

SESSION OF 1998

**EXPLANATORY NOTE ON HOUSE SUBSTITUTE
FOR SENATE SUBSTITUTE FOR
SENATE BILL NO. 139**

Conference Committee Report

Brief*

House Sub. for Senate Sub. for S.B. 139 relates to various motor vehicle issues.

Taxation of Motor Vehicles. House Sub. for Senate Sub. for S.B. 139 would continue the 1998 practice, *i.e.*, vehicles with a gross weight of 12,001 to 20,000 pounds would have their taxes calculated under K.S.A. 79-5105a *et seq.* (the tax and tags law), but register on a calendar year basis and pay the tax under K.S.A. 79-2004a (the ad valorem statute).

Distinctive License Plates for Military Groups. These provisions would allow a surviving spouse or, if there is not surviving spouse, a family member, to keep for family memorabilia purposes a distinctive license plate issued to the following groups: disabled veterans; members of the Kansas National Guard; prisoners of war; recipients of the purple heart medal; recipients of the Congressional Medal of Honor; or United States military veterans. However, following transfer of the plate to a surviving spouse or a family member, the plate could not be displayed on a motor vehicle.

Fees for Motor Vehicle Certificates of Title. These provisions would impose an additional \$3 fee for a certificate of title issued by the Division of Vehicles for a repossessed vehicle. The additional fee would be deposited in the Repossessed Certificates of Title Fee Fund in the Department of Revenue created by the bill. All moneys credited to the Fund would be used by the Department of Revenue for funding the administration, operations,

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.ink.org/public/legislative/fulltext-bill.html>.

and personnel associated with the processing of certificates of title for repossessed vehicles.

Verification of Vehicle Identification Number (VIN). The bill authorizes an employee of a new vehicle dealer, who has received initial training and certification from the Highway Patrol, and has met continuing certification requirements, in accordance with rules and regulations adopted by the Superintendent of the Highway Patrol to provide VIN checks in accordance with rules and regulations adopted by the Superintendent of the Highway Patrol, on motor vehicles repurchased or reacquired by a manufacturer, distributor, or financing subsidiary of such manufacturer and which are purchased by the new vehicle dealer. At any time after a hearing in accordance with the provisions of the Kansas Administrative Procedure Act, the Superintendent of the Highway Patrol may revoke, suspend, decline to renew, or decline to issue certification for failure to comply with the provisions of the subsection.

Antique License Plates on Front of Vehicles. These provisions would allow an antique vehicle owner to display a model year license plate originally issued by the State of Kansas on the front of the vehicle. The plate must be inscribed with the date of the year corresponding to the model year when the vehicle was manufactured. Current law is also amended to allow a person to keep a model year license plate which was not originally issued to such person.

Timely Delivery of Certificates of Title and Manufacturer's Statement of Origin. The bill provides that if a person reaffirms a motor vehicle sale on a statement provided by the Division of Vehicles which advises such person of his rights, that person cannot void or set aside the sale if the dealer does not furnish the title or manufacturer's statement of origin in a timely manner. In these instances, the buyer cannot declare the sale fraudulent and void for that reason alone.

Antique License Plates on Rear of Vehicles. The bill would allow an owner of an antique vehicle to display on the rear of the vehicle a model year license plate, in lieu of the current distinctive plate, which contains the words "Kansas" and "antique." A person wishing to display such a plate on the vehicle must sign an affidavit which states that the plate is legible, serviceable, and was originally issued by the state. The plate must be inscribed with the date of the year corresponding to the model year when the vehicle

was manufactured. Duplicate numbers for any year would not be allowed on any model year license plate. The registration fee for the antique vehicle with such plate will be \$40 and paid only once.

License Plates for Merchant Marines Veterans. The bill would include certain individuals who served in the Merchant Marines into the military groups who are eligible to be issued distinctive license plates for United States military veterans.