by law for the*
 13 *failure to display the regular license plate; and the secretary of revenue*
 14 *may adopt rules and regulations requiring the owners of trucks and truck*
 15 *tractors so registered on a local truck or truck tractor fee basis to keep*
 16 *such records and make such reports of mileage of such vehicles as the*
 17 *secretary of revenue shall deem proper.*

18 (4) A transporter delivering vehicles not the transporter's own by the
 19 driveaway method where such vehicles are being driven, towed, or trans-
 20 ported singly, or by the saddlemount, towbar, or fullmount methods, or
 21 by any lawful combination thereof, may apply for license plates which
 22 may be transferred from one such vehicle or combination to another for
 23 each delivery without further registration, and the annual license fee for
 24 such license plate shall be as follows:

25 (A) *Prior to January 1, 2013:*

26 For the first such set of license plates	\$44
27 For each additional such set of license plates	18

28 (B) *On January 1, 2013, through December 31, 2013:*

29 For the first such set of license plates	\$54
30 For each additional such set of license plates	28

31 (C) *On January 1, 2014:*

32 For the first such set of license plates	\$64
33 For each additional such set of license plates	38

34 (5) A truck or truck tractor registered for a gross weight of more than
 35 12,000 pounds, which is operated wholly within the corporate limits of a
 36 city or village or within a radius of 25 miles beyond the corporate limits,
 37 shall be classified as a local truck except that in no event shall such vehicles
 38 operated as contract or common carriers outside a radius of three miles
 39 beyond the corporate limits of the city or village in which such vehicles
 40 were based when registered and licensed be considered local trucks or
 41 truck tractors. The secretary of revenue is hereby authorized and directed
 42 to adopt rules and regulations prescribing a procedure for the issuance
 43 of permits by the division of vehicles whereby owners of local trucks or

1 truck tractors may operate any such vehicle, empty, beyond the radius
 2 hereinbefore prescribed, when such operation is solely for the purpose
 3 of having such vehicle repaired, painted or serviced or for adding addi-
 4 tional equipment thereto. The annual license fee for a local truck or truck
 5 tractor, except as otherwise provided herein, shall be as follows:

6 (A) *Prior to January 1, 2013:*

7	For a gross weight of more than 12,000 lbs. and not more than 16,000	
8	lbs.	\$62
9	For a gross weight of more than 16,000 lbs. and not more than 20,000	
10	lbs.	102
11	For a gross weight of more than 20,000 lbs. and not more than 24,000	
12	lbs.	132
13	For a gross weight of more than 24,000 lbs. and not more than 26,000	
14	lbs.	177
15	For a gross weight of more than 26,000 lbs. and not more than 30,000	
16	lbs.	177
17	For a gross weight of more than 30,000 lbs. and not more than 36,000	
18	lbs.	215
19	For a gross weight of more than 36,000 lbs. and not more than 42,000	
20	lbs.	245
21	For a gross weight of more than 42,000 lbs. and not more than 48,000	
22	lbs.	315
23	For a gross weight of more than 48,000 lbs. and not more than 54,000	
24	lbs.	415
25	For a gross weight of more than 54,000 lbs. and not more than 60,000	
26	lbs.	480
27	For a gross weight of more than 60,000 lbs. and not more than 66,000	
28	lbs.	580
29	For a gross weight of more than 66,000 lbs. and not more than 74,000	
30	lbs.	760
31	For a gross weight of more than 74,000 lbs. and not more than 80,000	
32	lbs.	890
33	For a gross weight of more than 80,000 lbs. and not more than 85,500	
34	lbs.	1,010

35 (B) *On January 1, 2013, through December 31, 2013:*

36	For a gross weight of more than 12,000 lbs. and not more than 16,000	
37	lbs.	\$112
38	For a gross weight of more than 16,000 lbs. and not more than 20,000	
39	lbs.	152
40	For a gross weight of more than 20,000 lbs. and not more than 24,000	
41	lbs.	182
42	For a gross weight of more than 24,000 lbs. and not more than 26,000	
43	lbs.	227

1	For a gross weight of more than 26,000 lbs. and not more than 30,000	
2	lbs.	227
3	For a gross weight of more than 30,000 lbs. and not more than 36,000	
4	lbs.	265
5	For a gross weight of more than 36,000 lbs. and not more than 42,000	
6	lbs.	295
7	For a gross weight of more than 42,000 lbs. and not more than 48,000	
8	lbs.	365
9	For a gross weight of more than 48,000 lbs. and not more than 54,000	
10	lbs.	465
11	For a gross weight of more than 54,000 lbs. and not more than 60,000	
12	lbs.	565
13	For a gross weight of more than 60,000 lbs. and not more than 66,000	
14	lbs.	665
15	For a gross weight of more than 66,000 lbs. and not more than 74,000	
16	lbs.	845
17	For a gross weight of more than 74,000 lbs. and not more than 80,000	
18	lbs.	975
19	For a gross weight of more than 80,000 lbs. and not more than 85,500	
20	lbs.	1,095
21	(C) On January 1, 2014:	
22	For a gross weight of more than 12,000 lbs. and not more than 16,000	
23	lbs.	\$162
24	For a gross weight of more than 16,000 lbs. and not more than 20,000	
25	lbs.	202
26	For a gross weight of more than 20,000 lbs. and not more than 24,000	
27	lbs.	232
28	For a gross weight of more than 24,000 lbs. and not more than 26,000	
29	lbs.	277
30	For a gross weight of more than 26,000 lbs. and not more than 30,000	
31	lbs.	277
32	For a gross weight of more than 30,000 lbs. and not more than 36,000	
33	lbs.	315
34	For a gross weight of more than 36,000 lbs. and not more than 42,000	
35	lbs.	345
36	For a gross weight of more than 42,000 lbs. and not more than 48,000	
37	lbs.	415
38	For a gross weight of more than 48,000 lbs. and not more than 54,000	
39	lbs.	515
40	For a gross weight of more than 54,000 lbs. and not more than 60,000	
41	lbs.	615
42	For a gross weight of more than 60,000 lbs. and not more than 66,000	
43	lbs.	715

1	For a gross weight of more than 66,000 lbs. and not more than 74,000	
2	lbs.	895
3	For a gross weight of more than 74,000 lbs. and not more than 80,000	
4	lbs.	1,025
5	For a gross weight of more than 80,000 lbs. and not more than 85,500	
6	lbs.	1,145
7	(6) A truck or truck tractor registered for a gross weight of more than	
8	12,000 pounds, which is owned by a person engaged in farming and which	
9	truck or truck tractor is used by such owner to transport agricultural	
10	products produced by such owner or commodities purchased by such	
11	owner for use on the farm owned or rented by the owner of such farm	
12	truck or truck tractor, shall be classified as a farm truck or truck tractor	
13	and the annual license fee for such farm truck shall be as follows:	
14	(A) Prior to January 1, 2013:	
15	For a gross weight of more than 12,000 lbs. and not more than 16,000	
16	lbs.	\$37
17	For a gross weight of more than 16,000 lbs. and not more than 20,000	
18	lbs.	42
19	For a gross weight of more than 20,000 lbs. and not more than 24,000	
20	lbs.	52
21	For a gross weight of more than 24,000 lbs. and not more than 26,000	
22	lbs.	72
23	For a gross weight of more than 26,000 lbs. and not more than 36,000	
24	lbs.	72
25	For a gross weight of more than 36,000 lbs. and not more than 54,000	
26	lbs.	75
27	For a gross weight of more than 54,000 lbs. and not more than 60,000	
28	lbs.	190
29	For a gross weight of more than 60,000 lbs. and not more than 66,000	
30	lbs.	370
31	For a gross weight of more than 66,000 lbs.....	610
32	(B) On January 1, 2013, through December 31, 2013:	
33	For a gross weight of more than 12,000 lbs. and not more than 16,000	
34	lbs.	\$47
35	For a gross weight of more than 16,000 lbs. and not more than 20,000	
36	lbs.	92
37	For a gross weight of more than 20,000 lbs. and not more than 24,000	
38	lbs.	102
39	For a gross weight of more than 24,000 lbs. and not more than 26,000	
40	lbs.	122
41	For a gross weight of more than 26,000 lbs. and not more than 36,000	
42	lbs.	122
43		

1	For a gross weight of more than 36,000 lbs. and not more than 54,000	
2	lbs.	125
3	For a gross weight of more than 54,000 lbs. and not more than 60,000	
4	lbs.	275
5	For a gross weight of more than 60,000 lbs. and not more than 66,000	
6	lbs.	455
7	For a gross weight of more than 66,000 lbs.	695
8	(C) On January 1, 2014:	
9	For a gross weight of more than 12,000 lbs. and not more than 16,000	
10	lbs.	\$57
11	For a gross weight of more than 16,000 lbs. and not more than 20,000	
12	lbs.	142
13	For a gross weight of more than 20,000 lbs. and not more than 24,000	
14	lbs.	152
15	For a gross weight of more than 24,000 lbs. and not more than 26,000	
16	lbs.	172
17	For a gross weight of more than 26,000 lbs. and not more than 36,000	
18	lbs.	172
19	For a gross weight of more than 36,000 lbs. and not more than 54,000	
20	lbs.	175
21	For a gross weight of more than 54,000 lbs. and not more than 60,000	
22	lbs.	325
23	For a gross weight of more than 60,000 lbs. and not more than 66,000	
24	lbs.	505
25	For a gross weight of more than 66,000 lbs.	745

26 A vehicle licensed as a farm truck or truck tractor may be used by the
 27 owner thereof to transport, for charity and without compensation of any
 28 kind, commodities for religious or educational institutions. A truck which
 29 is licensed as a farm truck may also be used for the transportation of sand,
 30 gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill
 31 material to a township road maintenance or construction site of the town-
 32 ship in which the owner of such truck resides. Any applicant for registra-
 33 tion of any farm truck or farm truck tractor used in combination with a
 34 trailer or semitrailer shall register the farm truck or farm truck tractor for
 35 a gross weight which shall include the empty weight of the truck or truck
 36 tractor or of the combination of any truck or truck tractor and any type
 37 of trailer or semitrailer, plus the maximum weight of cargo which will be
 38 transported on or with the same. The applicant for registration of any
 39 farm truck or farm truck tractor used to transport a gross weight of more
 40 than 54,000 pounds shall durably letter on the side of the motor vehicle
 41 the words "farm vehicle—not for hire." If an applicant for registration of
 42 any farm truck or farm truck tractor operates such vehicle for any use or
 43 purpose not authorized for a farm truck or farm truck tractor, such ap-

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1 plicant shall pay an additional fee equal to the fee required for the reg-
 2 istration of all trucks or truck tractors not registered as local, 6,000-mile
 3 or farm truck or farm truck tractor motor vehicles, less the amount of the
 4 fee paid at time of registration. Nothing in this or the preceding paragraph
 5 shall authorize a gross weight of a vehicle or combination of vehicles on
 6 the national system of interstate and defense highways greater than per-
 7 mitted by laws of the United States congress.

8 (7) Except as hereinafter provided, the annual license fee for each
 9 local urban transit bus used in local urban transit operations exempted
 10 under the provisions of subsection (a) of K.S.A. 66-1,109, and amend-
 11 ments thereto, shall be based on the passenger seating capacity of the bus
 12 and shall be as follows:

13 (A) *Prior to January 1, 2013:*

14 8 or more, but less than 31 passengers	\$15
15 31 or more, but less than 40 passengers	30
16 More than 39 passengers	60

17 (B) *On January 1, 2013, through December 31, 2013:*

18 8 or more, but less than 31 passengers.....	\$25
19 31 or more, but less than 40 passengers	40
20 More than 39 passengers	70

21 (C) *On January 1, 2014:*

22 8 or more, but less than 31 passengers.....	\$35
23 31 or more, but less than 40 passengers	50
24 More than 39 passengers	80

25 ~~except that~~ The annual license fee for each local urban transit bus
 26 which is owned by a metropolitan transit authority established pursuant
 27 to articles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13
 28 of the Kansas Statutes Annotated shall be \$2.

29 (8) For licensing purposes, station wagons with a carrying capacity of
 30 less than 10 passengers shall be subject to registration fees based on the
 31 weight of the vehicles, as provided in subsection ~~(4)~~ (a). Station wagons
 32 with a carrying capacity of 10 or more passengers shall be subject to the
 33 truck classifications and license fees ~~therefor shall be as herein provided.~~

34 ~~(a)~~ (9) For any trailer, semitrailer, travel trailer or pole trailer the
 35 annual license fee shall be as follows:

- 36 (A) (i) *Until January 1, 2013*, for any such vehicle with a gross weight
 37 of more than 12,000 pounds the annual fee shall be \$35;
 38 (ii) *On January 1, 2013, for any such vehicle with a gross weight of*
 39 *more than 12,000 pounds but less than 54,000 pounds the annual fee shall*
 40 *be \$45, on January 1, 2014, \$55;*

41 (B) any such vehicle grossing more than 8,000 pounds but not over
 42 12,000 pounds, the annual fee shall be \$25, *on January 1, 2013, \$35, on*
 43 *January 1, 2014, \$45;*

1 (C) for any such vehicle grossing more than 2,000 pounds but not
2 over 8,000 pounds, the annual fee shall be \$15, on January 1, 2013, \$25,
3 on January 1, 2014, \$35.

4 Any such vehicle having a gross weight of 2,000 pounds or less may, at
5 the owner's option, be registered and the fee for such registration shall
6 be ~~\$15~~ as provided in paragraph (C).

7 Any trailer, semitrailer or travel trailer owned by a nonresident of this
8 state and based in another state, which is properly registered and licensed
9 in the state of residence of the owner or in the state where based, may
10 be operated in this state without being registered or licensed in this state
11 if the truck or truck tractor propelling the same is properly registered and
12 licensed in this state, or is registered and licensed in some other state and
13 is entitled to reciprocal privileges of operation in this state, but this pro-
14 vision shall not apply to any trailer or semitrailer owned by a nonresident
15 of this state when such trailer or semitrailer is owned by a person who
16 has proportionately registered and licensed a fleet of vehicles under the
17 provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments
18 thereto, or under the terms of any reciprocal or proration agreement
19 made pursuant thereto.

20 At the option of the owner, any trailer, semitrailer or pole trailer, with
21 a gross weight of more than 12,000 pounds, may be issued a multi-year
22 registration for a five-year period upon payment of the appropriate reg-
23 istration fee. The fee for a five-year registration of such trailer shall be
24 five times the annual fee for such trailer. If the annual registration fee is
25 increased during the multi-year registration period, the owner of the
26 trailer with such multi-year registration shall be subject to the amount of
27 the increase of the annual registration fee for the remaining calendar
28 years of such multi-year registration. When the owner of any trailer, sem-
29 itrailer or pole trailer registered under this multi-year provision transfers
30 or assigns the title, or interest thereto, the registration of such trailer shall
31 expire. The owner shall remove the license plate from such trailer and
32 forward the license plate to the division of vehicles or may have such
33 license plate assigned to another trailer, semitrailer or pole trailer upon
34 the payment of fees required by law. Any owner of a trailer, semitrailer
35 or pole trailer where the multi-year registration fee has been paid and
36 the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or
37 title transferred by operation of law, and the registration thereon is not
38 going to be transferred to another trailer, may secure a refund for the
39 registration fee for the remaining calendar years by making application
40 to the division of vehicles on a form and in the manner prescribed by the
41 director of vehicles. The secretary of revenue may adopt such rules and
42 regulations necessary to implement the multi-year registration of such
43 trailers, semitrailers and pole trailers.

1 (b) (c) Any truck or truck tractor having a gross weight of 4,000
2 pounds or over, using solid tires, shall pay a license fee of double the
3 amount herein charged. The annual fees herein provided for trucks, truck
4 tractors and trailers not subject to K.S.A. 8-134a, and amendments
5 thereto, shall be due January 1 of each year and payable on or before the
6 last day of February in each year. If the fee is not paid by such date a
7 penalty of \$1 shall be added to the fee charged herein for each month or
8 fraction thereof and until December 31 of each registration year. The
9 annual registration fee for all passenger vehicles and vehicles subject to
10 K.S.A. 8-134a, and amendments thereto, shall be due on or before the
11 last day of the month in which the registration plate expires and shall be
12 due for other vehicles as provided by K.S.A. 8-134, and amendments
13 thereto. If the registration fee is not paid by such date a penalty of \$1
14 shall be added to the fee charged herein for each month or fraction
15 thereof until such registration fee is paid. Members of the armed forces
16 of the United States shall be permitted to apply for registration at any
17 time and be subject to registration fee, less penalties, applicable at the
18 time the application is made. If any motorcycle, motorized bicycle, trailer,
19 semitrailer, travel trailer, or pole trailer is either purchased or acquired
20 after the anniversary or renewal date in any registration year there shall
21 immediately become due and payable a registration fee as follows: If
22 purchased or acquired between the anniversary or renewal date of any
23 registration year and the first six months of such registration year, the
24 annual fee hereinbefore provided; if purchased or acquired during the
25 last six months of any registration year, 50% of such annual fee. If any
26 truck or truck tractor, except trucks subject to K.S.A. 8-134a, and amend-
27 ments thereto, is purchased or acquired prior to April 1 of any year the
28 fee shall be the annual fee hereinbefore provided, but if such truck or
29 truck tractor is purchased or acquired after the end of March of any year,
30 the license fee for such year shall be reduced $\frac{1}{2}$ for each calendar month
31 which has elapsed since the beginning of the year. If any truck registered
32 for a gross weight of 12,000 pounds or less or passenger vehicle is pur-
33 chased or acquired and less than 12 months remain in the registration
34 period, the fee shall be $\frac{1}{2}$ of the annual fee for each calendar month
35 remaining in the registration period.

36 (e) (d) The owner of any motorcycle, motorized bicycle, passenger
37 vehicle, truck, truck tractor, trailer, semitrailer, or electrically propelled
38 vehicle who fails to pay the registration fee or fees herein provided on
39 the date when the same become due and payable shall be guilty of a
40 misdemeanor, and upon conviction thereof shall be subject to a penalty
41 in the sum of \$1 for each month or fraction thereof during which such
42 fee has remained unpaid after it became due and payable; and in addition
43 thereto shall be subject to such other punishment as is provided in this

1 act. Upon the transfer of motorcycles, motorized bicycles, passenger ve-
 2 hicles, trailers, semitrailers, trucks or truck tractors, on which registration
 3 fees have been paid for the year in which the transfer is made, either ~~(A)~~
 4 ~~(1)~~ to a corporation by one or more persons, solely in exchange for stock
 5 or securities in such corporation, or ~~(B)~~ ~~(2)~~ by one corporation to another
 6 corporation when all of the assets of such corporation are transferred to
 7 the other corporation, then in either case ~~(A)~~ ~~(1)~~ or case ~~(B)~~ ~~(2)~~ the
 8 corporation shall be exempt from the payment of registration fees on such
 9 vehicles for the year in which such transfer is made. Applications for
 10 transfer or registration shall be accompanied by a fee of \$1.50. When the
 11 registration of a vehicle has expired at midnight on the last day of any
 12 registration year, and such vehicle is not thereafter operated upon the
 13 highways, any application for renewal of registration made subsequent to
 14 the anniversary or renewal date of any registration year following the
 15 expiration of such registration and for succeeding registration years in
 16 which such vehicle has not been registered shall be accompanied by an
 17 affidavit of nonoperation and nonuse, and such application for renewal
 18 or registration shall be received by the division of vehicles upon payment
 19 of the proper fees for the current registration year and without penalty.

