

SESSION OF 2015

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2013**

As Agreed to March 30, 2015

Brief*

HB 2013 would create a commercial driver's license (CDL) drive test fee and would allow use of a receipt to prove timely vehicle registration under certain circumstances.

CDL Driving Test Fee

The bill would establish a \$15 driving test fee for the drive test portion of the CDL application. It would establish an additional \$10 fee if a CDL applicant failed and must retake the pre-trip, skills test, or road test portion of the driving test.

The new fees would be remitted to a Commercial Driver's License Drive Test Fee Fund (Fund) created by the bill. The bill would require moneys credited to that Fund to be used by the Kansas Department of Revenue (KDOR) only for the purposes of funding the administration and operation of the CDL drive test, including software and equipment maintenance, software enhancement, equipment purchase, acquisition and maintenance of one or more test tracks or courses for conducting a driving test, training, and marketing associated with CDL issuance. Expenditures would be made in accordance with appropriation acts. The bill would state moneys credited to the Fund shall be used to supplement existing appropriations and shall not be used to supplant State General Fund or other special revenue fund appropriations to the KDOR.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Receipt as Proof of Vehicle Registration

The bill would amend motor vehicle registration law to allow a person to provide proof of current registration using a receipt in lieu of a decal on the license plate, for no more than ten days following expiration of registration. The required receipt would be a printed payment receipt or an electronic payment receipt from an online electronic payment processing system. Any charge for failing to display a registration decal up to and including the tenth day following expiration of registration would be dismissed if the person produces a registration receipt for the current 12-month registration period in court. The bill would specify the provisions above would apply to a truck that can be registered using the online system. The provisions would not apply to proof of registration of any vehicle registered as a commercial motor vehicle or as part of a commercial motor vehicle fleet.

Conference Committee Action

The Conference Committee agreed to remove the contents of HB 2013 (the Omega Psi Phi license plate; those provisions are included in the Conference Committee Report for HB 2044) and add the contents of SB 126 and SB 215, both as amended by the House Committee on Transportation.

Background

SB 126—CDL Driving Test Fee

SB 126 was introduced by the Senate Transportation Committee at the request of the Division of Vehicles, KDOR. The Director of Vehicles testified in support of the bill. She stated the drive test portion of the CDL exam takes a minimum of 1.5 hours to administer and cited additional CDL-related costs, such as maintenance and replacement of CDL

test tracks. The Division's CDL Manager provided additional information, including the amounts of CDL test fees in nearby states (where fees range from \$25 to \$225). There were no other conferees.

Before the House Committee on Transportation, the Director of Vehicles testified in support of the bill. There was no other testimony.

The House Committee amended the bill to specify the Fund could be used for acquisition and maintenance of one or more test tracks, rather than "a test track," and made a technical amendment.

Under current law, the fee for any driver's license examination is \$3 and the fee for retaking a driving test is \$1.50, both unchanged since 1963.

According to the fiscal note prepared by the Division of the Budget on the original bill, KDOR estimates enactment of the bill would increase fee fund revenues by \$140,000 in FY 2016 and require an increase in expenditures of \$4,900 in FY 2016 to make system changes and perform testing. Any fiscal effect associated with SB 126 is not reflected in *The FY 2016 Governor's Budget Report*.

SB 215—Receipt as Proof of Vehicle Registration

SB 215 was introduced by the Senate Transportation Committee at the request of Senator Wolf. The county treasurers of Shawnee and Johnson counties testified in support of the bill. They stated a KDOR stakeholders group had reached consensus on the idea of the bill, the bill would allow customers to renew online rather than in person at the end of the registration month, and a decal would be mailed and should be received by the customer within the ten days the receipt would be allowed as proof of registration. The Johnson County Treasurer requested a clarifying amendment. A representative of the Division of Vehicles

stated the bill would be beneficial for customer service. Treasurers of Crawford, Douglas, Geary, Miami, and Riley counties provided written testimony in support of the bill, as did the Rush County Treasurer as the president of the Kansas County Treasurers Association. The Director of Revenue/Treasury of the Unified Government of Wyandotte County and Kansas City, Kansas, also submitted written proponent testimony. There was no other testimony.

The Senate Transportation Committee amended the bill to clarify registration of fleet vehicles and vehicles registered as commercial vehicles would not be included under the provisions of the bill. (There is a separate registration process for those commercial vehicles.) The Committee also amended the bill to clarify the types of receipts that would be acceptable as proof of registration.

The House Committee on Transportation received testimony in support of the bill from the Johnson County Treasurer and written testimony in support from the Crawford, Miami, and Shawnee County Treasurers. The President of the Kansas County Treasurers Association, the Rush County Treasurer, also provided testimony in support of the bill.

A representative of KDOR provided neutral testimony on the bill requesting an additional statute be amended to include the payment receipt that would be authorized by the bill in lieu of registration receipt as evidence of registration for personal-use trucks 12,000 pounds or less that can be registered using the online system. The House Committee added that amendment.

According to the fiscal note prepared by the Division of the Budget on SB 215, as introduced, the Kansas Department of Transportation (KDOT) states enactment of the bill could reduce fine revenue to the Traffic Records Enhancement Fund, but KDOT is unable to estimate any revenue reduction. KDOR indicates any additional expenditures would be absorbed within existing resources. The Office of Judicial Administration states enactment could

decrease docket fee and fine revenues if cases are dismissed, but the Office cannot estimate the amount. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.

CDL testing fee, vehicle registration receipt

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