

HOUSE BILL No. 2716

By Representatives Judd-Jenkins and Hoffman

2-7

1 AN ACT regulating traffic; concerning antique military vehicles; relating
2 to the registration thereof; amending K.S.A. 2017 Supp. 8-128, 8-197
3 and 8-1486 and repealing the existing sections.

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

6 New Section 1. (a) It shall be unlawful for any person to operate an
7 unregistered antique military vehicle: (1) On any interstate highway,
8 federal highway or state highway; or (2) on any public highway or street
9 within the corporate limits of any city unless authorized by such city.

10 (b) No unregistered antique military vehicle shall be operated on any
11 public highway or street, unless such antique military vehicle complies
12 with the equipment requirements under article 17 of chapter 8 of the
13 Kansas Statutes Annotated, and amendments thereto.

14 (c) The provisions of subsection (a) shall not prohibit an unregistered
15 antique military vehicle from crossing a federal or state highway.

16 (d) "Antique military vehicle" has the same meaning as such term is
17 defined in K.S.A. 8-166, and amendments thereto.

18 (e) This section shall be part of and supplemental to the uniform act
19 regulating traffic on highways.

20 Sec. 2. K.S.A. 2017 Supp. 8-128 is hereby amended to read as
21 follows: 8-128. (a) The following need not be registered under this act,
22 any:

- 23 (1) Implement of husbandry;
- 24 (2) all-terrain vehicle;
- 25 (3) micro utility truck;
- 26 (4) golf cart;
- 27 (5) work-site utility vehicle;
- 28 (6) road roller or road machinery temporarily operated or moved
29 upon the highways;
- 30 (7) municipally owned fire truck;
- 31 (8) privately owned fire truck subject to a mutual aid agreement with
32 a municipality;
- 33 (9) school bus owned and operated by a school district or a nonpublic
34 school which has the name of the municipality, school district or nonpublic
35 school plainly painted thereon;
- 36 (10) farm trailer used in carrying not more than 6,000 pounds owned

1 by a person engaged in farming, which trailer is used exclusively by the
2 owner to transport agricultural products produced by such owner or
3 commodities purchased by the owner for use on the farm owned or rented
4 by the owner of such trailer and the weight of any such farm trailer, plus
5 the cargo weight of 6,000 pounds or less, shall not be considered in
6 determining the gross weight for which the truck or truck tractor
7 propelling the same shall be registered; ~~or~~

8 (11) farm trailer used and designed for transporting hay or forage
9 from a field to a storage area or from a storage area to a feedlot, which is
10 only incidentally moved or operated upon the highways, except that this
11 paragraph shall not apply to a farm semitrailer; *or*

12 (12) *antique military vehicle, as defined in K.S.A. 8-166, and*
13 *amendments thereto.*

14 (b) Self-propelled cranes where the crane operator on a job site
15 operates the controls of such crane from a permanent housing or module
16 on the crane and the crane is not used for the transportation of property,
17 except the property that is required for the operation of the crane itself and
18 earth moving equipment which are equipped with pneumatic tires may be
19 moved on the highways of this state from one job location to another, or to
20 or from places of storage, delivery or repair, without complying with the
21 provisions of the law relating to registration and display of license plates
22 but shall comply with all the other requirements of the law relating to
23 motor vehicles.

24 (c) Oil well servicing, oil well clean-out or oil well drilling machinery
25 or equipment need not be registered under this act but shall comply with
26 all the other requirements of the law relating to motor vehicles.

27 (d) A truck permanently mounted with a hydraulic concrete pump and
28 placing boom may be moved on the highways of this state from one job
29 location to another, or to or from places of storage delivery or repair,
30 without being registered under this act, but shall comply with all the other
31 requirements of the law relating to motor vehicles. The provisions of this
32 subsection shall not apply to ready-mix concrete trucks.

33 Sec. 3. K.S.A. 2017 Supp. 8-197 is hereby amended to read as
34 follows: 8-197. (a) The provisions of K.S.A. 8-197-~~to~~ *through* 8-199,
35 ~~inclusive~~, and amendments thereto, shall be a part of and supplemental to
36 the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated,
37 and amendments thereto, and as used in such sections, the words and
38 phrases defined by K.S.A. 8-126, and amendments thereto, shall have the
39 meanings respectively ascribed to them therein.