20 ~~(3)~~ ~~(e)~~ Any nonresident of Kansas purchasing a vehicle from a Kansas
 21 resident and desiring to secure registration on the vehicle in the state of
 22 such person's residence may make application in the office of any county
 23 treasurer for a thirty-day temporary registration. The county treasurer
 24 upon presentation of evidence of ownership in the applicant and evidence
 25 the sales tax has been paid, if due, shall charge and collect a fee of ~~\$3~~ \$10
 26 for each thirty-day temporary license and issue a sticker or paper regis-
 27 tration as may be determined by the director of vehicles, and the regis-
 28 tration so issued shall be valid for a period of 30 days from the date of
 29 issuance.

30 ~~(4)~~ ~~(f)~~ Any owner of any motor vehicle which is subject to taxation
 31 under the provisions of article 51 of chapter 79 of the Kansas Statutes
 32 Annotated or any other truck or truck tractor where the annual registra-
 33 tion fee has been paid and the vehicle is sold, junked, repossessed, fore-
 34 closed by a mechanic's lien or title transferred by operation of law, and
 35 the registration thereon is not going to be transferred to another vehicle
 36 may secure a refund for the registration fee for the remaining portion of
 37 the year by making application to the division of vehicles on a form and
 38 in the manner prescribed by the director of vehicles, accompanied by all
 39 license plates and attachments issued in connection therewith. If the
 40 owner of the registration becomes deceased and the vehicle is not going
 41 to be used on the highway, and title is not being currently transferred,
 42 the proper representative of the estate shall be entitled to the refund.
 43 The refund shall be made only for the period of time remaining in the

1 registration year from the date of completion and filing of the application
2 with and delivery of the license plate and attachments to the division of
3 vehicles. Where the registration is secured under a quarterly payment
4 annual registration fee, as provided for in K.S.A. 8-143a, and amendments
5 thereto, such refund shall be made on the quarterly fee paid and unused
6 and all remaining quarterly payments shall be canceled. Any truck or truck
7 tractor having the registration fee paid on quarterly payment basis, all
8 quarterly payments due or a fraction of quarterly payment due shall be
9 paid before title may be transferred, except that in case of death, the
10 filing of the application and returning of the license plate and attachment
11 shall cancel the remaining annual payments due. Whenever a truck or
12 truck tractor, where the registration is secured on a quarterly payment of
13 the annual registration, the one repossessing the truck or truck tractor,
14 or foreclosing by a mechanic's lien, or securing title by court order, the
15 mortgagor or the assigns of the mortgagor, or the one securing title may
16 pay the balance due on date of application for title, but the payments for
17 the remaining portion of the year shall not be canceled unless application
18 is made and the license plate and attachments are surrendered. Nothing
19 in this subsection shall apply when registration is secured under the pro-
20 visions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto.
21 Notwithstanding any of the foregoing provisions of this section, no refund
22 shall be made under the provisions of this section where the amount
23 thereof does not exceed \$5. The division of vehicles shall furnish such
24 blank forms as may be required under the provisions of this subsection
25 as it deems necessary to be completed by the applicant. Whenever a
26 registration which has been secured on a quarterly basis shall be canceled
27 as provided in this subsection, the division of vehicles shall notify the
28 county treasurer issuing the original registration of such cancellation so
29 that the county treasurer may, and the county treasurer shall cancel the
30 registration of such vehicle in the county treasurer's office and release
31 any lien issued in connection with such registration.

32 ~~(5)~~ (g) Every owner of a travel trailer designed for or intended to be
33 moved upon any highway in this state shall, before the same is so moved,
34 apply for and obtain the proper registration thereof as provided in this
35 act, except when such unit is permitted to be moved under the special
36 provisions relating to secured parties, manufacturers, dealers and non-
37 residents contained in this act. At the time of registering any travel trailer
38 for the purpose of moving any such vehicle upon any highway in this
39 state, the owner thereof shall indicate on the registration form whether
40 or not such vehicle is being moved permanently to a location outside of
41 the county in which such vehicle is being registered. No such vehicle
42 which the owner thereof intends to move to a permanent location outside
43 the boundaries of such county shall be registered for movement on the

1 highways of this state until all taxes levied against such vehicle have been
 2 paid. A copy of such registration form shall be sent to the county clerk
 3 or assessor of the county to which such vehicle is being moved. When
 4 such travel trailer is used for living quarters and not operated on the
 5 highways, the owner shall be exempt from the license fees as provided in
 6 ~~paragraph (a) of subsection (2)~~ subsection (b)(9) so long as such travel
 7 trailer is not operated on the highway.

8 Sec. 5. K.S.A. 8-143b is hereby amended to read as follows: 8-143b.

9 (a) Except as provided in K.S.A. 8-143k, and amendments thereto, and
 10 subsection (b), the owner of any truck or truck tractor which is duly
 11 registered and licensed in some other state, desiring to operate in intra-
 12 state commerce in this state for a temporary period only, in lieu of pay-
 13 ment of the annual license fee, may register such truck or truck tractor
 14 and obtain either: (1) A ~~seventy-two-hour~~ 72-hour temporary registration;
 15 or (2) a thirty-day license authorizing operation on the highways of this
 16 state for a period not to exceed 30 days from the date of issuance of such
 17 license. The fee for: The ~~seventy-two-hour~~ 72-hour temporary registra-
 18 tion shall be \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46 and
 19 the fee for the thirty-day license shall be \$26, *on January 1, 2013*, \$36,
 20 *on January 1, 2014*, \$46 or $\frac{1}{8}$ of the annual license fee for such vehicle,
 21 whichever sum is the larger. Where either fee is paid on a truck or truck
 22 tractor no registration or fee shall be required for a trailer or semitrailer
 23 duly registered in this or another state and propelled by such truck or
 24 truck tractor. Application for such temporary registration or license shall
 25 be made to the division in the manner and form prescribed by the director
 26 and shall be accompanied by the required fee, which shall be deposited
 27 by the director as provided by K.S.A. 8-146, and amendments thereto.

28 (b) Whenever any natural catastrophe or disaster, civil riot or disorder
 29 or any other condition exists in this state that requires or necessitates
 30 emergency assistance or aid from persons owning ambulances, rescue
 31 vehicles or utility vehicles which are subject to the provisions of this sec-
 32 tion, such persons shall be exempt from the payment of the fee required
 33 in subsection (a) for any such ambulance, rescue vehicle or utility vehicle
 34 that is operated in this state for the purpose of or in connection with
 35 rendering such emergency assistance or aid.

36 Sec. 6. K.S.A. 8-143c is hereby amended to read as follows: 8-143c.

37 The owner of any truck or truck tractor, which is registered and licensed
 38 in some other state, not entitled to reciprocal privileges while being op-
 39 erated in interstate commerce on the highways of this state, and which
 40 truck or truck tractor has a gross weight, as defined in subsection ~~(2)~~ (b)
 41 of K.S.A. 8-143, and amendments thereto, in excess of 12,000 pounds, in
 42 lieu of payment of the annual license fee for such vehicle pursuant to the
 43 provisions of K.S.A. 8-143, and amendments thereto, or K.S.A. 8-1,101

1 to 8-1,123, inclusive, and amendments thereto, may register such vehicle
2 and obtain temporary registration from the division of vehicles authorizing
3 operation of such vehicle on the highways of this state in interstate
4 commerce for a period of not to exceed 72 hours. The fee for such temporary
5 registration is \$26, *on January 1, 2013, \$36, on January 1, 2014,*
6 *\$46*, which shall be deposited by the division as provided by K.S.A. 8-
7 146, and amendments thereto. Where such fee is paid on a truck or truck
8 tractor no registration or fee shall be required for a trailer or semitrailer
9 duly registered in this or another state and propelled by such truck or
10 truck tractor. The secretary of revenue shall adopt rules and regulations
11 to effectuate the purpose of this section. A temporary registration as provided
12 in this section is not required for a truck or truck tractor which is
13 registered and licensed in some other state and which operates between
14 cities and villages in this state and cities and villages in another state which
15 are within territory designated as a commercial zone by the interstate
16 commerce commission.

17 Sec. 7. K.S.A. 8-143g is hereby amended to read as follows: 8-143g.
18 A motor vehicle dealer licensed in this state or in a state contiguous to
19 this state, who is the owner of a truck or truck tractor which the owner
20 desires to demonstrate under actual working conditions by having it operated
21 by the prospective purchaser in interstate or intrastate commerce
22 on the highways of this state, in lieu of obtaining a regular registration
23 for such vehicle, may obtain from the division, or an agent designated by
24 director of vehicles, a trip permit authorizing such demonstration and
25 operation for a period of: (a) Seventy-two hours upon making proper
26 application and the payment of a fee of \$26, *on January 1, 2013, \$36, on*
27 *January 1, 2014, \$46*; or (b) fifteen days upon making proper application
28 and the payment of a fee of \$100, *on January 1, 2013, \$110, on January*
29 *1, 2014, \$120*. A dealer may purchase such demonstration permits in
30 multiples of three upon making proper application and the payment of
31 required fees. The application shall be to the division on a form prescribed
32 and furnished by the director of vehicles. The name of the prospective
33 purchaser must be shown on the application. A dealer purchasing
34 permits in multiples, shall complete the application and permit as required
35 by the division and mail a copy of such application to the division
36 within 24 hours from the date of issuance of such permit. Only one such
37 permit may be used by the same prospective purchaser on the same truck
38 or truck tractor. Whenever a truck or truck tractor is operated under the
39 authority of a trip permit issued hereunder it also shall have displayed
40 thereon a dealer's registration plate which has been issued by this state
41 or a state contiguous to this state to the dealer who is the owner of such
42 truck or truck tractor. The provision of K.S.A. 8-136, and amendments
43 thereto, prohibiting the hauling of commodities in excess of two tons by

1 a vehicle displaying a dealer plate shall not apply to a truck or truck tractor
2 being operated under a trip permit as authorized by this section. This
3 section shall be construed as a part of and supplementary to the motor
4 vehicle registration law of this state. The division shall remit all fees col-
5 lected under this section to the state treasurer in accordance with the
6 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
7 each such remittance, the state treasurer shall deposit the entire amount
8 in the state treasury to the credit of the state highway fund.

9 Sec. 8. K.S.A. 8-143h is hereby amended to read as follows: 8-143h.
10 Except as provided in K.S.A. 8-143k, the owner of any duly registered
11 and licensed farm truck in this state, engaged in the hauling of grain as
12 provided by subsection (h) of K.S.A. 66-1,109, and amendments thereto,
13 or chopped forage, and desiring to operate in intrastate commerce in this
14 state for a temporary period only, in lieu of payment of the annual license
15 fee, may register such farm truck and obtain a thirty-day license author-
16 izing operation on the highways of this state for a period of only 30 days
17 from the date of issuance of such license. The fee for such license shall
18 be \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46. Where such
19 fee is paid on a farm truck no registration or fee shall be required for a
20 trailer duly registered in this or another state and propelled by such farm
21 truck. Application for such license shall be made to the division of vehicles
22 on such form as the director of vehicles shall prescribe and shall be ac-
23 companied by the required fee, which shall be deposited by the division
24 as provided by K.S.A. 8-146, and amendments thereto. The director of
25 vehicles may designate agents to issue the licenses authorized by this act
26 so that such licenses will be obtainable at convenient locations. This sec-
27 tion shall be construed as supplemental to and a part of the motor vehicle
28 registration laws of this state.

29 Sec. 9. K.S.A. 8-143i is hereby amended to read as follows: 8-143i.
30 The owner of any truck or truck tractor which is properly registered and
31 licensed in this state as a local truck or truck tractor as provided in K.S.A.
32 8-143, and amendments thereto, may secure a temporary permit author-
33 izing operation of such vehicle on the highways of this state beyond the
34 local radius authorized by such annual registration for a period only of 72
35 hours from the time of issuance of such permit. The fee for such permit
36 shall be \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46. Appli-
37 cation for such permit shall be made to the division of vehicles on such
38 form as the director of vehicles shall prescribe and shall be accompanied
39 by the required fee, except that such owner shall not be entitled to more
40 than 10 such permits in any calendar year. All such fees shall be deposited
41 by the division as provided by K.S.A. 8-146, and amendments thereto.
42 The division shall issue appropriate identification for such vehicle to au-
43 thorize its operation under provisions of this act and to specify the expi-

1 ration time of such permit. No truck or truck tractor shall be authorized
 2 to leave the territory of this state under any such 72-hour permit, nor
 3 shall any permit issued under authority of this act entitle any truck or
 4 truck tractor or the owner to reciprocity in any other state. Nothing in
 5 this act shall be construed to authorize the movement of any truck or
 6 truck tractor on the highways of this state in violation of any size, weight,
 7 safety or insurance requirement of the laws of this state applicable to such
 8 truck or truck tractor. Nothing in this act shall be construed to authorize
 9 the operation of any motor vehicle in violation of K.S.A. 66-1,111, and
 10 amendments thereto.

11 Sec. 10. K.S.A. 2009 Supp. 8-143j is hereby amended to read as fol-
 12 lows: 8-143j. (a) On and after January 1, 1991, any truck or truck tractor
 13 registered for a gross weight of more than 12,000 pounds which is en-
 14 gaged in farm custom harvesting operations may be registered in accord-
 15 ance with the schedule for such farm custom harvesting vehicles, but shall
 16 not be registered as a farm truck or farm truck tractor. The annual license
 17 fee for a farm custom harvesting truck or truck tractor shall be as follows:

18 (1) *Prior to January 1, 2013:*

19 For a gross weight of more than 12,000 lbs. and not more than 16,000	
20 lbs.	\$62
21 For a gross weight of more than 16,000 lbs. and not more than 20,000	
22 lbs.	102
23 For a gross weight of more than 20,000 lbs. and not more than 24,000	
24 lbs.	132
25 For a gross weight of more than 24,000 lbs. and not more than 26,000	
26 lbs.	177
27 For a gross weight of more than 26,000 lbs. and not more than 30,000	
28 lbs.	177
29 For a gross weight of more than 30,000 lbs. and not more than 36,000	
30 lbs.	215
31 For a gross weight of more than 36,000 lbs. and not more than 42,000	
32 lbs.	245
33 For a gross weight of more than 42,000 lbs. and not more than 48,000	
34 lbs.	315
35 For a gross weight of more than 48,000 lbs. and not more than 54,000	
36 lbs.	415
37 For a gross weight of more than 54,000 lbs. and not more than 60,000	
38 lbs.	480
39 For a gross weight of more than 60,000 lbs. and not more than 66,000	
40 lbs.	580
41 For a gross weight of more than 66,000 lbs. and not more than 74,000	
42 lbs.	760

1	For a gross weight of more than 74,000 lbs. and not more than 80,000	
2	lbs.	890
3	For a gross weight of more than 80,000 lbs. and not more than 85,500	
4	lbs.	1,010
5	(2) <i>On January 1, 2013, through December 1, 2013:</i>	
6	For a gross weight of more than 12,000 lbs. and not more than 16,000	
7	lbs.	\$72
8	For a gross weight of more than 16,000 lbs. and not more than 20,000	
9	lbs.	152
10	For a gross weight of more than 20,000 lbs. and not more than 24,000	
11	lbs.	182
12	For a gross weight of more than 24,000 lbs. and not more than 26,000	
13	lbs.	227
14	For a gross weight of more than 26,000 lbs. and not more than 30,000	
15	lbs.	227
16	For a gross weight of more than 30,000 lbs. and not more than 36,000	
17	lbs.	265
18	For a gross weight of more than 36,000 lbs. and not more than 42,000	
19	lbs.	295
20	For a gross weight of more than 42,000 lbs. and not more than 48,000	
21	lbs.	365
22	For a gross weight of more than 48,000 lbs. and not more than 54,000	
23	lbs.	465
24	For a gross weight of more than 54,000 lbs. and not more than 60,000	
25	lbs.	565
26	For a gross weight of more than 60,000 lbs. and not more than 66,000	
27	lbs.	665
28	For a gross weight of more than 66,000 lbs. and not more than 74,000	
29	lbs.	845
30	For a gross weight of more than 74,000 lbs. and not more than 80,000	
31	lbs.	875
32	For a gross weight of more than 80,000 lbs. and not more than 85,500	
33	lbs.	1,095
34	(3) <i>On January 1, 2014:</i>	
35	For a gross weight of more than 12,000 lbs. and not more than 16,000	
36	lbs.	\$82
37	For a gross weight of more than 16,000 lbs. and not more than 20,000	
38	lbs.	202
39	For a gross weight of more than 20,000 lbs. and not more than 24,000	
40	lbs.	232
41	For a gross weight of more than 24,000 lbs. and not more than 26,000	
42	lbs.	277
43		

1	<i>For a gross weight of more than 26,000 lbs. and not more than 30,000</i>	
2	<i>lbs.</i>	277
3	<i>For a gross weight of more than 30,000 lbs. and not more than 36,000</i>	
4	<i>lbs.</i>	315
5	<i>For a gross weight of more than 36,000 lbs. and not more than 42,000</i>	
6	<i>lbs.</i>	345
7	<i>For a gross weight of more than 42,000 lbs. and not more than 48,000</i>	
8	<i>lbs.</i>	415
9	<i>For a gross weight of more than 48,000 lbs. and not more than 54,000</i>	
10	<i>lbs.</i>	515
11	<i>For a gross weight of more than 54,000 lbs. and not more than 60,000</i>	
12	<i>lbs.</i>	615
13	<i>For a gross weight of more than 60,000 lbs. and not more than 66,000</i>	
14	<i>lbs.</i>	715
15	<i>For a gross weight of more than 66,000 lbs. and not more than 74,000</i>	
16	<i>lbs.</i>	895
17	<i>For a gross weight of more than 74,000 lbs. and not more than 80,000</i>	
18	<i>lbs.</i>	1,025
19	<i>For a gross weight of more than 80,000 lbs. and not more than 85,500</i>	
20	<i>lbs.</i>	1,145
21	(b) A tab or marker shall be issued and displayed in connection with	
22	the regular license plate for a truck or truck tractor registered as a farm	
23	custom harvesting truck or truck tractor.	
24	(c) Trucks or truck tractors registered under this section shall be el-	
25	igible for apportioned registration under the provisions of K.S.A. 8-1,100	
26	et seq., and amendments thereto.	
27	(d) As used in this section, "farm custom harvesting operations"	
28	means a person, firm, partnership, association or corporation engaged in	
29	farm custom harvesting operations if a truck or truck tractor is used to:	
30	(1) Transport farm machinery, supplies, or both, to or from a farm,	
31	for custom harvesting operations on a farm;	
32	(2) transport custom harvested crops only from a harvested field to	
33	initial storage or to initial market locations; or	
34	(3) transport agricultural products produced by such owner or com-	
35	modities purchased by such owner for use on the farm owned or rented	
36	by the owner of such vehicle.	
37	Sec. 11. K.S.A. 8-143k is hereby amended to read as follows: 8-143k.	
38	(a) The owner of any truck or truck tractor which is duly registered and	
39	licensed in some other state and is engaged in farm custom harvesting	
40	operations and desiring to operate in intrastate commerce in this state	
41	for a temporary period only, may obtain a harvest permit, in lieu of the	
42	thirty-day license in K.S.A. 8-143b or 8-143h, and amendments thereto,	
43	authorizing the operation of such truck or truck tractor on the highways	

1 of this state for a period of not to exceed 60 days from the date of issuance
2 of such permit. For a foreign-based truck or truck tractor, the fee for
3 each permit shall be \$26, *on January 1, 2013, \$36, on January 1, 2014,*
4 \$46 or $\frac{1}{6}$ of the annual license fee for such vehicle, whichever sum is the
5 larger. Where such fee is paid on a truck or truck tractor, no registration
6 or fee shall be required for a trailer or semitrailer duly registered in this
7 or another state and propelled by such truck or truck tractor. Application
8 for such harvest permit shall be made to the division of vehicles of the
9 department of revenue. The secretary of revenue may adopt rules and
10 regulations to implement the provisions of this section.

