

**HOUSE BILL No. 2605**

By Committee on Appropriations

2-3

1 AN ACT concerning motor vehicles; relating to vehicle registration,  
2 failure or refusal to pay tolls; amending K.S.A. 2015 Supp. 8-173 and  
3 repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) The registered owner of a vehicle driven on a  
7 turnpike project shall pay all tolls associated with that vehicle's use on any  
8 turnpike project. The Kansas turnpike authority may provide by regular  
9 U.S. mail or accepted United States postal service tracking method a  
10 notice of toll-evasion violation to the registered owner of a vehicle driven  
11 on any turnpike project for which the toll has not been paid. The notice of  
12 toll evasion may include a toll-evasion civil penalty, administrative fee,  
13 and costs for each instance in which the registered owner of a vehicle  
14 driven on any turnpike project has failed to pay the toll.

15 (b) ~~If the director of the Kansas turnpike authority or the director's~~  
16 ~~designee determines that a registered owner has failed to pay~~ **outstanding**  
17 **amount of** any tolls, penalties, fees or costs due and owing **by the**  
18 **registered owner exceeds \$100**, the director or the director's designee is  
19 authorized to instruct the division of vehicles to **{require payment of any**  
20 **tolls, penalties, fees or costs due and owing to the county treasurer at**  
21 **the time of registration or renewal of registration or otherwise to}**  
22 refuse to register or renew the registration of the vehicle, as set forth in  
23 K.S.A. 8-173(e), and amendments thereto, of the registered owner or  
24 owners, until those amounts are paid to the satisfaction of the director or  
25 the director's designee.

26 (c) The registered owner may contest any notice of toll evasion,  
27 including all tolls, penalties, fees, costs and registration holds, directly to  
28 the Kansas turnpike authority. Upon receipt of a contest from the  
29 registered owner, the authority shall investigate and provide to the  
30 registered owner, within 30 days of receipt of the registered owner's  
31 submission, a toll-evasion violation order, which shall contain the findings  
32 of the investigation. A registered owner may thereafter pay the specified  
33 amount or contest these findings and conclusions of the authority by  
34 requesting an administrative hearing within 15 days of receipt of the toll-

1 evasion violation order, pursuant to the Kansas administrative procedure  
2 act.

3 (1) The administrative hearing shall be conducted in accordance with  
4 the provisions of the Kansas administrative procedure act.

5 (2) Any party may appeal the administrative hearing order to the  
6 district court, in accordance with the provisions of the Kansas judicial  
7 review act.

8 **{(d) The turnpike authority may adopt any rules and regulations  
9 necessary to carry out the provisions of this section.}**

10 Sec. 2. K.S.A. 2015 Supp. 8-173 is hereby amended to read as  
11 follows: 8-173. (a) An application for registration of a vehicle as provided  
12 in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments  
13 thereto, shall not be accepted unless the person making such application  
14 shall exhibit:

15 (1) A receipt showing that such person has paid all personal property  
16 taxes levied against such person for the preceding year, including taxes  
17 upon such vehicle, except that if such application is made before May 11,  
18 such receipt need show payment of only one-half the preceding year's tax;  
19 or

20 (2) evidence that such vehicle was assessed for taxation purposes by a  
21 state agency, or was assessed as stock in trade of a merchant or  
22 manufacturer or was exempt from taxation under the laws of this state.

23 (b) An application for registration of a vehicle as provided in article 1  
24 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto,  
25 shall not be accepted if the records of the county treasurer show that the  
26 applicant is delinquent and owes personal property taxes levied against the  
27 applicant for any preceding year.

28 (c) An original application for registration of a motor vehicle shall  
29 not be accepted until the applicant signs a certification, provided by the  
30 director of motor vehicles, certifying that the applicant has and will  
31 maintain, during the period of registration, the required insurance, self-  
32 insurance or other financial security required pursuant to K.S.A. 40-3104,  
33 and amendments thereto.

34 (d) An application for registration or renewal of registration of a  
35 vehicle shall not be accepted if the applicant is unable to provide proof of  
36 the insurance, self-insurance or other financial security required by article  
37 31 of chapter 40 of the Kansas Statutes Annotated, and amendments  
38 thereto. Proof of insurance shall be verified by examination of the  
39 insurance card or other documentation issued by an insurance company, a  
40 certificate of self-insurance issued by the commissioner, a binder of  
41 insurance, a certificate of insurance, a motor carrier identification number  
42 issued by the state corporation commission, proof of insurance for vehicles  
43 covered under a fleet policy, a commercial policy covering more than one

1 vehicle or a policy of insurance required by K.S.A. 40-3104, and  
2 amendments thereto, and for vehicles used as part of a drivers education  
3 program, a dealership contract and a copy of a motor vehicle liability  
4 insurance policy issued to a school district or accredited nonpublic school.  
5 Examination of a photocopy, facsimile or an image displayed on a cellular  
6 phone or any other type of portable electronic device of any of these  
7 documents shall suffice for verification of registration or renewal. Any  
8 person to whom such image of proof of insurance, self-insurance or other  
9 financial security required by article 31 of chapter 40 of the Kansas  
10 Statutes Annotated, and amendments thereto, is displayed, shall view only  
11 such image displayed on such cellular phone or other portable electronic  
12 device. Such person shall be prohibited from viewing any other content or  
13 information stored on such cellular phone or other portable electronic  
14 device. Proof of insurance may also be verified on-line or electronically  
15 and the commissioner of insurance may require, by duly adopted rules and  
16 regulations, any motor vehicle liability insurance company authorized to  
17 do business in this state to provide verification of insurance in that manner.  
18 Any motor vehicle liability insurance company which is providing  
19 verification of insurance on-line or electronically on the day preceding the  
20 effective date of this act may continue to do so in the same manner and  
21 shall be deemed to be in compliance with this section.

22 *(e) An application for registration or renewal of registration of a*  
23 *vehicle shall not be accepted, if the records of the division show that the*  
24 *registered owner of such vehicle has unpaid tolls, penalties, fees or costs,*  
25 *and that the director of the Kansas turnpike authority or the director's*  
26 *designee has instructed the division to refuse to accept the registration or*  
27 *renewal of registration, pursuant to section 1, and amendments thereto*{  
28 **unless the owner or registered owner makes payment to the county**  
29 **treasurer at the time of registration or renewal of registration. Of such**  
30 **moneys collected, 15% shall be retained by the county treasurer and**  
31 **the remainder shall be remitted to the Kansas turnpike authority}**.

32 Sec. 3. K.S.A. 2015 Supp. 8-173 is hereby repealed.

33 Sec. 4. This act shall take effect and be in force from and after its  
34 publication in the statute book.