

SESSION OF 2016

SUPPLEMENTAL NOTE ON SENATE BILL NO. 382

As Amended by House Committee on
Transportation

Brief*

SB 382 would repeal a requirement that a person providing wrecker or towing service file certain notices, publications, and affidavits with the county clerk prior to the sale at public auction of any abandoned or disabled motor vehicle.

The bill also would amend law regarding a city ordinance or county resolution authorizing the towing of vehicles and specifying the requirements for such ordinance or resolution to state such ordinance or resolution would apply to the towing of vehicles only from private property.

Background

The bill was introduced by the Senate Committee on Transportation at the request of the Kansas Motor Carriers Association (KMCA). In the hearing of the Senate Committee, a representative of KMCA indicated these notices and publications are currently filed with the county treasurer when the vehicle is sold and with the county clerk. By eliminating the requirement that these documents be filed with the county clerk, the bill would eliminate a duplicative filing process. No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

*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.kslegislature.org>

The KMCA representative also offered proponent testimony to the House Committee on Transportation and requested an amendment to the towing and recovery possessory lien law regarding city ordinances and county resolutions. There was no other testimony.

The House Committee amended the bill to specify such ordinance or resolution would address only tows from private property, as requested by the KMCA representative.

The fiscal note prepared by the Division of the Budget on the bill as introduced states, according to the Kansas Association of Counties, the bill could reduce the workload of counties as a result of no longer being required to collect and process the notices, publications, and affidavits. However, the precise fiscal effect for counties is unknown. According to the Department of Revenue, the fiscal effect for the agency would be negligible and could be absorbed within existing resources. Any fiscal effect associated with the bill is not reflected in *The FY 2017 Governor's Budget Report*.