11 (b) For the purpose of this section, "farm custom harvesting opera-
12 tions" means a person, firm, partnership, association or corporation en-
13 gaged in farm custom harvesting operations if the truck or truck tractor
14 is used to:

15 (1) Transport farm machinery, supplies, or both, to or from a farm,
16 for custom harvesting operations on a farm;

17 (2) transport custom harvested crops only from a harvested field to
18 initial storage or to initial market locations; or

19 (3) transport agricultural products produced by such owner or com-
20 modities purchased by such owner for use on the farm owned or rented
21 by the owner of such vehicle.

22 Sec. 12. K.S.A. 2009 Supp. 8-143l is hereby amended to read as fol-
23 lows: 8-143l. (a) Any auctioneer conducting auctions under subparagraphs
24 (D) or (E) of paragraph (2) of subsection (a) of K.S.A. 8-2401, and amend-
25 ments thereto, may obtain from the division, or an agent designated by
26 the director of vehicles, a 72-hour transport permit authorizing the pur-
27 chaser of a vehicle at an auction conducted by such auctioneer, to operate
28 such vehicle for a period of 72 hours. In addition to the 72-hour transport
29 permit, the purchaser shall have the bill of sale. The fee for each 72-hour
30 transport permit shall be ~~\$3~~ \$10.

31 (b) An auctioneer under subsection (a) who is a Kansas resident,
32 whose primary place of business is in Kansas and only for the purpose of
33 conducting auctions in Kansas, may purchase such 72-hour transport per-
34 mits in multiples of three upon making proper application and the pay-
35 ment of required fees. The application shall be to the division on a form
36 prescribed and furnished by the director of vehicles. The name of the
37 purchaser of the vehicle at the auction shall be shown on the 72-hour
38 permit issued. An auctioneer purchasing permits shall complete the ap-
39 plication and permit as required by the division and mail a copy of such
40 application to the division within 24 hours from the date of issuance of
41 such permit. Only one such permit may be used by the same purchaser
42 on the same vehicle. The division of vehicles may deny any auctioneer
43 the authority to purchase 72-hour transport permits if the auctioneer is

1 found to have issued more than one 72-hour transport permit to the
2 purchaser of a vehicle. This section shall be construed as a part of and
3 supplementary to the motor vehicle registration law of this state. The
4 division shall remit all fees collected under this section to the state trea-
5 surer in accordance with the provisions of K.S.A. 75-4215, and amend-
6 ments thereto. Upon receipt of each such remittance, the state treasurer
7 shall deposit the entire amount in the state treasury to the credit of the
8 state highway fund.

9 Sec. 13. K.S.A. 2009 Supp. 8-145 is hereby amended to read as fol-
10 lows: 8-145. (a) All registration and certificates of title fees shall be paid
11 to the county treasurer of the county in which the applicant for registra-
12 tion resides or has an office or principal place of business within this state,
13 and the county treasurer shall issue a receipt in triplicate, on blanks fur-
14 nished by the division of vehicles, one copy of which shall be filed in the
15 county treasurer's office, one copy shall be delivered to the applicant and
16 the original copy shall be forwarded to the director of vehicles.

17 (b) The county treasurer shall deposit \$.75 of each license applica-
18 tion, \$.75 out of each application for transfer of license plate and \$2 out
19 of each application for a certificate of title, collected by such treasurer
20 under this act, in a special fund, which fund is hereby appropriated for
21 the use of the county treasurer in paying for necessary help and expenses
22 incidental to the administration of duties in accordance with the provi-
23 sions of this law and extra compensation to the county treasurer for the
24 services performed in administering the provisions of this act, which com-
25 pensation shall be in addition to any other compensation provided by any
26 other law, except that the county treasurer shall receive as additional
27 compensation for administering the motor vehicle title and registration
28 laws and fees, a sum computed as follows: The county treasurer, during
29 the month of December, shall determine the amount to be retained for
30 extra compensation not to exceed the following amounts each year for
31 calendar year 2006 or any calendar year thereafter: The sum of \$110 per
32 hundred registrations for the first 5,000 registrations; the sum of \$90 per
33 hundred registrations for the second 5,000 registrations; the sum of \$5
34 per hundred for the third 5,000 registrations; and the sum of \$2 per
35 hundred registrations for all registrations thereafter. In no event, how-
36 ever, shall any county treasurer be entitled to receive more than \$15,000
37 additional annual compensation.

38 If more than one person shall hold the office of county treasurer during
39 any one calendar year, such compensation shall be prorated among such
40 persons in proportion to the number of weeks served. The total amount
41 of compensation paid the treasurer together with the amounts expended
42 in paying for other necessary help and expenses incidental to the admin-
43 istration of the duties of the county treasurer in accordance with the

1 provisions of this act, shall not exceed the amount deposited in such spe-
 2 cial fund. Any balance remaining in such fund at the close of any calendar
 3 year shall be withdrawn and credited to the general fund of the county
 4 prior to June 1 of the following calendar year.

5 (c) The county treasurer shall remit the remainder of all such fees
 6 collected, together with the original copy of all applications, to the sec-
 7 retary of revenue. The secretary of revenue shall remit all such fees re-
 8 mitted to the state treasurer in accordance with the provisions of K.S.A.
 9 75-4215, and amendments thereto. Upon receipt of each such remittance,
 10 the state treasurer shall deposit the entire amount in the state treasury
 11 to the credit of the state highway fund, except as provided in subsection
 12 (d).

13 (d) (1) Three dollars and fifty cents of each certificate of title fee
 14 collected and remitted to the secretary of revenue, shall be remitted to
 15 the state treasurer who shall credit such \$3.50 to the Kansas highway
 16 patrol motor vehicle fund. Three dollars of each certificate of title fee
 17 collected and remitted to the secretary of revenue, shall be remitted to
 18 the state treasurer who shall credit such \$3 to the VIPS/CAMA technology
 19 hardware fund.

20 (2) For repossessed vehicles, \$3 of each certificate of title fee col-
 21 lected and remitted to the secretary of revenue, shall be remitted to the
 22 state treasurer who shall credit such \$3 to the repossessed certificates of
 23 title fee fund.

24 (3) Three dollars and fifty cents of each reassignment form fee col-
 25 lected and remitted to the secretary of revenue, shall be remitted to the
 26 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
 27 motor vehicle fund. Three dollars of each reassignment form fee collected
 28 and remitted to the secretary of revenue, shall be remitted to the state
 29 treasurer who shall credit such \$3 to the VIPS/CAMA technology hard-
 30 ware fund.

31 (4) ~~Four dollars~~ *Until January 1, 2013, \$4* of each division of vehicles
 32 modernization surcharge collected and remitted to the secretary of rev-
 33 enue, shall be remitted to the state treasurer who shall credit such \$4 to
 34 the division of vehicles modernization fund, *on and after January 1, 2013,*
 35 *the state treasurer shall credit such \$4 to the state highway fund.*

36 Sec. 14. K.S.A. 2009 Supp. 8-172 is hereby amended to read as fol-
 37 lows: 8-172. (a) Except as provided in subsection (c), license plates issued
 38 for antique vehicles shall be distinctive and shall contain the words "Kan-
 39 sas" and "antique" and there shall be no year date thereon. The num-
 40 bering system shall consist of combinations of not more than seven letters
 41 of the alphabet or numerals or a combination of such letters and numer-
 42 als. The combinations of such letters and numerals shall be at the direc-
 43 tion of the director of vehicles, except that any person owning an antique

1 vehicle, other than an antique motorcycle, may make application for a
2 special combination of letters and numerals not exceeding seven. Antique
3 motorcycle license plates shall be the same as other antique vehicle li-
4 cense plates, except the numbering system shall consist of not more than
5 five letters of the alphabet or numerals or a combination of letters and
6 numerals. Such application shall be made in a manner prescribed by the
7 director of vehicles and shall be accompanied by a special combination
8 fee of \$40. Unless the combination of letters or numerals designated by
9 the applicant have been assigned to another antique vehicle registered in
10 this state, or unless the combination of letters or numerals designated by
11 the applicant have a profane, vulgar, lewd or indecent meaning or con-
12 notation, as determined by the director, the division shall assign such
13 combination of letters to the applicant's vehicle.

14 (b) In addition to the fees required under subsection (b) of K.S.A. 8-
15 167, and amendments thereto, and subsection (a) or (c) of this section,
16 the registration fee for any antique vehicle shall be \$40, *on January 1,*
17 *2013, \$50, on January 1, 2014, \$60* and once paid shall not be required
18 to be renewed.

19 (c) In lieu of the license plate issued under subsection (a), a person
20 who owns an antique vehicle who wants to display a model year license
21 plate on the vehicle shall make application in a manner prescribed by the
22 director of vehicles, including the execution of an affidavit setting forth
23 that the model year license plate the person wants to display on the per-
24 son's antique vehicle is a legible and serviceable license plate that origi-
25 nally was issued by this state or a license plate originally issued by a Kansas
26 city or a reproduction of such city issued license plate. Except for license
27 plates issued prior to 1921, such license plate shall be inscribed with the
28 date of the year corresponding to the model year when the vehicle was
29 manufactured. For license plates issued prior to 1921, such license plate
30 shall be the license plate issued by the state or a Kansas city or a repro-
31 duction of such city issued license plate corresponding to the model year
32 when the vehicle was manufactured. Duplicate numbers for any year shall
33 not be allowed for any model year license plate under the provisions of
34 this subsection. Upon application to display a reproduction of a city issued
35 license plate, the division of vehicles shall issue a number to be used for
36 such reproduction license plate. The model year license plate fee shall
37 be \$40.

38 (d) In addition to the license plates authorized under subsection (a)
39 or (c), a person who owns an antique vehicle may display a model year
40 license plate originally issued by the state of Kansas or a Kansas city or a
41 reproduction of such city issued license plate on the front of an antique
42 vehicle. Except for license plates issued prior to 1921, such license plate
43 shall be inscribed with the date of the year corresponding to the model

1 year when the vehicle was manufactured. For license plates issued prior
2 to 1921, such license plate shall be the license plate issued by the state
3 or a Kansas city or a reproduction of such city issued license plate cor-
4 responding to the model year when the vehicle was manufactured.

5 Sec. 15. K.S.A. 8-195 is hereby amended to read as follows: 8-195.

6 (a) Any person who is the owner of a special interest vehicle or street rod
7 vehicle at the time of making application for registration or transfer of
8 title of the vehicle may upon application register the same as a special
9 interest vehicle or street rod vehicle upon payment of an annual fee of
10 \$26, *on January 1, 2013*, \$36, *on January 1, 2014*, \$46 and be furnished
11 each year upon the payment of such fee license plates of a distinctive
12 design in lieu of the usual license plates which shall show in addition to
13 the identification number, that the vehicle is a special interest vehicle or
14 that the vehicle is a special interest vehicle and it meets the qualifications
15 of a street rod, as the case may be, owned by a Kansas collector. The
16 registration shall be valid for one year and may be renewed by payment
17 of such annual fee. Special interest vehicles including street rod vehicles
18 may be used as are other vehicles of the same type, except that special
19 interest vehicles including street rod vehicles may not transport passen-
20 gers for hire, nor haul material weighing more than 500 pounds.

21 (b) Each collector applying for special interest vehicle or street rod
22 vehicle license plates will be issued a collector's identification number
23 which will appear on each license plate. Second and all subsequent reg-
24 istrations under this section by the same collector will bear the same
25 collector's identification number followed by a suffix letter for vehicle
26 identification.

27 (c) A collector must own and have registered one or more vehicles
28 with regular license plates which are used for regular transportation.

29 Sec. 16. K.S.A. 8-234b is hereby amended to read as follows: 8-234b.

30 (a) Every original driver's license issued by the division shall indicate the
31 class or classes of motor vehicles which the licensee is entitled to drive.
32 For this purpose the following classes are established:

33 (1) Commercial class A motor vehicles include any combination of
34 vehicles with a gross combination weight rating of 26,001 pounds or more,
35 providing the gross vehicle weight rating of the vehicle or vehicles being
36 towed is in excess of 10,000 pounds;

37 (2) commercial class B motor vehicles include any single vehicle with
38 a gross vehicle weight rating of 26,001 pounds or more, or any such ve-
39 hicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight
40 rating;

41 (3) commercial class C motor vehicles include any single vehicle less
42 than 26,001 pounds gross vehicle weight rating, or any such vehicle towing
43 a vehicle not in excess of 10,000 pounds, or any vehicle less than 26,001

1 pounds gross vehicle weight rating towing a vehicle in excess of 10,000
2 pounds gross vehicle weight rating, provided the gross combination
3 weight rating of the combination is less than 26,001 pounds comprising:

4 (A) Vehicles designed to transport 16 or more passengers, including
5 the driver; or

6 (B) vehicles used in the transportation of hazardous materials which
7 requires the vehicle to be placarded;

8 (4) class A motor vehicles include any combination of vehicles with a
9 gross combination weight rating of 26,001 pounds or more, provided the
10 gross combination weight rating of the vehicle or vehicles being towed is
11 in excess of 10,000 pounds, and all other lawful combinations of vehicles
12 with a gross combination weight rating of 26,001 pounds, or more; except
13 that, class A does not include a combination of vehicles that has a truck
14 registered as a farm truck under ~~subsection (2)~~ of K.S.A. 8-143, and
15 amendments thereto;

16 (5) class B motor vehicles include any single vehicle with a gross ve-
17 hicle weight rating of 26,001 pounds or more, or any such vehicle towing
18 a vehicle not in excess of 10,000 pounds gross vehicle weight rating. Class
19 B motor vehicles do not include a single vehicle registered as a farm truck
20 under ~~subsection (2)~~ of K.S.A. 8-143, and amendments thereto, when
21 such farm truck has a gross vehicle weight rating of 26,001 pounds, or
22 more; or any fire truck operated by a volunteer fire department;

23 (6) class C motor vehicles include any single vehicle with a gross
24 vehicle weight rating less than 26,001 pounds, or any such vehicle towing
25 a vehicle not in excess of 10,000 pounds gross vehicle weight rating, or
26 any vehicle with a less than 26,001 gross vehicle weight rating towing a
27 vehicle in excess of 10,000 pounds gross vehicle weight rating, provided
28 the gross combination weight rating of the combination is less than 26,001
29 pounds, or any single vehicle registered as a farm truck under ~~subsection~~
30 ~~(2)~~ of K.S.A. 8-143, and amendments thereto, when such farm truck has
31 a gross vehicle weight rating of 26,001 pounds, or more, or any fire truck
32 operated by a volunteer fire department; and

33 (7) class M motor vehicles includes motorcycles.

34 As used in this subsection, "gross vehicle weight rating" means the
35 value specified by the manufacturer as the maximum loaded weight of a
36 single or a combination (articulated) vehicle. The gross vehicle weight
37 rating of a combination (articulated) vehicle, commonly referred to as the
38 gross combination weight rating, is the gross vehicle weight rating of the
39 power unit plus the gross vehicle weight rating of the towed unit or units.

40 (b) Every applicant for an original driver's license shall indicate on
41 such person's application the class or classes of motor vehicles for which
42 the applicant desires a license to drive, and the division shall not issue a
43 driver's license to any person unless such person has demonstrated sat-

1 isfactorily ability to exercise ordinary and reasonable control in the op-
2 eration of motor vehicles in the class or classes for which the applicant
3 desires a license to drive. The division shall administer an appropriate
4 examination of each applicant's ability to drive such motor vehicles. Ex-
5 cept as provided in K.S.A. 8-2,125 through 8-2,142, and amendments
6 thereto, the director of vehicles may accept a copy of the certificate of a
7 person's road test issued to an individual under the regulatory require-
8 ments of the United States department of transportation, in lieu of re-
9 quiring the person to demonstrate ability to operate any motor vehicle or
10 combination of vehicles, if such certificate was issued not more than three
11 years prior to the person's application for a driver's license.

12 (c) Any person who is the holder of a valid driver's license which
13 entitles the person to drive class A motor vehicles may also drive class B
14 and C motor vehicles. Any person who is the holder of a valid driver's
15 license which entitles the person to drive class B motor vehicles may also
16 drive class C motor vehicles.

17 (d) The secretary of revenue shall adopt rules and regulations estab-
18 lishing qualifications for the safe operation of the various types, sizes and
19 combinations of vehicles in each class of motor vehicles established in
20 subsection (a). Such rules and regulations shall include the adoption of
21 at least the minimum qualifications for commercial drivers' licenses con-
22 tained in the commercial motor vehicle safety act of 1986.

23 (e) Any reference in the motor vehicle drivers' license act to a class
24 or classes of motor vehicles is a reference to the classes of motor vehicles
25 established in subsection (a), and any reference in the motor vehicle driv-
26 ers' license act to a classified driver's license or a class of driver's license
27 means a driver's license which restricts the holder thereof to driving one
28 or more of such classes of motor vehicles.

29 (f) The secretary of revenue may enter into a contract with any per-
30 son, who meets the qualifications imposed on persons regularly employed
31 by the division as drivers' license examiners, to accept applications for
32 drivers' licenses and to administer the examinations required for the is-
33 suance of drivers' licenses.

34 (g) Notwithstanding the provisions of subsection (a), any person em-
35 ployed as an automotive mechanic who possesses a valid class C driver's
36 license may drive any class A or class B motor vehicle on the highways
37 for the purpose of determining the proper performance of the vehicle,
38 except that this does not include commercial class A, B or C vehicles.

39 Sec. 17. K.S.A. 2009 Supp. 8-2406 is hereby amended to read as
40 follows: 8-2406. (a) The annual fee for the first dealer license plate is
41 \$275, *on January 1, 2013*, \$285, *on January 1, 2014*, \$295 and the annual
42 fee for additional dealer license plates shall be an amount equal to the
43 amount required to register a passenger vehicle having a gross weight of

1 less than 4,500 pounds, except that the annual fee for dealer license plates
2 used by trailer dealers on trailers which they have purchased or own and
3 are holding for resale shall be \$25, *on January 1, 2013, \$35, on January*
4 *1, 2014, \$45* for each plate. To determine the number of dealer license
5 plates the dealer needs, the director may base the decision on the dealer's
6 past sales, inventory and any other pertinent factors as the director may
7 determine. After the end of the first year of licensure as a dealer, not
8 more than one dealer license plate shall be issued to any dealer who has
9 not reported to the division the sale of at least five motor vehicles in the
10 preceding year. There shall be no refund of fees for dealer license plates
11 in the event of suspension, revocation or voluntary cancellation of a li-
12 cense. The director is hereby authorized to designate by identifying sym-
13 bols on a dealer's license plate the type of dealer's license that the person
14 has been issued. If a dealer has an established place of business in more
15 than one county, such dealer shall secure a separate and distinct dealer's
16 license and dealer license plates for each established place of business.