40 (b) As used in K.S.A. 8-197 through 8-199, and amendments thereto:

41 (1) (A) "Nonhighway vehicle" means:

42 (i) Any motor vehicle which cannot be registered because it is not
43 manufactured for the purpose of using the same on the highways of this

- 1 state and is not provided with the equipment required by state statute for
- 2 vehicles of such type which are used on the highways of this state;
- 3 (ii) any motor vehicle, other than a salvage vehicle, for which the
- 4 owner has not provided motor vehicle liability insurance coverage or an
- 5 approved self insurance plan under K.S.A. 40-3104, and amendments
- 6 thereto, and has not applied for or obtained registration of such motor
- 7 vehicle in accordance with article 1 of chapter 8 of the Kansas Statutes
- 8 Annotated, and amendments thereto;
- 9 (iii) any all-terrain vehicle;
- 10 (iv) any work-site utility vehicle;
- 11 (v) any micro utility truck;
- 12 (vi) recreational off-highway vehicle; ~~or~~
- 13 (vii) any travel trailer which cannot be registered because it is not
- 14 manufactured for the purpose of using the travel trailer on the highways of
- 15 this state and is not provided with the equipment by state statute for travel
- 16 trailers which are used on the highways of this state; *or*
- 17 *(viii) any antique military vehicle, as defined in K.S.A. 8-166, and*
- 18 *amendments thereto, and is not otherwise registered; and*
- 19 (B) "nonhighway vehicle" shall not include an implement of
- 20 husbandry, as defined in K.S.A. 8-126, and amendments thereto.
- 21 (2) "Salvage vehicle" means:
- 22 (A) Any motor vehicle, other than a late model vehicle, which is of a
- 23 type required to be registered in this state, but which cannot be registered
- 24 because it has been wrecked or damaged to the extent that: The equipment
- 25 required by state statute on any such vehicle used on the highways of this
- 26 state is not present or is not in good condition or proper adjustment, as
- 27 prescribed by state statute or any rules and regulations adopted pursuant
- 28 thereto, or such vehicle is in an inoperable condition or a condition that
- 29 would render the operation thereof on the highways of this state a hazard
- 30 to the public safety; and in either event, such vehicle would require
- 31 substantial repairs to rebuild or restore such vehicle to a condition which
- 32 will permit the registration thereof;
- 33 (B) a late model vehicle which is of a type required to be registered in
- 34 this state and which has been wrecked or damaged to the extent that the
- 35 total cost of repair is 75% or more of the fair market value of the motor
- 36 vehicle immediately preceding the time it was wrecked or damaged and
- 37 such condition was not merely exterior cosmetic damage to such vehicle as
- 38 a result of windstorm or hail;
- 39 (C) a motor vehicle, which is of a type required to be registered in
- 40 this state that the insurer determines is a total loss and for which the
- 41 insurer takes title; or
- 42 (D) a travel trailer which is of a type required to be registered in this
- 43 state, but which cannot be registered because it has been wrecked or

1 damaged to the extent that: (i) The equipment required by state statute on
 2 any such travel trailer used on the highways of this state is not present or is
 3 not in good condition or proper adjustment, as prescribed by state statute
 4 or any rules and regulations; or (ii) such travel trailer is in an inoperable
 5 condition or a condition that would render the operation on the highways
 6 of this state a hazard to the public safety; and in either event, such travel
 7 trailer would require substantial repairs to rebuild or restore to a condition
 8 which will permit the registration of the travel trailer;

9 (3) "salvage title" means a certificate of title issued by the division
 10 designating a motor vehicle or travel trailer a salvage vehicle;

11 (4) "rebuilt salvage vehicle" means any motor vehicle or travel trailer
 12 previously issued a salvage title;

13 (5) "rebuilt salvage title" means a certificate of title issued by the
 14 division for a vehicle previously designated a salvage vehicle which is
 15 now designated a rebuilt salvage vehicle;

16 (6) "late model vehicle" means any motor vehicle which has a
 17 manufacturer's model year designation of or later than the year in which
 18 the vehicle was wrecked or damaged or any of the six preceding years;

19 (7) "fair market value" means the retail value of a motor vehicle as:

20 (A) Set forth in a current edition of any nationally recognized
 21 compilation, including an automated database of retail value; or

22 (B) determined pursuant to a market survey of comparable vehicles
 23 with regard to condition and equipment; and

24 (8) "cost of repairs" means the estimated or actual retail cost of parts
 25 needed to repair a vehicle plus the cost of labor computed by using the
 26 hourly labor rate and time allocations for automobile repairs that are
 27 customary and reasonable. Retail costs of parts and labor rates may be
 28 based upon collision estimating manuals or electronic computer estimating
 29 systems customarily used in the automobile industry. The total cost of
 30 repairs to rebuild or reconstruct the vehicle shall not include the cost of
 31 repairing, replacing or reinstalling tires, sound systems, or any sales tax on
 32 parts or materials to rebuild or reconstruct the vehicle.

33 Sec. 4. K.S.A. 2017 Supp. 8-1486 is hereby amended to read as
 34 follows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-
 35 1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and
 36 K.S.A. 2017 Supp. 8-1491, 8-1492, 8-1493, 8-1494, 8-1495, 8-1496 ~~and~~,
 37 8-1497 *and section 1*, and amendments thereto, shall be a part of, and
 38 supplemental to, the uniform act regulating traffic on highways.

39 Sec. 5. K.S.A. 2017 Supp. 8-128, 8-197 and 8-1486 are hereby
 40 repealed.

41 Sec. 6. This act shall take effect and be in force from and after its
 42 publication in the statute book.