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MEMORANDUM

To: Members of the Senate Committee on Transportation
From: Office of Revisor of Statutes
Date: March 5, 2025
Subject: House Bill No. 2030 (As Amended by House Committee)

Summary

House Bill No. 2030 excludes dealers and manufacturers of trailers from certain provisions of the vehicle dealers and manufacturers licensing act.

K.S.A. 8-2401 et seq. is the Vehicle Dealers and Manufacturers Licensing Act (the Act). The Act regulates vehicle dealers and manufacturers by establishing certain requirements on the manufacturing, distribution and sales of vehicles. The Act also provides for the licensing of such dealers and manufacturers by the Division of Vehicles. The Act requires dealers and manufacturers to operate in such a way to maintain such licensure.

House Bill No. 2030 excludes vehicle dealers and manufacturers of trailers from certain provisions and requirements that generally apply to all Act licensees. The bill further provides that the provisions shall apply to dealers and manufacturers of semitrailers and travel trailers as those terms are defined in K.S.A. 8-126. The specific statutes from the Act that would not apply to dealers and manufacturers of trailers are listed in subsection (a). Such statutes include:

- K.S.A. 8-2414 – Cancellation, termination or nonrenewal of franchise agreements between dealers and manufacturers or distributors; cause; hearing; burden of proof; compensation upon termination; effect of noncompliance by manufacturer or distributor.
- K.S.A. 8-2415 – Correction of warranty defects; compensation to dealer; promotional allowances or incentive payments; claim for reimbursement from dealer.
- K.S.A. 8-2416 – Sale, transfer or assignment of dealership, notice and limitations; disapproval procedure; duties of manufacturer or distributor; appointment of successor.
- K.S.A. 8-2419 – Liability of manufacturers and distributors for defects in equipment; indemnification for damages; when.

- K.S.A. 8-2430 – Establishment of additional or relocation of existing new vehicle dealer; procedure; relevant market area.
- K.S.A. 8-2431 – Same; exemption for manufacturers with dispute resolution procedures.
- K.S.A. 8-2438 Ownership and operation of new vehicle dealership by certain entities prohibited; exceptions.
- K.S.A. 8-2439 – Delivery of motor vehicles to persons in state; who authorized to deliver.
- K.S.A. 8-2445 – Franchise agreements; prohibiting manufacturers from engaging in certain activities.
- K.S.A. 8-2446 – Recall repairs; compensation by manufacturer.

All other provisions of the Act not listed in subsection (a) would still apply to dealers and manufacturers of trailers as they do now under current law.

The provisions of HB 2030 become effective upon publication in the statute book, or July 1, 2025.