17 (b) New motor vehicle dealers and used motor vehicle dealers may
18 authorize use of dealer license plates assigned to such motor vehicle deal-
19 ers as follows:

- 20 (1) The licensed motor vehicle dealer and such dealer's spouse;
- 21 (2) the sales manager and all other sales personnel when such man-
22 ager and sales personnel are properly licensed in Kansas, except that no
23 dealer license plate shall be assigned to sales personnel who are working
24 at the established place of business of the dealer less than 20 hours per
25 week;
- 26 (3) any employee of such motor vehicle dealer when the use thereof
27 is directly connected to a particular business transaction of such motor
28 vehicle dealer;
- 29 (4) the customer when operating a motor vehicle in connection with
30 negotiations to purchase such motor vehicle or during a demonstration
31 of such motor vehicle;
- 32 (5) any school district and any accredited nonpublic school which has
33 entered into an agreement with a dealer to use a motor vehicle as a driver
34 training motor vehicle, as defined in K.S.A. 72-5015, and amendments
35 thereto, in an approved driver training course.

36 (c) A wholesaler dealer may authorize the use of dealer license plates
37 on vehicles purchased by the wholesaler for resale to a retail vehicle dealer
38 as follows:

- 39 (1) To transport or operate a vehicle to or from a licensed retail or
40 wholesale vehicle dealer for the purpose of buying, selling, or offering or
41 attempting to negotiate a sale of the vehicle to a licensed vehicle dealer;
- 42 (2) to deliver a vehicle purchased from the wholesale vehicle dealer
43 to a purchasing vehicle dealer.

1 (d) Salvage vehicle dealers may use dealer license plates only on ve-
2 hicles which they have purchased for salvage, including dismantling, dis-
3 assembling or recycling.

4 (e) Insurance companies may use dealer license plates only on vehi-
5 cles purchased or acquired for salvage in the course of business of the
6 insurance company.

7 (f) Lending agencies may use dealer license plates only on vehicles
8 which they have repossessed or are holding for disposition due to repos-
9 session.

10 (g) Trailer dealers may use dealer license plates only on trailers which
11 they have purchased or own and are holding for resale.

12 (h) Brokers are not entitled to be assigned or to use any dealer license
13 plates.

14 (i) Except as provided above, dealer license plates shall be used only
15 in accordance with the provisions of K.S.A. 8-136, and amendments
16 thereto. This subsection (i) does not apply to K.S.A. 8-2425, and amend-
17 ments thereto, or full-privilege license plates or dealer-hauler full-privi-
18 lege trailer license plates issued thereunder.

19 Sec. 18. K.S.A. 8-2409 is hereby amended to read as follows: 8-2409.

20 (a) Any dealer may purchase from the division of vehicles thirty-day tem-
21 porary registration permits, in multiples of five permits valid for 30 days
22 at a cost of ~~\$\$~~ \$10 each. Such dealer shall have completed the application
23 and permit as required by the division and mail a copy of such application
24 to the division within 24 hours from the date of issuance. Such registration
25 shall not extend the date when registration fees are due, but shall be valid
26 registration for a period of 30 days from date of issuance. The dealer
27 upon presentation of evidence of ownership in the applicant and evidence
28 that the sales tax has been paid, if due, shall issue a sticker or paper
29 registration as determined by the division. No dealer, or county treasurer,
30 as authorized by K.S.A. 8-143, and amendments thereto, shall issue more
31 than one thirty-day temporary registration permit to the purchaser of a
32 vehicle.

33 (b) The division of vehicles may deny any dealer the authority to
34 purchase thirty-day temporary permits if the vehicle dealer is delinquent
35 in monthly sales reports to the division for two months or more or if the
36 vehicle dealer is found to have issued more than one thirty-day permit to
37 the purchaser of a vehicle.

38 (c) The temporary registration authorized by this section shall not
39 entitle a truck, truck tractor or any combination of truck or truck tractor
40 and any type of trailer or semitrailer to be operated under laden condi-
41 tions, except that such temporary registration shall authorize any such
42 vehicle or combination of vehicles to be operated under laden conditions
43 for 48 hours after the time of issuance of the temporary permit.

1 Sec. 19. K.S.A. 2009 Supp. 8-2425 is hereby amended to read as
2 follows: 8-2425. (a) When a first dealer license plate has been issued
3 under K.S.A. 8-2406, and amendments thereto, the secretary of revenue
4 may issue full-privilege license plates or dealer-hauler full-privilege trailer
5 license plates, in accordance with the provisions of this section, to a li-
6 censed manufacturer of or licensed dealer in vehicles. In no calendar year
7 shall the secretary issue in excess of 10 of each type of such license plates
8 to any licensed manufacturer or dealer.

9 (b) The annual fee for each: (1) Full-privilege license plate shall be
10 \$350.50, *on January 1, 2013, \$360.50, on January 1, 2014, \$370.50*; and
11 (2) dealer-hauler full-privilege trailer license plate shall be \$350.50, *on*
12 *January 1, 2013, \$360.50, on January 1, 2014, \$370.50.*

13 (c) The secretary shall, upon application provided by the secretary
14 and payment of the fee required in subsection (b), issue to the applicant
15 the appropriate full-privilege license plate, which shall expire on the Jan-
16 uary 31 next following its issuance, except that the dealer shall have until
17 and including the last day of February of each year within which to make
18 application for renewal.

19 (d) Subject to subsection (e), a full-privilege license plate may be used
20 in lieu of regular vehicle registration and license plate. A full-privilege
21 license plate may be used on passenger cars or trucks. A full-privilege
22 license plate may be transferred from one vehicle to another owned or
23 in inventory of such manufacturer or dealer and may be assigned for use
24 by any person, at the discretion of the manufacturer or dealer to whom
25 it is issued. The person to whom a full-privilege license plate is assigned
26 for use shall be only a person who is: (1) A member of the immediate
27 family of the licensed manufacturer of or licensed dealer in vehicles; (2)
28 a corporate officer of the licensed manufacturer of or licensed dealer in
29 vehicles; or (3) an employee of the licensed manufacturer of or licensed
30 dealer in vehicles.

31 (e) A full-privilege license plate shall not be used on a lease or rental
32 vehicle. A full-privilege license plate shall not permit any vehicle to be
33 operated or moved upon a highway to haul commodities weighing in
34 excess of two tons. A full-privilege license plate shall not be used on a
35 wrecker or tow truck when providing wrecker or towing service as defined
36 by K.S.A. 66-1329, and amendments thereto.

37 (f) A dealer-hauler full-privilege trailer license plate may be used by
38 a trailer manufacturer or trailer dealer in lieu of a regular trailer registra-
39 tion and license plate. A dealer-hauler full-privilege trailer license plate
40 may be used only on trailers. A dealer-hauler full-privilege trailer license
41 plate may be transferred from one trailer to another owned or in inventory
42 of the trailer manufacturer or trailer dealer to whom issued. A dealer-
43 hauler full-privilege trailer license plate may be used by a trailer manu-

1 factorer or trailer dealer to haul nonhighway equipment, as defined in
2 rules and regulations, for either demonstration purposes or delivery, if
3 the weight of the trailer and nonhighway equipment does not exceed
4 85,500 pounds. The dealer-hauler full-privilege trailer license plate shall
5 expire on the January 31 next following its issuance, except that the dealer
6 shall have until and including the last day of February of each year within
7 which to make application for renewal.

8 (g) Fees received under this section shall be divided equally between
9 the county treasurer in which the licensed manufacturer or dealer has its
10 established place of business and the secretary of revenue. Amounts al-
11 lotted to the secretary of revenue shall be remitted to the state treasurer
12 in accordance with the provisions of K.S.A. 75-4215, and amendments
13 thereto. Upon receipt of each such remittance, the state treasurer shall
14 deposit the entire amount in the state treasury to the credit of the vehicle
15 dealers and manufacturers fee fund which fund is hereby created in the
16 state treasury. Expenditures from the vehicle dealers and manufacturers
17 fee fund shall be made on vouchers approved by the secretary of revenue,
18 or a person designated by the secretary, for enforcement of the vehicle
19 dealers and manufacturers licensing act in accordance with appropriations
20 therefor. Amounts allotted to the county treasurers shall be credited to
21 the county treasurers' vehicle licensing fee fund which fund is hereby
22 created in the state treasury. Amounts due each county treasurer shall be
23 paid quarterly from such fund upon vouchers approved by the secretary
24 of revenue or a person designated by the secretary. Amounts received by
25 each county treasurer shall be deposited, appropriated and used as pro-
26 vided by K.S.A. 8-145, and amendments thereto.

27 (h) The provisions of K.S.A. 8-136 and 8-2406, and amendments
28 thereto, shall not apply to full-privilege license plates or dealer-hauler
29 full-privilege trailer license plates or the use thereof.

30 Sec. 20. K.S.A. 2009 Supp. 12-6a35 is hereby amended to read as
31 follows: 12-6a35. (a) Any municipality may issue special obligation bonds
32 in one or more series to finance any project in accordance with the pro-
33 visions of this act. Such bonds shall be made payable, both as to principal
34 and interest solely from a pledge of the sources of funds described in
35 subsections (a), (b), (c) and (e) of K.S.A. 2009 Supp. 12-6a33, and amend-
36 ments thereto. *Any municipality may also execute and deliver a loan with*
37 *respect to any project from the Kansas transportation revolving fund pur-*
38 *suant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments thereto.* The
39 municipality may pledge such revenue to the repayment of such bonds
40 or such loans prior to, simultaneously with or subsequent to the issuance
41 of such bonds, except for any revenues received under the provisions of
42 subsection (e) of K.S.A. 2009 Supp. 12-6a33 and amendments thereto,
43 which revenues are subject to annual appropriation.

1 (b) Bonds issued pursuant to this section shall not be general obli-
2 gations of the municipality, give rise to a charge against its general credit
3 or taxing powers, or be payable out of any funds or properties other than
4 any of those set forth in subsections (a), (b), (c) and (e) of K.S.A. 2009
5 Supp. 12-6a33, and amendments thereto, and such bonds shall so state
6 on their face. *This subsection shall not apply to loans from the Kansas*
7 *transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et*
8 *seq., and amendments thereto.*

9 (c) Bonds issued pursuant to this section shall be special obligations
10 of the municipality and are declared to be negotiable instruments. Such
11 bonds shall be executed by the authorized representatives of the munic-
12 ipality and sealed with the corporate seal of the municipality. All details
13 pertaining to the issuance of the bonds and terms and conditions thereof
14 shall be determined by ordinance or resolution of the municipality. The
15 provisions of K.S.A. 10-106, and amendments thereto, requiring a public
16 sale of bonds shall not apply to bonds issued under this section. All bonds
17 issued pursuant to this section and all income or interest therefrom shall
18 be exempt from all state taxes except inheritance taxes. Such bonds shall
19 contain none of the recitals set forth in K.S.A. 10-112, and amendments
20 thereto. Such bonds shall contain the following recitals: The authority
21 under which such bonds are issued; that such bonds are in conformity
22 with the provisions, restrictions and limitations thereof and that such
23 bonds and the interest thereon are to be paid from the money and rev-
24 enue received as provided in this section. Such bonds shall mature in no
25 more than 22 years.

26 (d) Any municipality issuing bonds under the provisions of this sec-
27 tion may refund all or part of such bonds pursuant to the provisions of
28 K.S.A. 10-116a, and amendments thereto.

29 (e) Bonds issued under the provisions of this section *or loans incurred*
30 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*
31 *Supp. 75-5063 et seq., and amendments thereto*, shall be in addition to
32 and not subject to any statutory limitation of bonded indebtedness im-
33 posed on such municipality.

34 Sec. 21. K.S.A. 2009 Supp. 12-6a36 is hereby amended to read as
35 follows: 12-6a36. (a) Any municipality may issue full faith and credit bonds
36 in one or more series to finance any project in accordance with the pro-
37 visions of this act and to refinance or refund any notes or bonds issued
38 pursuant to this act. Bonds issued pursuant to this section shall be general
39 obligations of the municipality and give rise to a charge against its general
40 credit and taxing powers, and such bonds shall so state on their face. Such
41 bonds shall be made payable, both as to principal and interest solely from
42 a pledge of the sources of funds described in K.S.A. 2009 Supp. 12-6a33,
43 and amendments thereto, including a pledge of a municipality's full faith

1 and credit to use its ad valorem taxing authority for the repayment thereof
2 in the event all other authorized sources of revenue are not sufficient.
3 The municipality may pledge such revenue to the repayment of such
4 bonds prior to, simultaneously with or subsequent to the issuance of such
5 bonds.

6 (b) Bonds issued pursuant to this section shall be general obligations
7 of the municipality and are declared to be negotiable instruments. Such
8 bonds shall be executed by the authorized representatives of the munic-
9 ipality and sealed with the corporate seal of the municipality. All details
10 pertaining to the issuance of the bonds and terms and conditions thereof
11 shall be determined by ordinance or resolution of the municipality. The
12 provisions of K.S.A. 10-106, and amendments thereto, requiring a public
13 sale of bonds shall not apply to bonds issued under this section. All bonds
14 issued pursuant to this section and all income or interest therefrom shall
15 be exempt from all state taxes except inheritance taxes. Such bonds shall
16 contain the recitals set forth in K.S.A. 10-112, and amendments thereto.
17 Such bonds shall mature in no more than 22 years. Any municipality
18 issuing bonds under the provisions of this section may refund all or part
19 of such bonds pursuant to the provisions of K.S.A. 10-427, and amend-
20 ments thereto.

21 (c) The amount of the full faith and credit bonds issued and outstand-
22 ing under this act which exceeds 3% of the assessed valuation of the
23 municipality shall be within the bonded debt limit applicable to such
24 municipality.

25 (d) If, within 60 days following the date of the public hearing de-
26 scribed in K.S.A. 2009 Supp. 12-6a29, and amendments thereto, a protest
27 petition signed by 5% of the qualified voters of the municipality is filed
28 with the municipality's clerk in accordance with the provisions of K.S.A.
29 25-3601 et seq., and amendments thereto, no full faith and credit bonds
30 shall be issued until the issuance of the full faith and credit bonds is
31 approved by a majority of the voters voting at an election thereon. The
32 failure of the voters to approve the issuance of full faith and credit bonds
33 shall not prevent a municipality from issuing special obligation bonds.

34 (e) *The provisions of subsections (b), (c) and (d) shall not apply to*
35 *loans from the Kansas transportation revolving fund pursuant to K.S.A.*
36 *2009 Supp. 75-5063 et seq., and amendments thereto.*

37 Sec. 22. K.S.A. 2009 Supp. 12-1774 is hereby amended to read as
38 follows: 12-1774. (a) (1) Any city shall have the power to issue special
39 obligation bonds in one or more series *and/or execute and deliver a loan*
40 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*
41 *Supp. 75-5063 et seq., and amendments thereto*, to finance the undertak-
42 ing of any redevelopment project or bioscience development project in
43 accordance with the provisions of this act. Such special obligation bonds

1 *or loans* shall be made payable, both as to principal and interest:

2 (A) From tax increments allocated to, and paid into a special fund of
3 the city under the provisions of K.S.A. 12-1775, and amendments thereto;

4 (B) from revenues of the city derived from or held in connection with
5 the undertaking and carrying out of any redevelopment project or projects
6 or bioscience development project or projects under this act including
7 environmental increments;

8 (C) from any private sources, contributions or other financial assis-
9 tance from the state or federal government;

10 (D) from a pledge of all of the revenue received by the city from any
11 transient guest and local sales and use taxes which are collected from
12 taxpayers doing business within that portion of the city's redevelopment
13 district or bioscience development district established pursuant to K.S.A.
14 12-1771, and amendments thereto, occupied by a redevelopment project
15 or bioscience development project. A city proposing to finance a major
16 motorsports complex pursuant to this paragraph shall prepare a project
17 plan which shall include:

18 (i) A summary of the feasibility study done, as defined in K.S.A. 12-
19 1770a, and amendments thereto, which will be an open record;

20 (ii) a reference to the district plan established under K.S.A. 12-1771,
21 and amendments thereto, that identifies the project area that is set forth
22 in the project plan that is being considered;

23 (iii) a description and map of the location of the facility that is the
24 subject of the special bond project or major motorsports complex;

25 (iv) the relocation assistance plan required by K.S.A. 12-1777, and
26 amendments thereto;

27 (v) a detailed description of the buildings and facilities proposed to
28 be constructed or improved; and

29 (vi) any other information the governing body deems necessary to
30 advise the public of the intent of the special bond project or major mo-
31 torsports complex plan.

32 The project plan shall be prepared in consultation with the planning
33 commission of the city. Such project plan shall also be prepared in con-
34 sultation with the planning commission of the county, if any, if a major
35 motorsports complex is located wholly outside the boundaries of the city.

36 (E) from a pledge of a portion or all increased revenue received by
37 the city from: (i) Franchise fees collected from utilities and other busi-
38 nesses using public right-of-way within the redevelopment district; (ii)
39 from a pledge of all or a portion of the revenue received by the city from
40 sales taxes; or (iii) both of the above;

41 (F) with the approval of the county, from a pledge of all of the rev-
42 enues received by the county from any transient guest, local sales and use
43 taxes which are collected from taxpayers doing business within that por-

1 tion of the redevelopment district established pursuant to K.S.A. 12-1771,
2 and amendments thereto;

3 (G) *if a project is financed in whole or in part with the proceeds of a*
4 *loan to the municipality from the Kansas transportation revolving fund,*
5 *such loan shall also be payable from amounts available pursuant to K.S.A.*
6 *2009 Supp. 75-5063 et seq., and amendments thereto;*

7 ~~(G)~~ (H) by any combination of these methods.

8 The city may pledge such revenue to the repayment of such special
9 obligation bonds prior to, simultaneously with, or subsequent to the is-
10 suance of such special obligation bonds.

11 (2) Bonds issued under paragraph (1) of subsection (a) shall not be
12 general obligations of the city, nor in any event shall they give rise to a
13 charge against its general credit or taxing powers, or be payable out of
14 any funds or properties other than any of those set forth in paragraph (1)
15 of this subsection and such bonds shall so state on their face. *This para-*
16 *graph shall not apply to loans from the Kansas transportation revolving*
17 *fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments*
18 *thereto.*

19 (3) Bonds issued under the provisions of paragraph (1) of this sub-
20 section shall be special obligations of the city and are declared to be
21 negotiable instruments. They shall be executed by the mayor and clerk
22 of the city and sealed with the corporate seal of the city. All details per-
23 taining to the issuance of such special obligation bonds and terms and
24 conditions thereof shall be determined by ordinance of the city. All special
25 obligation bonds issued pursuant to this act and all income or interest
26 therefrom shall be exempt from all state taxes except inheritance taxes.
27 Such special obligation bonds shall contain none of the recitals set forth
28 in K.S.A. 10-112, and amendments thereto. Such special obligation bonds
29 shall, however, contain the following recitals, viz., the authority under
30 which such special obligation bonds are issued, they are in conformity
31 with the provisions, restrictions and limitations thereof, and that such
32 special obligation bonds and the interest thereon are to be paid from the
33 money and revenue received as provided in paragraph (1) of this subsec-
34 tion.

35 (b) (1) Subject to the provisions of paragraph (2) of this subsection,
36 any city shall have the power to issue full faith and credit tax increment
37 bonds to finance the undertaking of any redevelopment project in ac-
38 cordance with the provisions of K.S.A. 12-1770 et seq., and amendments
39 thereto, other than a project that will create a major tourism area. Such
40 full faith and credit tax increment bonds shall be made payable, both as
41 to principal and interest: (A) From the revenue sources identified in par-
42 agraph (1) of subsection (a) or by any combination of these sources; and
43 (B) subject to the provisions of paragraph (2) of this subsection, from a

1 pledge of the city's full faith and credit to use its ad valorem taxing au-
2 thority for repayment thereof in the event all other authorized sources of
3 revenue are not sufficient.

4 (2) Except as provided in paragraph (3) of this subsection, before the
5 governing body of any city proposes to issue full faith and credit tax in-
6 crement bonds as authorized by this subsection, the feasibility study re-
7 quired by K.S.A. 12-1772, and amendments thereto, shall demonstrate
8 that the benefits derived from the project will exceed the cost and that
9 the income therefrom will be sufficient to pay the costs of the project.
10 No full faith and credit tax increment bonds shall be issued unless the
11 governing body states in the resolution required by K.S.A. 12-1772, and
12 amendments thereto, that it may issue such bonds to finance the proposed
13 redevelopment project.

14 The governing body may issue the bonds unless within 60 days follow-
15 ing the date of the public hearing on the proposed project plan a protest
16 petition signed by 3% of the qualified voters of the city is filed with the
17 city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and
18 amendments thereto. If a sufficient petition is filed, no full faith and credit
19 tax increment bonds shall be issued until the issuance of the bonds is
20 approved by a majority of the voters voting at an election thereon. Such
21 election shall be called and held in the manner provided by the general
22 bond law.

23 The failure of the voters to approve the issuance of full faith and credit
24 tax increment bonds shall not prevent the city from issuing special obli-
25 gation bonds in accordance with this section.

26 No such election shall be held in the event the board of county com-
27 missioners or the board of education determines, as provided in K.S.A.
28 12-1771, and amendments thereto, that the proposed redevelopment dis-
29 trict will have an adverse effect on the county or school district.

30 (3) As an alternative to paragraph (2) of this subsection, any city which
31 adopts a redevelopment project plan but does not state its intent to issue
32 full faith and credit tax increment bonds in the resolution required by
33 K.S.A. 12-1772, and amendments thereto, and has not acquired property
34 in the redevelopment project area may issue full faith and credit tax in-
35 crement bonds if the governing body of the city adopts a resolution stating
36 its intent to issue the bonds and the issuance of the bonds is approved by
37 a majority of the voters voting at an election thereon. Such election shall
38 be called and held in the manner provided by the general bond law.

39 The failure of the voters to approve the issuance of full faith and credit
40 tax increment bonds shall not prevent the city from issuing special obli-
41 gation bonds pursuant to paragraph (1) of subsection (a). Any project plan
42 adopted by a city prior to the effective date of this act in accordance with
43 K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any

1 requirements of this act.

2 (4) During the progress of any redevelopment project in which the
3 redevelopment project costs will be financed, in whole or in part, with
4 the proceeds of full faith and credit tax increment bonds, the city may
5 issue temporary notes in the manner provided in K.S.A. 10-123, and
6 amendments thereto, to pay the redevelopment project costs for the pro-
7 ject. Such temporary notes shall not be issued and the city shall not ac-
8 quire property in the redevelopment project area until the requirements
9 of paragraph (2) or (3) of this subsection, whichever is applicable, have
10 been met.

11 (5) Full faith and credit tax increment bonds issued under this sub-
12 section shall be general obligations of the city and are declared to be
13 negotiable instruments. They shall be issued in accordance with the gen-
14 eral bond law. All such bonds and all income or interest therefrom shall
15 be exempt from all state taxes except inheritance taxes. The amount of
16 the full faith and credit tax increment bonds issued and outstanding which
17 exceeds 3% of the assessed valuation of the city shall be within the bonded
18 debt limit applicable to such city.

19 (6) Any city issuing special obligation bonds or full faith and credit
20 tax increment bonds under the provisions of this act may refund all or
21 part of such issue pursuant to the provisions of K.S.A. 10-116a, and
22 amendments thereto.

23 (c) Any increment in ad valorem property taxes resulting from a re-
24 development project in the established redevelopment district under-
25 taken in accordance with the provisions of this act, shall be apportioned
26 to a special fund for the payment of the redevelopment project costs,
27 including the payment of principal and interest on any special obligation
28 bonds or full faith and credit tax increment bonds issued to finance such
29 project pursuant to this act and may be pledged to the payment of prin-
30 cipal and interest on such bonds.

31 (d) A city may use the proceeds of special obligation bonds or full
32 faith and credit tax increment bonds, *or proceeds of a loan from the Kan-
33 sas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063
34 et seq., and amendments thereto*, or any uncommitted funds derived from
35 sources set forth in this section to pay the redevelopment project costs
36 as defined in K.S.A. 12-1770a, and amendments thereto, to implement
37 the redevelopment project plan.

38 Sec. 23. K.S.A. 2009 Supp. 12-1774a is hereby amended to read as
39 follows: 12-1774a. (a) In the event that the city shall default in the pay-
40 ment of any special obligation bonds payable from revenues authorized
41 pursuant to subsection (a)(1)(D) of K.S.A. 12-1774, and amendments
42 thereto, no public funds shall be used to pay the holders thereof except
43 as otherwise specifically authorized in this act.

1 (b) *This section shall not apply to loans from the Kansas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and amendments thereto.*

2
3
4 Sec. 24. K.S.A. 12-1775 is hereby amended to read as follows: 12-
5 1775. (a) Except for redevelopment projects satisfying the conditions of
6 subsection (c) of K.S.A. 12-1771b, and amendments thereto, all tangible
7 taxable property located within a redevelopment district shall be assessed
8 and taxed for ad valorem tax purposes pursuant to law in the same manner
9 that such property would be assessed and taxed if located outside such
10 district, and all ad valorem taxes levied on such property shall be paid to
11 and collected by the county treasurer in the same manner as other taxes
12 are paid and collected. Except as otherwise provided in this section, the
13 county treasurer shall distribute such taxes as may be collected in the
14 same manner as if such property were located outside a redevelopment
15 district. Each redevelopment district established under the provisions of
16 this act shall constitute a separate taxing unit for the purpose of the com-
17 putation and levy of taxes.

18 (b) Except for redevelopment projects satisfying the conditions of
19 subsection (c) of K.S.A. 12-1771b, and amendments thereto, beginning
20 with the first payment of taxes which are levied following the date of the
21 establishment of the redevelopment district real property taxes received
22 by the county treasurer resulting from taxes which are levied subject to
23 the provisions of this act by and for the benefit of a taxing subdivision, as
24 defined in K.S.A. 12-1770a, *and amendments thereto*, on property located
25 within such redevelopment district constituting a separate taxing unit un-
26 der the provisions of this section, shall be divided as follows:

27 (1) From the taxes levied each year subject to the provisions of this
28 act by or for each of the taxing subdivisions upon property located within
29 a redevelopment district constituting a separate taxing unit under the
30 provisions of this act, the county treasurer first shall allocate and pay to
31 each such taxing subdivision all of the real property taxes collected which
32 are produced from the base year assessed valuation.

33 (2) Any real property taxes produced from that portion of the current
34 assessed valuation of real property within the redevelopment district con-
35 stituting a separate taxing unit under the provisions of this section in
36 excess of the base year assessed valuation shall be allocated and paid by
37 the county treasurer to the treasurer of the city and deposited in a special
38 fund of the city to pay the redevelopment project costs including the
39 payment of principal of and interest on any special obligation bonds or
40 full faith and credit tax increment bonds issued by such city to finance,
41 in whole or in part, such redevelopment project. When the redevelop-
42 ment project costs have been paid and such obligation bonds and interest
43 thereon have been paid, all moneys thereafter received from real property

1 taxes within such redevelopment district shall be allocated and paid to
2 the respective taxing subdivisions in the same manner as are other ad
3 valorem taxes. If such obligation bonds and interest thereon have been
4 paid before the completion of a project, the city may continue to use such
5 moneys for any purpose authorized by this act until such time as the
6 project is completed, but for not to exceed 20 years from the date of the
7 approval of the project plan, except as otherwise provided by this act.

8 (c) In any project plan or *in the loan documents relating to a loan*
9 *from the Kansas transportation revolving fund pursuant to K.S.A. 2009*
10 *Supp. 75-5063 et seq., and amendments thereto, or in the proceedings for*
11 *the issuing of any special obligation bonds or full faith and credit tax*
12 *increment bonds by the city to finance a redevelopment project, the prop-*
13 *erty tax increment portion of taxes provided for in paragraph (2) of sub-*
14 *section (c) may be irrevocably pledged for the payment of the principal*
15 *of and interest on such obligation bonds or loan, subject to the provisions*
16 *of subsection (c) of K.S.A. 12-1774, and amendments thereto.*

17 (d) A city may adopt a project plan in which only a specified per-
18 centage or amount of the tax increment realized from taxpayers in the
19 redevelopment district are pledged to the redevelopment project. The
20 county treasurer shall allocate the specified percentage or amount of the
21 tax increment to the treasurer of the city for deposit in the special fund
22 of the city to finance the redevelopment project costs if the city has other
23 available revenues and pledges the revenues to the redevelopment project
24 in lieu of the tax increment. Any portion of such tax increment not allo-
25 cated to the city for the redevelopment project shall be allocated and paid
26 in the same manner as other ad valorem taxes.

27 Sec. 25. K.S.A. 2009 Supp. 12-17,148 is hereby amended to read as
28 follows: 12-17,148. A separate fund shall be created for each district and
29 each project and such fund shall be identified by a suitable title. *Except*
30 *as otherwise required by the secretary of transportation in connection*
31 *with a loan to the municipality from the Kansas transportation revolving*
32 *fund, the proceeds from the sale of bonds, transportation revolving fund*
33 *loan, any special assessment and transportation development district sales*
34 *tax authorized, levied and collected under this act by the municipality and*
35 *any other moneys appropriated by the governing body for such purpose*
36 *shall be credited to such fund. Such fund shall be used solely to pay the*
37 *costs of the project. Upon payment of the principal and interest on the*
38 *bonds, if any, the municipality shall have the authority to spend any mon-*
39 *eys remaining in the fund for the purposes for which local sales tax re-*
40 *ceipts may be spent.*

41 Sec. 26. K.S.A. 2009 Supp. 12-17,149 is hereby amended to read as
42 follows: 12-17,149. (a) Any municipality may issue bonds in one or more
43 series *and/or execute and deliver a loan with respect to a project from the*

1 *Kansas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-*
2 *5063 et seq., and amendments thereto*, to finance the undertaking of any
3 project in accordance with the provisions of this act. Such bonds shall be
4 made payable, both as to principal and interest solely from a pledge of
5 the sources of funds described in K.S.A. 2009 Supp. 12-17,147, and
6 amendments thereto, *except that, if a project is financed, in whole or in*
7 *part, with the proceeds of a loan to the municipality from the Kansas*
8 *transportation revolving fund, such loan shall also be payable from*
9 *amounts available pursuant to K.S.A. 2009 Supp. 75-5063 et seq., and*
10 *amendments thereto*. The municipality may pledge such revenue to the
11 repayment of such bonds *or loans* prior to, simultaneously with or sub-
12 sequent to the issuance of such bonds, except for any revenues received
13 under the provisions of subsection (d) of K.S.A. 2009 Supp. 12-17,147,
14 and amendments thereto, which revenues are subject to annual appro-
15 priation.

16 (b) Bonds issued pursuant to subsection (a) shall not be general ob-
17 ligations of the municipality, give rise to a charge against its general credit
18 or taxing powers, or be payable out of any funds or properties other than
19 any of those set forth in subsection (a) and such bonds shall so state on
20 their face. *This subsection shall not apply to loans from the Kansas trans-*
21 *portation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063 et seq.,*
22 *and amendments thereto*.

23 (c) Bonds issued pursuant to subsection (a) shall be special obliga-
24 tions of the municipality and are declared to be negotiable instruments.
25 Such bonds shall be executed by the authorized representatives of the
26 municipality and sealed with the corporate seal of the municipality. All
27 details pertaining to the issuance of the bonds and terms and conditions
28 thereof shall be determined by ordinance or resolution of the munici-
29 pality. The provisions of K.S.A. 10-106, and amendments thereto, re-
30 quiring a public sale of bonds shall not apply to bonds issued under this
31 act. All bonds issued pursuant to this act and all income or interest there-
32 from shall be exempt from all state taxes except inheritance taxes. Such
33 bonds shall contain none of the recitals set forth in K.S.A. 10-112, and
34 amendments thereto. Such bonds shall contain the following recitals: The
35 authority under which such bonds are issued; that such bonds are in
36 conformity with the provisions, restrictions and limitations thereof; and
37 that such bonds and the interest thereon are to be paid from the money
38 and revenue received as provided in subsection (a) such bonds shall ma-
39 ture in no more than 22 years.

40 (d) Any municipality issuing bonds *or executing a loan from the Kan-*
41 *sas transportation revolving fund pursuant to K.S.A. 2009 Supp. 75-5063*
42 *et seq., and amendments thereto*, under the provisions of this act may
43 refund all or part of such issue pursuant to the provisions of K.S.A. 10-

1 116a, and amendments thereto.

2 (e) Bonds issued under the provisions of this act shall be in addition
3 to and not subject to any statutory limitation of bonded indebtedness
4 imposed on such municipality.

5 Sec. 27. K.S.A. 68-416 is hereby amended to read as follows: 68-416.
6 The state highway fund shall be apportioned as follows:

7 (a) The secretary of transportation annually shall apportion and dis-
8 tribute quarterly, on the first day of January, April, July and October, to
9 cities on the state highway system from the state highway fund moneys
10 at the rate of \$3,000 per year per lane per mile for the maintenance of
11 streets and highways in cities designated by the secretary as city con-
12 necting links. Unless a consolidated street and highway fund is established
13 pursuant to K.S.A. 12-1,119, and amendments thereto, all moneys dis-
14 tributed by the secretary shall be credited to the street and alley funds
15 of such cities. All moneys so distributed shall be used solely for the main-
16 tenance of city connecting links. Maintenance of such city connecting
17 links shall be as prescribed in K.S.A. 68-416a, and amendments thereto.
18 As used in this subsection, "lane" means the portion of the roadway for
19 use of moving traffic of a standard width prescribed by the secretary. In
20 lieu of such apportionment, the secretary, by and with the consent of the
21 governing body of any city within the state of Kansas, may maintain such
22 streets within the city and pay for such maintenance from the highway
23 fund.

24 (b) All of the remainder of such highway fund shall be used by the
25 secretary of transportation for:

26 (1) The construction, improvement, reconstruction and maintenance
27 of the state highway system;

28 (2) improvements in transportation programs to aid elderly persons,
29 persons with disabilities and the general public;

30 (3) for any purpose specified in ~~K.S.A. 68-2314a~~ *section 1, and*
31 *amendments thereto*;

32 (4) the support and maintenance of the department of transportation;

33 (5) the expenses of administering the motor vehicle registration and
34 drivers' license laws; and

35 (6) the payment of losses to department of transportation employees
36 authorized by K.S.A. ~~2002~~ 2009 Supp. 75-5062, and amendments thereto.

37 Sec. 28. K.S.A. 68-20,120 is hereby amended to read as follows: 68-
38 20,120. ~~(a)~~ In addition to other powers and duties granted to the secretary
39 of transportation:

40 (a) (1) The secretary of transportation may study the feasibility of
41 constructing a new toll project or turnpike project or designating existing
42 highways or any portion of such highways as a toll project or turnpike
43 project.

1 ~~(b)~~ (2) The study of the feasibility of such toll project or turnpike
 2 project shall include, but not be limited to:

- 3 ~~(1)~~ (A) The total cost of such project;
 4 ~~(2)~~ (B) a determination of the funding of such projects, including the
 5 use of one or a combination of public funds, private funds or toll revenues;
 6 ~~(3)~~ (C) a determination of the duration of the collection of tolls on
 7 such projects and if such projects are to become toll-free, a projected
 8 date when such projects would become toll-free; and
 9 ~~(4)~~ (D) such other data deemed necessary by the secretary for a de-
 10 termination of the project's feasibility.

11 (b) *After conducting the feasibility study under subsection (a) and if*
 12 *such feasibility study provides a favorable result, the secretary of trans-*
 13 *portation may recommend the construction of a new toll project or turn-*
 14 *pike project or the designation of an existing highway or any portion of*
 15 *such highway as a toll project or turnpike project.*

16 Sec. 29. K.S.A. 2009 Supp. 68-2315 is hereby amended to read as
 17 follows: 68-2315. Annually, prior to the 10th day of each regular session
 18 of the legislature, the secretary of transportation shall submit a written
 19 report to the governor and each member of the legislature providing:

20 (a) Summary financial information and a statement of assurance that
 21 the department of transportation has prepared a comprehensive financial
 22 report of all funds for the preceding year which includes a report by
 23 independent public accountants attesting that the financial statements
 24 present fairly the financial position of the Kansas department of trans-
 25 portation in conformity with generally accepted accounting principles and
 26 a notification that the complete comprehensive financial report, including
 27 the auditor's report is available upon request;

28 (b) a detailed explanation of the methods or criteria employed in the
 29 selection of ~~substantial maintenance and construction projects~~ *transportation projects under subsection (b) of section 1, and amendments thereto,*
 30 *and in the awarding of assistance to cities, counties or other transportation*
 31 *providers;*

32 (c) the proposed allocation and expenditure of moneys and proposed
 33 work plan for the current fiscal year and at least the next five years;

34 (d) information concerning ~~system enhancements~~, construction work
 35 completed in the preceding fiscal year and construction work in progress;

36 (e) information concerning the operation and financial condition of
 37 the transportation revolving fund;

38 (f) the annual allocation and expenditure of moneys from the coor-
 39 dinated public transportation assistance fund under K.S.A. 75-5035, and
 40 amendments thereto;

41 (g) the annual allocation and expenditure of moneys from the rail
 42 service improvement fund under K.S.A. 75-5048, and amendments
 43

1 thereto, including specific information relating to any grants or loans
2 made under such program;

3 (h) the annual allocation and expenditure of moneys from the public
4 use general aviation airport development fund under K.S.A. 75-5061, and
5 amendments thereto, including specific information relating to grants
6 made under such program;

7 (i) specific recommendations for any statutory changes necessary for
8 the successful completion of the comprehensive transportation program
9 specified in ~~K.S.A. 68-2314a~~ *section 1, and amendments thereto*, or effi-
10 cient and effective operation of the Kansas department of transportation;
11 and

12 (j) an explanation of any material changes from the previous annual
13 report.

14 Sec. 30. K.S.A. 68-2316 is hereby amended to read as follows: 68-
15 2316. For the period beginning July 1, ~~1999~~ *2010*, through June 30, ~~2009~~
16 *2020*, the secretary of transportation shall expend or commit to expend,
17 from the revenue provided under the provisions of ~~this act~~ *the transpor-*
18 *tation works for Kansas program*, at least ~~\$3,000,000~~ *\$6,000,000* for high-
19 ~~way, bridge and substantial maintenance projects~~ *in each county of the*
20 *state.*

or programs authorized under section 1, and amendments thereto,

21 Sec. 31. K.S.A. 68-2320 is hereby amended to read as follows: 68-
22 2320. (a) On and after July 1, 1991, the secretary of transportation is
23 hereby authorized and empowered to issue bonds of the state of Kansas,
24 payable solely from revenues accruing to the state highway fund and
25 transferred to the highway bond debt service fund and pledged to their
26 payment, for the purpose of providing funds to pay costs relating to con-
27 struction, reconstruction, maintenance or improvement of highways in
28 this state and to pay all expenses incidental thereto and to the bonds. The
29 secretary is hereby authorized to issue bonds the total principal amount
30 of which shall not exceed \$890,000,000.

31 (b) In addition to the provisions of subsection (a), on and after July
32 1, 1999, the secretary of transportation is hereby authorized and empow-
33 ered to issue bonds of the state of Kansas, payable solely from revenues
34 accruing to the state highway fund and transferred to the highway bond
35 debt service fund and pledged to their payment, for the purpose of pro-
36 viding funds to pay costs relating to construction, reconstruction, main-
37 tenance or improvement of highways in this state and to pay all expenses
38 incidental thereto and to the bonds. The secretary is hereby authorized
39 to issue bonds the total principal amount of which shall not exceed
40 \$1,272,000,000.

41 (c) (1) *In addition to the provisions of subsections (a) and (b), on and*
42 *after July 1, 2010, the secretary of transportation is hereby authorized*
43 *and empowered to issue additional bonds of the state of Kansas, payable*

87-1

1 solely from revenues accruing to the state highway fund and transferred
2 to the highway bond debt service fund and pledged to their payment, for
3 the purpose of providing funds to pay costs relating to construction, re-
4 construction, maintenance or improvement of highways in this state and
5 to pay all expenses incidental thereto and to the bonds. No bonds shall be
6 issued by the secretary pursuant to this subsection unless the secretary
7 certifies that, as of the date of issuance of any such series of additional
8 bonds, the maximum annual debt service on all outstanding bonds issued
9 pursuant to this section and K.S.A. 68-2328, and amendments thereto,
10 including the bonds to be issued on such date, will not exceed 18% of
11 projected state highway fund revenues for the current or any future fiscal
12 year.

13 (2) As used in this subsection:

14 (A) "Maximum annual debt service" means the maximum amount of
15 debt service requirements on all outstanding bonds for the current or any
16 future fiscal year;

17 (B) "debt service requirements" means, for each fiscal year, the ag-
18 gregate principal and interest payments required to be made during such
19 fiscal year on all outstanding bonds, including the additional bonds to be
20 issued, less any interest subsidy payments expected to be received from
21 the federal government, less any principal and interest payments irrevocably
22 provided for from a dedicated escrow of United States government
23 securities;

24 (C) "projected state highway fund revenues" means all revenues pro-
25 jected by the secretary of transportation to accrue to the state highway
26 fund for the current or any future fiscal year; and

27 (D) "fiscal year" means the fiscal year of the state.

28 (3) Debt service requirements for variable rate bonds outstanding or
29 proposed to be issued for the current or any future fiscal year for which
30 the actual interest rate cannot be determined on the date of calculation
31 shall be deemed to bear interest at an assume rate equal to the average of
32 the SIFMA swap index, or any successor variable rate index, for the im-
33 mediately preceding five calendar years plus 1% and an amount deter-
34 mined by the secretary that represents the then current reasonable annual
35 ancillary costs associated with variable rate debt, including credit en-
36 hancement, liquidity and remarketing costs; except that, debt service
37 requirements for variable rate bonds that are hedged pursuant to an in-
38 terest rate exchange or similar agreement that results in synthetic fixed
39 rate debt shall be deemed to bear interest at the synthetic fixed rate plus
40 .5% and an amount determined by the secretary that represents the then
41 current reasonable annual ancillary costs associated with variable rate
42 debt, including credit enhancement, liquidity and remarketing costs.

43 (4) Projected state highway fund revenues for the current or any fu-

1 *ture fiscal year for which the actual revenues cannot be determined on*
2 *the date of calculation shall be deemed to be the actual revenues for the*
3 *most recently completed fiscal year, adjusted in each subsequent fiscal*
4 *year by a percentage equal to the historical average annual increase or*
5 *decrease in revenues for the five fiscal year period prior to the current*
6 *fiscal year, and further adjusted to take into account any increases or*
7 *decreases in the statutory rates of any taxes or other charges or transfers*
8 *that comprise a portion of the revenues.*

9 (e) (d) In accordance with procurement statutes, the secretary may
10 contract with financial advisors, attorneys and such other professional
11 services as the secretary deems necessary to carry out the provisions of
12 this act, and to do all things necessary or convenient to carry out the
13 powers expressly granted in this act.

14 Sec. 32. K.S.A. 68-2321 is hereby amended to read as follows: 68-
15 2321. (a) Bonds issued shall be authorized by resolution of the secretary.
16 The secretary shall determine the form and manner of the execution of
17 the bonds and the bonds may be made exchangeable for bonds of another
18 denomination or in another form. The bonds shall be dated. Bonds issued
19 under subsections (a) and (b) of K.S.A. 68-2320, and amendments
20 thereto, shall mature not more than 20 years from their date. *Bonds issued*
21 *under subsection (c) of K.S.A. 68-2320, and amendments thereto, shall*
22 *mature not more than 20 years from their date, except that bonds issued*
23 *under subsection (c) of K.S.A. 68-2320, and amendments thereto, the in-*
24 *terest on which is eligible for subsidy by the federal government, shall*
25 *mature not more than 25 years from their date. Bonds issued for the*
26 *purpose of refunding bonds under K.S.A. 68-2328, and amendments*
27 *thereto, shall mature not more than 20 years from their date.* The bonds
28 may be in such form and denominations, may bear interest payable at
29 such times and at such rate or rates, may be payable at such places within
30 or without the state, may be subject to such terms of redemption in
31 advance of maturity at such prices, and may contain such terms and con-
32 ditions, all as the secretary shall determine. The bonds shall have all the
33 qualities of and shall be deemed to be negotiable instruments under the
34 laws of the state of Kansas. The authorizing resolution may contain any
35 other terms, covenants and conditions that the secretary deems reason-
36 able and desirable.

37 (b) The proceeds from the sale of the bonds authorized to be issued
38 under this section are deemed to be trust funds which shall be deposited
39 in the custody of the state treasurer in the highway bond proceeds fund
40 which is hereby created. The secretary shall have responsibility for the
41 management and control of the highway bond proceeds fund and shall
42 provide, by resolution, for both amounts and the duration of investments
43 of moneys in such fund. Such resolution may recommend investment and

1 reporting policies, including acceptable levels of return, risk and security.
 2 After consultation with the secretary and subject to the terms, covenants
 3 and conditions provided in the resolutions providing for the issuance of
 4 such bonds, the director of investments shall have the authority to invest
 5 and reinvest moneys in such fund and to acquire, retain, manage, includ-
 6 ing the exercise of any voting rights, and dispose of investments of such
 7 fund. In investing or reinvesting moneys in such fund, there shall be
 8 exercised the judgment and care under the circumstances then prevailing
 9 which persons of prudence, discretion and intelligence exercise in the
 10 management of their own affairs, not in regard to speculation but in re-
 11 gard to the permanent disposition of their funds, considering the probable
 12 income as well as the probable safety of their capital, except that moneys
 13 of the fund may not be invested in common stocks. Notwithstanding an-
 14 ything to the contrary, all interest or other income of the investments,
 15 after payment of any management fees, of the highway bond proceeds
 16 fund shall be credited to the highway bond debt service fund, until pay-
 17 ments on bonds authorized by this act and interest thereon has been fully
 18 funded. Thereafter, earnings and other income shall be credited to the
 19 state highway fund.

20 (c) The authorizing resolution may provide for the execution of a trust
 21 indenture. The trust indenture may contain any terms, covenants and
 22 conditions that are deemed desirable by the secretary, including, without
 23 limitation, those pertaining to the maintenance of various funds and re-
 24 serves, the nature and extent of any security for payment of the bonds,
 25 the custody and application of the proceeds of the bonds, the collection
 26 and disposition of bond proceeds and earnings thereon, the investing for
 27 authorized purposes, and the rights, duties and obligations of the secre-
 28 tary and the holders and registered owners of the bonds.

29 (d) Any authorizing resolution and trust indenture relating to the is-
 30 suance and security of the bonds may set forth covenants, agreements
 31 and obligations therein, which may be enforced by mandamus or other
 32 appropriate proceeding at law or in equity.

33 (e) The bonds may be issued under the provisions of this act without
 34 obtaining the consent of any department, division, commission, board,
 35 bureau or agency of the state and without any other proceedings or the
 36 happening of any other conditions or things than those proceedings, con-
 37 ditions or things which are specifically required by this act.

38 Sec. 33. K.S.A. 68-2328 is hereby amended to read as follows: 68-
 39 2328. (a) Bonds may be issued for the purpose of refunding, either at
 40 maturity or in advance of maturity, any bonds issued under this act, *any*
 41 *interest on such bonds or both bonds and the interest thereof.* ~~Bonds may~~
 42 ~~be issued subsequent to the effective date of this act for the purpose of~~
 43 ~~refunding, either at maturity or in advance of maturity, bonds issued~~

1 ~~under article 23 of chapter 68 of the Kansas Statutes Annotated, and~~
2 ~~amendments thereto.~~ Such refunding bonds may either be sold or deliv-
3 ered in exchange for the bonds being refunded. If sold, the proceeds may
4 either be applied to the payment of the bonds being refunded or depos-
5 ited in trust and there maintained in cash or investments for the retire-
6 ment of the bonds being refunded, as shall be specified by the secretary
7 and the authorizing resolution or trust indenture securing such refunding
8 bonds. The authorizing resolution or trust indenture securing the re-
9 funding bonds may provide that the refunding bonds shall have the same
10 security for their payment as provided for the bonds being refunded.
11 Refunding bonds shall be sold and secured in accordance with the pro-
12 visions of this act pertaining to the sale and security of the bonds. Any
13 bonds that have been issued pursuant to this section shall not be counted
14 toward the limit on the aggregate principal amount of bonds established
15 under *subsections (a) and (b) of K.S.A. 68-2320, and amendments thereto.*

16 (b) When all bonds issued under article 23 of chapter 68 of the Kansas
17 Statutes Annotated, and amendments thereto, have either been paid or
18 the lien of such bonds shall have been defeased in accordance with their
19 terms so that the bonds are deemed to have been paid, the secretary of
20 transportation shall certify such facts to the director of accounts and re-
21 ports and upon receipt of such certification the director of accounts and
22 reports shall transfer all moneys in the state freeway fund to the state
23 highway fund and upon such transfer all liabilities of the state freeway
24 fund are hereby transferred to and imposed upon the state highway fund
25 and the state freeway fund is hereby abolished. Upon the abolition of the
26 state freeway fund, any reference to the state freeway fund or any des-
27 ignation thereof, in any statute, contract or other document shall mean
28 the state highway fund.

29 Sec. 34. K.S.A. 2009 Supp. 68-2331 is hereby amended to read as
30 follows: 68-2331. (a) For the purpose of financing a portion of the com-
31 prehensive transportation program, ~~K.S.A. 68-2314a, et seq., and amend-~~
32 ~~ments thereto,~~ the Kansas development finance authority is hereby au-
33 thorized to issue one or more series of revenue bonds pursuant to the
34 Kansas development finance authority act, K.S.A. 74-8901 et seq., and
35 amendments thereto, in an amount necessary to provide a deposit or
36 deposits in a total amount not to exceed \$150,000,000 to the state highway
37 fund plus amounts necessary to pay the costs of issuance of the bonds,
38 including any credit enhancement, and provide any required reserves for
39 the bonds. The principal amount, interest rates and final maturity of such
40 revenue bonds and any bonds issued to refund such bonds or parameters
41 for such principal amount, interest rates and final maturity shall be ap-
42 proved by the secretary of transportation and by a resolution of the state
43 finance council. The bonds, and interest thereon, issued pursuant to this

1 section shall be payable from moneys appropriated by the state for such
 2 purpose. The bonds and interest thereon, issued pursuant to this section
 3 shall be obligations only of the authority and in no event shall such bonds
 4 constitute an indebtedness or obligation of the Kansas department of
 5 transportation or an indebtedness or obligation for which the faith and
 6 credit or any assets of the Kansas department of transportation are
 7 pledged.

8 (b) (1) The authority may pledge the contract or contracts authorized
 9 in subsection (c), or any part thereof, for the payment or redemption of
 10 the bonds, and covenant as to the use and disposition of money available
 11 to the authority for payments of the bonds. The authority is authorized
 12 to enter into any agreements necessary or desirable to effectuate the
 13 purposes of this section.

14 (2) The proceeds from the sale of the bonds, other than refunding
 15 bonds, issued pursuant to this section, after payment of any costs related
 16 to the issuance of such bonds, shall be paid by the authority to the Kansas
 17 department of transportation to be applied to the payment, in full or in
 18 part, of the construction projects authorized by the comprehensive trans-
 19 portation program.

20 (3) The state hereby pledges and covenants with the holders of any
 21 bonds issued pursuant to the provisions of this section, that it will not
 22 limit or alter the rights or powers vested in the authority by this section,
 23 nor limit or alter the rights or powers of the authority, the department of
 24 administration or the Kansas department of transportation, in any manner
 25 which would jeopardize the interest of the holders or any trustee of such
 26 holders or inhibit or prevent performance or fulfillment by the authority,
 27 the department of administration or the Kansas department of transpor-
 28 tation with respect to the terms of any agreement made with the holders
 29 of the bonds or agreements made pursuant to this section, except that
 30 the failure of the legislature to appropriate moneys for any purpose shall
 31 not be deemed a violation of this pledge and covenant. The department
 32 of administration is hereby specifically authorized to include this pledge
 33 and covenant in any agreement with the authority. The authority is hereby
 34 specifically authorized to include this pledge and covenant in any bond
 35 resolution, trust indenture or agreement for the benefit of holders of the
 36 bonds.

37 (4) Revenue bonds may be issued pursuant to this section without
 38 obtaining the consent of any department, division, commission, board or
 39 agency of the state, other than the approvals of the state finance council
 40 required by this section, and without any other proceedings or the oc-
 41 currence of any other conditions or other things other than those pro-
 42 ceedings, conditions or things which are specifically required by the Kan-
 43 sas development finance authority act.

1 (c) The department of administration and the authority are author-
2 ized to enter into one or more contracts to implement the payment ar-
3 rangement that is provided for in this section. The contract or contracts
4 shall provide for payment of the amounts required to be paid pursuant
5 to this section and shall set forth the procedure for the transfer of moneys
6 for the purpose of paying such moneys. The contract or contracts shall
7 contain such terms and conditions including principal amount, interest
8 rates and final maturity as shall be approved by resolution of the state
9 finance council and shall include, but not be limited to, terms and con-
10 ditions necessary or desirable to provide for repayment of and to secure
11 any bonds of the authority issued pursuant to this section.

12 (d) In addition to the bonds authorized under subsection (a), if the
13 incremental increases in the amount of federal funds estimated to be
14 available to fund the comprehensive transportation program projects for
15 state fiscal years 2005 through 2009 by the congressional reauthorization
16 of the federal highway program are less than the anticipated federal re-
17 ceipts, the Kansas development finance authority is authorized to issue
18 one or more series of revenue bonds pursuant to the Kansas development
19 finance authority act, K.S.A. 74-8901 et seq., and amendments thereto.
20 Such bonds shall be in an amount necessary to provide a deposit or de-
21 posits in a total amount not to exceed the lesser of the federal shortfall
22 or \$60,000,000 to the state highway fund. The purpose of such bonds
23 shall be to off-set shortfalls in anticipated federal receipts. The issuance
24 of such bonds shall be approved by resolution of the state finance council
25 and shall be issued in accordance with the provisions of this section.

26 No bonds shall be issued pursuant to this subsection prior to the review
27 and recommendation to the state finance council of such issuance by the
28 legislative budget committee.

29 (e) The approvals by the state finance council required by subsection
30 (a), (c) and (d) are hereby characterized as matters of legislative delega-
31 tion and subject to the guidelines prescribed in subsection (c) of K.S.A.
32 75-3711c, and amendments thereto. Such approvals may be given by the
33 state finance council when the legislature is in session.

34 (f) Except for bonds authorized under subsection (d), no bonds shall
35 be issued pursuant to this section prior to the review of and recommen-
36 dation to the state finance council of such issuance by the standing com-
37 mittees on transportation of the house of representatives and the senate.

38 Sec. 35. K.S.A. 2009 Supp. 75-5035 is hereby amended to read as
39 follows: 75-5035. (a) There is hereby established in the state treasury the
40 coordinated public transportation assistance fund. Any expenditures from
41 the fund shall be for the coordinated development, improvement or main-
42 tenance of transportation systems for elderly persons, persons with disa-
43 bilities or the general public under this act and shall be made in accord-

1 ance with appropriation acts upon warrants of the director of accounts
2 and reports issued pursuant to vouchers approved by the secretary or by
3 a person designated by the secretary.

4 (b) (1) On July 1, 1999, and each July 1 thereafter *through July 1,*
5 *2012,* the director of accounts and reports shall transfer \$6,000,000 from
6 the state highway fund to the coordinated public transportation assistance
7 fund.

8 (2) *On July 1, 2013, and each July 1, thereafter, the director of ac-*
9 *counts and reports shall transfer \$11,000,000 from the state highway fund*
10 *to the coordinated public transportation assistance fund.*

11 Sec. 36. K.S.A. 2009 Supp. 75-5048 is hereby amended to read as
12 follows: 75-5048. (a) The secretary of transportation is hereby authorized
13 to make loans or grants to a qualified entity for the purpose of facilitating
14 the financing, acquisition or rehabilitation of railroads and rolling stock
15 in the state of Kansas.

16 (b) Such loans or grants shall be made upon such terms and condi-
17 tions as the secretary of transportation may deem appropriate, and such
18 loans or grants shall be made from funds credited to the rail service
19 improvement fund.

20 (c) The rail service improvement fund is hereby established in the
21 state treasury which shall be for the purpose of facilitating the financing,
22 acquisition and rehabilitation of railroads pursuant to subsection (a) of
23 this section and for the refinancing thereof. The secretary of transporta-
24 tion shall administer the rail service improvement fund. All expenditures
25 from the rail service improvement fund shall be made in accordance with
26 appropriation acts upon warrants of the director of accounts and reports
27 issued pursuant to vouchers approved by the secretary of transportation
28 or by a person or persons designated by the secretary.

29 (d) All moneys received from the federal government under the local
30 rail freight assistance program (49 U.S.C. 1654) shall be remitted to the
31 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
32 amendments thereto. Upon receipt of each such remittance, the state
33 treasurer shall deposit the entire amount in the state treasury to the credit
34 of the rail service improvement fund.

35 (e) The management and investment of the rail service improvement
36 fund shall be in accordance with K.S.A. 68-2324, and amendments
37 thereto. Notwithstanding anything to the contrary, all interest or other
38 income of the investments, after payment of any management fees, shall
39 be considered income of the rail service improvement fund.

40 (f) ~~(1)~~ On July 1, ~~1999~~ 2013, and each July 1 thereafter, the director
41 of accounts and reports shall transfer ~~\$3,000,000~~ \$5,000,000 from the
42 state highway fund to the rail service improvement fund.

43 ~~(2) The provisions of this subsection shall expire on June 30, 2009.~~

(g) The secretary of transportation is hereby authorized to transfer moneys from the state highway fund to the rail service improvement fund or from the rail service improvement fund to the state highway fund. In transferring moneys from the rail service improvement fund, the secretary of transportation shall not diminish the moneys transferred under subsection (f).

1 ~~(g)~~ “Qualified entity” means any interstate commerce commission
 2 certificated railroad, a port authority established in accordance with Kan-
 3 sas laws, or any entity meeting the rules and regulations established by
 4 K.S.A. 75-5050, and amendments thereto.

→ (h)

5 Sec. 37. K.S.A. 2009 Supp. 75-5061 is hereby amended to read as
 6 follows: 75-5061. (a) The secretary of transportation is hereby authorized
 7 and empowered to: (1) Solicit and receive moneys from any public or
 8 private sources; and (2) establish and administer a grant program for
 9 public use general aviation airports for the purpose of planning, con-
 10 structing, reconstructing or rehabilitating the facilities of such public use
 11 general aviation airports.

12 (b) Such grants shall be made upon such terms and conditions as the
 13 secretary of transportation deems appropriate, and such grants shall be
 14 made from funds credited to the public use general aviation airport de-
 15 velopment fund.

16 (c) The public use general aviation airport development fund is
 17 hereby established in the state treasury which shall be for the purpose of
 18 planning, constructing, reconstructing or rehabilitating the facilities of
 19 public use general aviation airports pursuant to subsection (a) of this sec-
 20 tion. All moneys received pursuant to subsection (a) shall be remitted to
 21 the state treasurer at least monthly and deposited in the state treasury to
 22 the credit of the public use general aviation airport development fund.
 23 The secretary of transportation shall administer the public use general
 24 aviation airport development fund. All expenditures from the public use
 25 general aviation airport development fund shall be made in accordance
 26 with appropriation acts upon warrants of the director of accounts and
 27 reports issued pursuant to vouchers approved by the secretary of trans-
 28 portation or by a person or persons designated by the secretary.

29 (d) (1) On July 1, 1999, and each July 1 thereafter *through July 1,*
 30 *2012,* the director of accounts and reports shall transfer \$3,000,000 from
 31 the state highway fund to the public use general aviation airport devel-
 32 opment fund.

33 (2) *On July 1, 2013, and each July 1, thereafter, the director of ac-*
 34 *counts and reports shall transfer \$5,000,000 from the state highway fund*
 35 *to the public use general aviation airport development fund.*

36 (e) As used in this section “public use general aviation airport” means
 37 any airport available for use by the general public for the landing and
 38 taking off of aircraft, but shall not include any airport classified as a pri-
 39 mary airport by the federal aviation administration.

40 (f) The secretary of transportation may adopt rules and regulations
 41 for the purpose of implementing the provisions of this section.

42 Sec. 38. K.S.A. 2009 Supp. 75-5063 is hereby amended to read as
 43 follows: 75-5063. The secretary of transportation is hereby authorized to

1 establish a transportation revolving fund to provide assistance to govern-
 2 mental units for transportation projects. *The secretary may authorize the*
 3 *creation of separate accounts within the transportation revolving fund*
 4 *with respect to major highway enhancement projects.*

5 Sec. 39. K.S.A. 2009 Supp. 75-5064 is hereby amended to read as
 6 follows: 75-5064. As used in K.S.A. 2009 Supp. 75-5063 through 75-5069,
 7 *and amendments thereto:*

8 (a) “Cost” means as applied to any qualified project, any or all costs,
 9 whenever incurred, approved by the department, for carrying out a qual-
 10 ified project;

11 (b) “department” means the Kansas department of transportation es-
 12 tablished under K.S.A. 75-5001, and amendments thereto;

13 (c) “fund” means the Kansas transportation revolving fund estab-
 14 lished by K.S.A. 2009 Supp. 75-5066, *and amendments thereto, including*
 15 *one or more of the separate accounts within such fund;*

16 (d) “governmental unit” means any town, city, district, county, com-
 17 mission, agency, authority, board or other instrumentality of the state or
 18 of any of its political subdivisions, including any combination thereof,
 19 which is responsible for the construction, ownership or operation of a
 20 qualified project;

21 (e) “*major highway enhancement project*” means a highway project
 22 *determined by the secretary to be of local, regional or statewide economic*
 23 *significance, including, but not limited to, the construction of new high-*
 24 *ways, construction of additional traffic lanes, improved access control,*
 25 *corridor improvements, construction, reconstruction or improvement of*
 26 *highway interchanges that have not been developed, have been under-*
 27 *developed or are unlikely to be developed in the absence of governmental*
 28 *assistance;*

29 ~~(e)~~ (f) “private enterprise” means a private person or entity that has
 30 entered into a contract with a public authority to design, finance, con-
 31 struct and/or operate a qualified project that is within the jurisdiction of
 32 such public authority;

33 ~~(f)~~ (g) “project” means the acquisition, construction, improvement,
 34 repair, rehabilitation, maintenance or extension of transportation ~~facilities~~
 35 *projects;*

36 ~~(g)~~ (h) “project costs” means all costs or expenses which are necessary
 37 or incident to a project and which are directly attributable thereto;

38 ~~(h)~~ (i) “project revenues” means all rates, rents, fees, assessments,
 39 charges and other receipts derived or to be derived by a qualified bor-
 40 rower from a qualified project;

41 ~~(i)~~ (j) “qualified borrower” means any governmental unit or private
 42 enterprise which is authorized to construct, operate or own a qualified
 43 project;

1 (j) (k) "qualified project" means any public or private transportation
2 project, including, without limitation, the construction, reconstruction,
3 resurfacing, restoration, rehabilitation or replacement of public or private
4 transportation facilities projects within the state;

5 (k) (l) "revenues" means when used with respect to the department,
6 any receipts, fees, revenues or other payments received or to be received
7 by the department under K.S.A. 2009 Supp. 75-5063 through 75-5069,
8 and amendments thereto;

9 (l) (m) "secretary" means the secretary of the Kansas department of
10 transportation;

11 (m) (n) "transportation project" means any bridge, culvert, highway,
12 road, street, major highway enhancement project or combination thereof.

13 Sec. 40. K.S.A. 2009 Supp. 75-5160 is hereby amended to read as
14 follows: 75-5160. (a) In addition to any registration fee prescribed under
15 article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments
16 thereto, all applicants for vehicle registration shall pay at the time of
17 registration a nonrefundable division of vehicles modernization surcharge
18 in the amount of \$4 for each vehicle being registered.

19 (b) *Until January 1, 2013*, the provisions of this section shall not apply
20 to vehicles registered under K.S.A. 8-1,100 through 8-1,123 and K.S.A.
21 2008 Supp. 8-1,123a, and amendments thereto. *On and after January 1,*
22 *2013, the provisions of this section shall apply to such vehicles.*

23 ~~(c) The provisions of this section shall expire on January 1, 2013.~~

24 Sec. 41. K.S.A. 2009 Supp. 79-3492b is hereby amended to read as
25 follows: 79-3492b. Alternatively to the methods otherwise set forth in this
26 act, special LP-gas permit users operating motor vehicles on the public
27 highways of this state may upon application to the director on forms
28 prescribed by the director elect to pay taxes in advance on LP-gas for
29 each and every motor vehicle owned or operated by them and propelled
30 in whole or in part with LP-gas during the calendar year and thereafter
31 to purchase LP-gas tax free in lieu of securing a bonded user's permit
32 and filing monthly reports and tax payments and keeping the records
33 otherwise provided for in this act. The amount of such tax for each motor
34 vehicle shall, except as otherwise provided, be based upon the gross
35 weight of the motor vehicle and the number of miles it was operated on
36 the public highways of this state during the previous year pursuant to the
37 following schedules:

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(a) On and after July 1, 2002, until July 1, 2003:

	less than 5,000 miles	5,000 to 10,000 miles	10,001 to 15,000 miles	15,001 to 19,999 miles	20,000 to 29,999 miles	30,000 to 39,999 miles	40,000 to 49,999 miles	50,000 to 59,999 miles	60,000 and over
Class A: 3,000 pounds or less	\$44.00	\$88.00	\$132.00	\$176.00	\$264.00	\$352.00	\$440.00	\$528.00	\$616.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$75.00	\$150.00	\$225.00	\$300.00	\$450.00	\$600.00	\$750.00	\$900.00	\$1,050.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$91.00	\$181.00	\$273.00	\$364.00	\$546.00	\$728.00	\$910.00	\$1,092.00	\$1,274.00
Class D: more than 12,000 pounds and not more than 16,000 pounds	\$123.00	\$246.00	\$369.00	\$492.00	\$738.00	\$984.00	\$1,230.00	\$1,476.00	\$1,722.00
Class E: more than 16,000 pounds and not more than 24,000 pounds	\$158.00	\$316.00	\$474.00	\$632.00	\$948.00	\$1,264.00	\$1,580.00	\$1,896.00	\$2,212.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$220.00	\$440.00	\$660.00	\$880.00	\$1,320.00	\$1,760.00	\$2,200.00	\$2,640.00	\$3,080.00
Class G: more than 36,000 pounds and not more than 40,000 pounds	\$273.00	\$546.00	\$819.00	\$1,092.00	\$1,638.00	\$2,184.00	\$2,730.00	\$3,276.00	\$3,822.00
Class H: more than 40,000 pounds	\$360.00	\$736.00	\$1,104.00	\$1,472.00	\$2,208.00	\$2,944.00	\$3,680.00	\$4,416.00	\$5,152.00
Class I: transit carrier vehicles operated by transit companies									\$1,792.00
Class J: motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation:									\$898.00

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43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

(b) On and after July 1, 2003, until July 1, 2020:

	less than 5,000 miles	5,000 to 10,000 miles	10,001 to 15,000 miles	15,001 to 19,999 miles	20,000 to 29,999 miles	30,000 to 39,999 miles	40,000 to 49,999 miles	50,000 to 59,999 miles	60,000 and over
Class A: 3,000 pounds or less	\$46.00	\$92.00	\$138.00	\$184.00	\$276.00	\$368.00	\$460.00	\$552.00	\$644.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$78.00	\$156.00	\$234.00	\$312.00	\$468.00	\$624.00	\$780.00	\$936.00	\$1,092.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$95.00	\$189.00	\$285.00	\$380.00	\$570.00	\$760.00	\$950.00	\$1,140.00	\$1,330.00
Class D: more than 12,000 pounds and not more than 16,000 pounds	\$129.00	\$258.00	\$387.00	\$516.00	\$774.00	\$1,032.00	\$1,290.00	\$1,548.00	\$1,806.00
Class E: more than 16,000 pounds and not more than 24,000 pounds	\$165.00	\$330.00	\$495.00	\$660.00	\$990.00	\$1,320.00	\$1,650.00	\$1,980.00	\$2,310.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$230.00	\$460.00	\$690.00	\$920.00	\$1,380.00	\$1,840.00	\$2,300.00	\$2,760.00	\$3,220.00
Class G: more than 36,000 pounds and not more than 48,000 pounds	\$285.00	\$570.00	\$855.00	\$1,140.00	\$1,710.00	\$2,280.00	\$2,850.00	\$3,420.00	\$3,990.00
Class H: more than 48,000 pounds	\$384.00	\$768.00	\$1,152.00	\$1,536.00	\$2,304.00	\$3,072.00	\$3,840.00	\$4,608.00	\$5,376.00
Class I: transit carrier vehicles operated by transit companies									\$1,808.00
Class J: motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation.									\$939.00

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(c) On and after July 1, 2020:

	less than 5,000 miles	5,000 to 10,000 miles	10,001 to 15,000 miles	15,001 to 19,999 miles	20,000 to 29,999 miles	30,000 to 39,999 miles	40,000 to 49,999 miles	50,000 to 59,999 miles	60,000 and over
Class A: 3,000 pounds or less	\$34.00	\$68.00	\$102.00	\$136.00	\$204.00	\$272.00	\$340.00	\$408.00	\$476.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$58.00	\$116.00	\$173.00	\$231.00	\$347.00	\$462.00	\$578.00	\$694.00	\$809.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$70.00	\$139.00	\$209.00	\$279.00	\$418.00	\$558.00	\$697.00	\$836.00	\$976.00
Class D: more than 12,000 pounds and not more than 16,000 pounds	\$95.00	\$190.00	\$286.00	\$381.00	\$571.00	\$762.00	\$952.00	\$1,142.00	\$1,333.00
Class E: more than 16,000 pounds and not more than 24,000 pounds	\$122.00	\$245.00	\$367.00	\$490.00	\$734.00	\$979.00	\$1,224.00	\$1,469.00	\$1,714.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$170.00	\$340.00	\$510.00	\$680.00	\$1,020.00	\$1,360.00	\$1,700.00	\$2,040.00	\$2,380.00
Class G: more than 36,000 pounds and not more than 48,000 pounds	\$211.00	\$422.00	\$632.00	\$843.00	\$1,265.00	\$1,686.00	\$2,108.00	\$2,530.00	\$2,951.00
Class H: more than 48,000 pounds	\$284.00	\$568.00	\$852.00	\$1,136.00	\$1,703.00	\$2,271.00	\$2,839.00	\$3,407.00	\$4,060.00
Class I: transit carrier vehicles operated by transit companies									\$1,336.00
Class J: motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation:									\$694.00

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1 In the event any additional motor vehicles equipped to use LP-gas as a
2 fuel are placed in operation by a special LP-gas permit user after the first
3 month of any calendar year, a tax shall become due and payable to this
4 state and is hereby imposed at the tax rate prescribed herein prorated on
5 the basis of the weight and mileage for the months operated in the cal-
6 endar year. The director shall issue special permit decals for each motor
7 vehicle on which taxes have been paid in advance as provided herein,
8 which shall be affixed on each such vehicle in the manner prescribed by
9 the director.

10 Sec. 42. K.S.A. 2009 Supp. 79-34,141 is hereby amended to read as
11 follows: 79-34,141. ~~(a) On and after January 1, 2007, until July 1, 2020,~~
12 The tax imposed under this act shall be not less than:

13 (1) On motor-vehicle fuels other than E85 fuels, \$.24 per gallon, or
14 fraction thereof;

15 (2) on special fuels, \$.26 per gallon, or fraction thereof;

16 (3) on LP-gas, \$.23 per gallon, or fraction thereof; and

17 (4) on E85 fuels, \$.17 per gallon, or fraction thereof.

18 ~~(b) On and after July 1, 2020, the tax rates imposed under this act~~
19 ~~shall be not less than:~~

20 ~~(1) On motor-vehicle fuels other than E85 fuels, \$.18 per gallon, or~~
21 ~~fraction thereof;~~

22 ~~(2) on special fuels, \$.20 per gallon, or fraction thereof;~~

23 ~~(3) on LP-gas, \$.17 per gallon, or fraction thereof; and~~

24 ~~(4) on E85 fuels, \$.11 per gallon, or fraction thereof.~~

25 Sec. 43. K.S.A. 2009 Supp. 79-34,142 is hereby amended to read as
26 follows: 79-34,142. ~~(a) On and after July 1, 2002, until July 1, 2003, the~~
27 ~~state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,~~
28 ~~79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as~~
29 ~~follows: To the state highway fund 64.6% and to the special city and~~
30 ~~county highway fund 35.4%.~~

31 ~~(b) On and after July 1, 2003, until July 1, 2020, The state treasurer~~
32 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~
33 ~~3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To~~
34 ~~the state highway fund 66.37% and to the special city and county highway~~
35 ~~fund 33.63%.~~

36 ~~(c) On and after July 1, 2020, the state treasurer shall credit amounts~~
37 ~~received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and~~
38 ~~79-34,118 and amendments thereto as follows: To the state highway fund~~
39 ~~55.3% and to the special city and county highway fund 44.7%.~~

40 See. 44. K.S.A. 2009 Supp. 79-3603 is hereby amended to read as
41 follows: 79-3603. For the privilege of engaging in the business of selling
42 tangible personal property at retail in this state or rendering or furnishing
43 any of the services taxable under this act, there is hereby levied and there

→ STRICK

1-62

1 shall be collected and paid a tax at the rate of 5.3%, and commencing
2 January 1, 2013, at the rate of 5.6%. Within a redevelopment district
3 established pursuant to K.S.A. 71 8021, and amendments thereto, there
4 is hereby levied and there shall be collected and paid an additional tax at
5 the rate of 2% until the earlier of the date the bonds issued to finance or
6 refinance the redevelopment project have been paid in full or the final
7 scheduled maturity of the first series of bonds issued to finance any part
8 of the project upon:

9 (a) The gross receipts received from the sale of tangible personal
10 property at retail within this state;

11 (b) the gross receipts from intrastate, interstate or international tel-
12 ecommunications services and any ancillary services sourced to this state
13 in accordance with K.S.A. 2000 Supp. 70 3673, and amendments thereto,
14 except that telecommunications service does not include: (1) Any inter-
15 state or international 800 or 900 service; (2) any interstate or international
16 private communications service as defined in K.S.A. 2000 Supp. 70 3673,
17 and amendments thereto; (3) any value added nonvoice data service; (4)
18 any telecommunication service to a provider of telecommunication serv-
19 ices which will be used to render telecommunications services, including
20 carrier access services; or (5) any service or transaction defined in this
21 section among entities classified as members of an affiliated group as
22 provided by section 1504 of the federal internal revenue code of 1986, as
23 in effect on January 1, 2001;

24 (c) the gross receipts from the sale or furnishing of gas, water, elec-
25 tricity and heat, which sale is not otherwise exempt from taxation under
26 the provisions of this act, and whether furnished by municipally or pri-
27 vately owned utilities, except that, on and after January 1, 2006, for sales
28 of gas, electricity and heat delivered through mains, lines or pipes to
29 residential premises for noncommercial use by the occupant of such
30 premises, and for agricultural use and also, for such use, all sales of pro-
31 pane gas, the state rate shall be 0%; and for all sales of propane gas, LP
32 gas, coal, wood and other fuel sources for the production of heat or light-
33 ing for noncommercial use of an occupant of residential premises, the
34 state rate shall be 0%, but such tax shall not be levied and collected upon
35 the gross receipts from: (1) The sale of a rural water district benefit unit;
36 (2) a water system impact fee, system enhancement fee or similar fee
37 collected by a water supplier as a condition for establishing service; or (3)
38 connection or reconnection fees collected by a water supplier;

39 (d) the gross receipts from the sale of meals or drinks furnished at
40 any private club, drinking establishment, catered event, restaurant, eating
41 house, dining car, hotel, drugstore or other place where meals or drinks
42 are regularly sold to the public;

43 (e) the gross receipts from the sale of admissions to any place pro-

→ STRIKE PAGES 63-70

1 ~~viding amusement, entertainment or recreation services including admis-~~
2 ~~sions to state, county, district and local fairs, but such tax shall not be~~
3 ~~levied and collected upon the gross receipts received from sales of ad-~~
4 ~~missions to any cultural and historical event which occurs triennially;~~

5 ~~(f) the gross receipts from the operation of any coin operated device~~
6 ~~dispensing or providing tangible personal property, amusement or other~~
7 ~~services except laundry services, whether automatic or manually operated;~~

8 ~~(g) the gross receipts from the service of renting of rooms by hotels,~~
9 ~~as defined by K.S.A. 36 501 and amendments thereto, or by accommo-~~
10 ~~dation brokers, as defined by K.S.A. 12 1692, and amendments thereto~~
11 ~~but such tax shall not be levied and collected upon the gross receipts~~
12 ~~received from sales of such service to the federal government and any~~
13 ~~agency, officer or employee thereof in association with the performance~~
14 ~~of official government duties;~~

15 ~~(h) the gross receipts from the service of renting or leasing of tangible~~
16 ~~personal property except such tax shall not apply to the renting or leasing~~
17 ~~of machinery, equipment or other personal property owned by a city and~~
18 ~~purchased from the proceeds of industrial revenue bonds issued prior to~~
19 ~~July 1, 1973, in accordance with the provisions of K.S.A. 12 1740 through~~
20 ~~12 1749, and amendments thereto, and any city or lessee renting or leas-~~
21 ~~ing such machinery, equipment or other personal property purchased~~
22 ~~with the proceeds of such bonds who shall have paid a tax under the~~
23 ~~provisions of this section upon sales made prior to July 1, 1973, shall be~~
24 ~~entitled to a refund from the sales tax refund fund of all taxes paid~~
25 ~~thereon;~~

26 ~~(i) the gross receipts from the rendering of dry cleaning, pressing,~~
27 ~~dyeing and laundry services except laundry services rendered through a~~
28 ~~coin operated device whether automatic or manually operated;~~

29 ~~(j) the gross receipts from the rendering of the services of washing~~
30 ~~and washing and waxing of vehicles;~~

31 ~~(k) the gross receipts from cable, community antennae and other sub-~~
32 ~~scriber radio and television services;~~

33 ~~(1) (1) except as otherwise provided by paragraph (2), the gross re-~~
34 ~~ceipts received from the sales of tangible personal property to all con-~~
35 ~~tractors, subcontractors or repairmen for use by them in erecting struc-~~
36 ~~tures, or building on, or otherwise improving, altering, or repairing real~~
37 ~~or personal property.~~

38 ~~(2) Any such contractor, subcontractor or repairman who maintains~~
39 ~~an inventory of such property both for sale at retail and for use by them~~
40 ~~for the purposes described by paragraph (1) shall be deemed a retailer~~
41 ~~with respect to purchases for and sales from such inventory, except that~~
42 ~~the gross receipts received from any such sale, other than a sale at retail,~~
43 ~~shall be equal to the total purchase price paid for such property and the~~

1 tax imposed thereon shall be paid by the deemed retailer;

2 (m) the gross receipts received from fees and charges by public and
3 private clubs, drinking establishments, organizations and businesses for
4 participation in sports, games and other recreational activities, but such
5 tax shall not be levied and collected upon the gross receipts received from:

6 (1) Fees and charges by any political subdivision, by any organization
7 exempt from property taxation pursuant to paragraph *Ninth* of K.S.A. 70-
8 201, and amendments thereto, or by any youth recreation organization
9 exclusively providing services to persons 18 years of age or younger which
10 is exempt from federal income taxation pursuant to section 501(c)(3) of
11 the federal internal revenue code of 1986, for participation in sports,
12 games and other recreational activities; and (2) entry fees and charges for
13 participation in a special event or tournament sanctioned by a national
14 sporting association to which spectators are charged an admission which
15 is taxable pursuant to subsection (c);

16 (n) the gross receipts received from dues charged by public and pri-
17 vate clubs, drinking establishments, organizations and businesses, pay-
18 ment of which entitles a member to the use of facilities for recreation or
19 entertainment, but such tax shall not be levied and collected upon the
20 gross receipts received from: (1) Dues charged by any organization ex-
21 empt from property taxation pursuant to paragraphs *Eighth* and *Ninth* of
22 K.S.A. 70 201, and amendments thereto; and (2) sales of memberships
23 in a nonprofit organization which is exempt from federal income taxation
24 pursuant to section 501 (c)(3) of the federal internal revenue code of
25 1986, and whose purpose is to support the operation of a nonprofit zoo;

26 (o) the gross receipts received from the isolated or occasional sale of
27 motor vehicles or trailers but not including: (1) The transfer of motor
28 vehicles or trailers by a person to a corporation or limited liability com-
29 pany solely in exchange for stock securities or membership interest in
30 such corporation or limited liability company; or (2) the transfer of motor
31 vehicles or trailers by one corporation or limited liability company to
32 another when all of the assets of such corporation or limited liability
33 company are transferred to such other corporation or limited liability
34 company; or (3) the sale of motor vehicles or trailers which are subject
35 to taxation pursuant to the provisions of K.S.A. 70 5101 et seq., and
36 amendments thereto, by an immediate family member to another im-
37 mediate family member. For the purposes of clause (3), immediate family
38 member means lineal ascendants or descendants, and their spouses. Any
39 amount of sales tax paid pursuant to the Kansas retailers sales tax act on
40 the isolated or occasional sale of motor vehicles or trailers on and after
41 July 1, 2004, which the base for computing the tax was the value pursuant
42 to subsections (a), (b)(1) and (b)(2) of K.S.A. 70 5105, and amendments
43 thereto, when such amount was higher than the amount of sales tax which

1 would have been paid under the law as it existed on June 30, 2004, shall
 2 be refunded to the taxpayer pursuant to the procedure prescribed by this
 3 section. Such refund shall be in an amount equal to the difference be-
 4 tween the amount of sales tax paid by the taxpayer and the amount of
 5 sales tax which would have been paid by the taxpayer under the law as it
 6 existed on June 30, 2004. Each claim for a sales tax refund shall be verified
 7 and submitted not later than six months from the effective date of this
 8 act to the director of taxation upon forms furnished by the director and
 9 shall be accompanied by any additional documentation required by the
 10 director. The director shall review each claim and shall refund that
 11 amount of tax paid as provided by this act. All such refunds shall be paid
 12 from the sales tax refund fund, upon warrants of the director of accounts
 13 and reports pursuant to vouchers approved by the director of taxation or
 14 the director's designee. No refund for an amount less than \$10 shall be
 15 paid pursuant to this act. In determining the base for computing the tax
 16 on such isolated or occasional sale, the fair market value of any motor
 17 vehicle or trailer traded in by the purchaser to the seller may be deducted
 18 from the selling price;

19 (p) the gross receipts received for the service of installing or applying
 20 tangible personal property which when installed or applied is not being
 21 held for sale in the regular course of business, and whether or not such
 22 tangible personal property when installed or applied remains tangible
 23 personal property or becomes a part of real estate, except that no tax shall
 24 be imposed upon the service of installing or applying tangible personal
 25 property in connection with the original construction of a building or
 26 facility, the original construction, reconstruction, restoration, remodeling,
 27 renovation, repair or replacement of a residence or the construction, re-
 28 construction, restoration, replacement or repair of a bridge or highway.

29 For the purposes of this subsection:

30 (1) "Original construction" shall mean the first or initial construction
 31 of a new building or facility. The term "original construction" shall include
 32 the addition of an entire room or floor to any existing building or facility,
 33 the completion of any unfinished portion of any existing building or fa-
 34 cility and the restoration, reconstruction or replacement of a building,
 35 facility or utility structure damaged or destroyed by fire, flood, tornado,
 36 lightning, explosion, windstorm, ice loading and attendant winds, terror-
 37 ism or earthquake, but such term, except with regard to a residence, shall
 38 not include replacement, remodeling, restoration, renovation or recon-
 39 struction under any other circumstances;

40 (2) "building" shall mean only those enclosures within which individ-
 41 uals customarily are employed, or which are customarily used to house
 42 machinery, equipment or other property, and including the land improve-
 43 ments immediately surrounding such building;

1 (3) "facility" shall mean a mill, plant, refinery, oil or gas well, water
2 well, feedlot or any conveyance, transmission or distribution line of any
3 cooperative, nonprofit, membership corporation organized under or sub-
4 ject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto,
5 or municipal or quasi-municipal corporation, including the land improve-
6 ments immediately surrounding such facility;

7 (4) "residence" shall mean only those enclosures within which indi-
8 viduals customarily live;

9 (5) "utility structure" shall mean transmission and distribution lines
10 owned by an independent transmission company or cooperative, the Kan-
11 sas electric transmission authority or natural gas or electric public utility;
12 and

13 (6) "windstorm" shall mean straight line winds of at least 80 miles
14 per hour as determined by a recognized meteorological reporting agency
15 or organization;

16 (q) the gross receipts received for the service of repairing, servicing,
17 altering or maintaining tangible personal property which when such serv-
18 ices are rendered is not being held for sale in the regular course of busi-
19 ness, and whether or not any tangible personal property is transferred in
20 econnection therewith. The tax imposed by this subsection shall be appli-
21 eable to the services of repairing, servicing, altering or maintaining an
22 item of tangible personal property which has been and is fastened to,
23 connected with or built into real property;

24 (r) the gross receipts from fees or charges made under service or
25 maintenance agreement contracts for services, charges for the providing
26 of which are taxable under the provisions of subsection (p) or (q);

27 (s) on and after January 1, 2005, the gross receipts received from the
28 sale of prewritten computer software and the sale of the services of mod-
29 ifying, altering, updating or maintaining prewritten computer software,
30 whether the prewritten computer software is installed or delivered elec-
31 tronically by tangible storage media physically transferred to the pur-
32 chaser or by load and leave;

33 (t) the gross receipts received for telephone answering services;

34 (u) the gross receipts received from the sale of prepaid calling service
35 and prepaid wireless calling service as defined in K.S.A. 2000 Supp. 79-
36 3673, and amendments thereto; and

37 (v) the gross receipts received from the sales of bingo cards, bingo
38 faces and instant bingo tickets by licensees under K.S.A. 79-4701, et seq.,
39 and amendments thereto, shall be taxed at a rate of: (1) 4.0% on July 1,
40 2000, and before July 1, 2001, and (2) 2.5% on July 1, 2001, and before
41 July 1, 2002. From and after July 1, 2002, all sales of bingo cards, bingo
42 faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq.,
43 and amendments thereto, shall be exempt from taxes imposed pursuant

1 to this section.

2 Sec. 45. K.S.A. 2000 Supp. 79 3620 is hereby amended to read as
3 follows: 79 3620. (a) All revenue collected or received by the director of
4 taxation from the taxes imposed by this act shall be remitted to the state
5 treasurer in accordance with the provisions of K.S.A. 75 4215, and
6 amendments thereto. Upon receipt of each such remittance, the state
7 treasurer shall deposit the entire amount in the state treasury, less
8 amounts withheld as provided in subsection (b) and amounts credited as
9 provided in subsection (c) and (d), to the credit of the state general fund.

10 (b) A refund fund, designated as "sales tax refund fund" not to exceed
11 \$100,000 shall be set apart and maintained by the director from sales tax
12 collections and estimated tax collections and held by the state treasurer
13 for prompt payment of all sales tax refunds including refunds authorized
14 under the provisions of K.S.A. 79 3635, and amendments thereto. Such
15 fund shall be in such amount, within the limit set by this section, as the
16 director shall determine is necessary to meet current refunding require-
17 ments under this act. In the event such fund as established by this section
18 is, at any time, insufficient to provide for the payment of refunds due
19 claimants thereof, the director shall certify the amount of additional funds
20 required to the director of accounts and reports who shall promptly trans-
21 fer the required amount from the state general fund to the sales tax refund
22 fund, and notify the state treasurer, who shall make proper entry in the
23 records.

24 (c) (1) The state treasurer shall credit $\frac{5}{100}$ of the revenue collected
25 or received from the tax imposed by K.S.A. 79 3603, and amendments
26 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
27 exclusive of amounts credited pursuant to subsection (d), in the state
28 highway fund.

29 (2) The state treasurer shall credit $\frac{5}{100}$ of the revenue collected or
30 received from the tax imposed by K.S.A. 79 3603, and amendments
31 thereto, at the rate of 5.3%, and deposited as provided in subsection (a),
32 exclusive of amounts credited pursuant to subsection (d), in the state
33 highway fund.

34 (3) On July 1, 2006, the state treasurer shall credit $\frac{19}{100}$ of the rev-
35 enue collected and received from the tax imposed by K.S.A. 79 3603, and
36 amendments thereto, at the rate of 5.3%, and deposited as provided by
37 subsection (a), exclusive of amounts credited pursuant to subsection (d),
38 in the state highway fund.

39 (4) On July 1, 2007, the state treasurer shall credit $\frac{13}{100}$ of the rev-
40 enue collected and received from the tax imposed by K.S.A. 79 3603, and
41 amendments thereto, at the rate of 5.3%, and deposited as provided by
42 subsection (a), exclusive of amounts credited pursuant to subsection (d),
43 in the state highway fund.

1 (5) ~~On January 1, 2013, and thereafter, the state treasurer shall credit~~
 2 ~~19/113 of the revenue collected and received from the tax imposed by K.S.A.~~
 3 ~~79-3603, and amendments thereto, at the rate of 5.6%, and deposited as~~
 4 ~~provided by subsection (a), exclusive of amounts credited pursuant to~~
 5 ~~subsection (d), in the state highway fund.~~

6 (d) ~~The state treasurer shall credit all revenue collected or received~~
 7 ~~from the tax imposed by K.S.A. 70-3603, and amendments thereto, as~~
 8 ~~certified by the director, from taxpayers doing business within that por-~~
 9 ~~tion of a STAR bond project district occupied by a STAR bond project~~
 10 ~~or taxpayers doing business with such entity financed by a STAR bond~~
 11 ~~project as defined in K.S.A. 2000 Supp. 12-17,162, and amendments~~
 12 ~~thereto, that was determined by the secretary of commerce to be of state-~~
 13 ~~wide as well as local importance or will create a major tourism area for~~
 14 ~~the state or the project was designated as a STAR bond project as defined~~
 15 ~~in K.S.A. 2000 Supp. 12-17,162, and amendments thereto, to the city~~
 16 ~~bond finance fund, which fund is hereby created. The provisions of this~~
 17 ~~subsection shall expire when the total of all amounts credited hereunder~~
 18 ~~and under subsection (d) of K.S.A. 70-3710, and amendments thereto, is~~
 19 ~~sufficient to retire the special obligation bonds issued for the purpose of~~
 20 ~~financing all or a portion of the costs of such STAR bond project.~~

21 Sec. 46. ~~K.S.A. 2000 Supp. 70-3703 is hereby amended to read as~~
 22 ~~follows: 70-3703. There is hereby levied and there shall be collected from~~
 23 ~~every person in this state a tax or excise for the privilege of using, storing,~~
 24 ~~or consuming within this state any article of tangible personal property.~~
 25 ~~Such tax shall be levied and collected in an amount equal to the consid-~~
 26 ~~eration paid by the taxpayer multiplied by the rate of 5.3% and com-~~
 27 ~~mencing January 1, 2013, at the rate of 5.6%. Within a redevelopment~~
 28 ~~district established pursuant to K.S.A. 74-8021, and amendments thereto,~~
 29 ~~there is hereby levied and there shall be collected and paid an additional~~
 30 ~~tax of 2% until the earlier of: (1) The date the bonds issued to finance or~~
 31 ~~refinance the redevelopment project undertaken in the district have been~~
 32 ~~paid in full; or (2) the final scheduled maturity of the first series of bonds~~
 33 ~~issued to finance the redevelopment project. All property purchased or~~
 34 ~~leased within or without this state and subsequently used, stored or con-~~
 35 ~~sumed in this state shall be subject to the compensating tax if the same~~
 36 ~~property or transaction would have been subject to the Kansas retailers'~~
 37 ~~sales tax had the transaction been wholly within this state.~~

38 Sec. 47. ~~K.S.A. 2000 Supp. 70-3710 is hereby amended to read as~~
 39 ~~follows: 70-3710. (a) All revenue collected or received by the director~~
 40 ~~under the provisions of this act shall be remitted to the state treasurer in~~
 41 ~~accordance with the provisions of K.S.A. 75-4215, and amendments~~
 42 ~~thereto. Upon receipt of each such remittance, the state treasurer shall~~
 43 ~~deposit the entire amount in the state treasury, less amounts set apart as~~

1 provided in subsection (b) and amounts credited as provided in subsection
2 (c) and (d), to the credit of the state general fund.

3 (b) A revolving fund, designated as "compensating tax refund fund"
4 not to exceed \$10,000 shall be set apart and maintained by the director
5 from compensating tax collections and estimated tax collections and held
6 by the state treasurer for prompt payment of all compensating tax refunds.
7 Such fund shall be in such amount, within the limit set by this section,
8 as the director shall determine is necessary to meet current refunding
9 requirements under this act.

10 (c) (1) The state treasurer shall credit $\frac{5}{100}$ of the revenue collected
11 or received from the tax imposed by K.S.A. 79-3703, and amendments
12 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
13 exclusive of amounts credited pursuant to subsection (d), in the state
14 highway fund.

15 (2) The state treasurer shall credit $\frac{5}{100}$ of the revenue collected or
16 received from the tax imposed by K.S.A. 79-3703, and amendments
17 thereto, at the rate of 5.3%, and deposited as provided in subsection (a),
18 exclusive of amounts credited pursuant to subsection (d), in the state
19 highway fund.

20 (3) On July 1, 2006, the state treasurer shall credit $\frac{19}{200}$ of the rev-
21 enue collected or received from the tax imposed by K.S.A. 79-3703, and
22 amendments thereto, at the rate of 5.3%, and deposited as provided by
23 subsection (a), exclusive of amounts credited pursuant to subsection (d),
24 in the state highway fund.

25 (4) On July 1, 2007, the state treasurer shall credit $\frac{13}{100}$ of the rev-
26 enue collected or received from the tax imposed by K.S.A. 79-3703, and
27 amendments thereto, at the rate of 5.3%, and deposited as provided by
28 subsection (a), exclusive of amounts credited pursuant to subsection (d),
29 in the state highway fund.

30 (5) *On January 1, 2013, and thereafter, the state treasurer shall credit*
31 *$\frac{19}{112}$ of the revenue collected and received from the tax imposed by K.S.A.*
32 *79-3703, and amendments thereto, at the rate of 5.6% and deposited as*
33 *provided by subsection (a), exclusive of amounts credited pursuant to*
34 *subsection (d), in the state highway fund.*

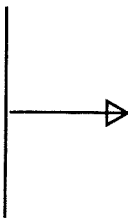
35 (d) The state treasurer shall credit all revenue collected or received
36 from the tax imposed by K.S.A. 79-3703, and amendments thereto, as
37 certified by the director, from taxpayers doing business within that por-
38 tion of a redevelopment district occupied by a redevelopment project that
39 was determined by the secretary of commerce to be of statewide as well
40 as local importance or will create a major tourism area for the state as
41 defined in K.S.A. 12-1770a, and amendments thereto, to the city bond
42 finance fund created by subsection (d) of K.S.A. 79-3620, and amend-
43 ments thereto. The provisions of this subsection shall expire when the

1 total of all amounts credited hereunder and under subsection (d) of K.S.A.
2 79-3620, and amendments thereto, is sufficient to retire the special ob-
3 ligation bonds issued for the purpose of financing all or a portion of the
4 costs of such redevelopment project.

5 This subsection shall not apply to a project designated as a special bond
6 project as defined in subsection (z) of K.S.A. 12-1770a, and amendments
7 thereto.

8 Sec. 48. K.S.A. 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-
9 195, 8-234b, 8-2409, 12-1775, 68-416, 68-20,120, 68-2314a, 68-2316, 68-
10 2320, 68-2321 and 68-2328 and K.S.A. 2009 Supp. 8-142, 8-143, 8-143j,
11 8-143l, 8-145, 8-172, 8-2406, 8-2425, 12-6a35, 12-6a36, 12-1774, 12-
12 1774a, 12-17,148, 12-17,149, 68-2315, 68-2331, 75-5035, 75-5048, 75-
13 5061, 75-5063, 75-5064, 75-5160, 79-3492b, 79-34,141, ~~79-34,142, 79-~~
14 ~~3603, 79-3620, 79-3703 and 79-3710~~ are hereby repealed.

15 Sec. 49. This act shall take effect and be in force from and after its
16 publication in the Kansas register.



STRIKE LINES 1-7
RENUMBER SECTIONS ACCORDINGLY



and 79-34,142