

HOUSE BILL No. 2093

By Committee on Transportation

1-26

1 AN ACT concerning motor vehicles; relating to vehicle identification
2 number inspection fees; amending K.S.A. 2010 Supp. 8-116a and
3 repealing the existing section.
4

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

6 Section 1. K.S.A. 2010 Supp. 8-116a is hereby amended to read as
7 follows: 8-116a. (a) Except as provided in K.S.A. 8-170, and amendments
8 thereto, when an application is made for a vehicle which has been
9 assembled, reconstructed, reconstituted or restored from one or more
10 vehicles, or the proper identification number of a vehicle is in doubt, the
11 procedure in this section shall be followed. The owner of the vehicle shall
12 request the Kansas highway patrol to check the vehicle and the highway
13 patrol shall within a reasonable period of time perform such vehicle
14 check. At the time of such check the owner shall supply the highway
15 patrol with information concerning the history of the various parts of the
16 vehicle. Such information shall be supplied by affidavit of the owner, if
17 so requested by the highway patrol. If the highway patrol is satisfied that
18 the vehicle contains no stolen parts, it shall assign an existing or new
19 identification number to the vehicle and direct the places and manner in
20 which the identification number is to be located and affixed or implanted.
21 ~~Except as provided under subsection (g), a charge of \$10\$15 per hour~~
22 ~~or part thereof, with a minimum charge of \$10\$15, shall be made to the~~
23 ~~owner of a vehicle requesting check under this subsection, and such~~
24 ~~charge shall be paid prior to the check under this section. When a check~~
25 ~~has been made under subsection (b), not more than 60 days prior to a~~
26 ~~check of the same vehicle identification number, requested by the owner~~
27 ~~of the vehicle to obtain a regular certificate of title in lieu of a~~
28 ~~nonhighway certificate of title or obtain a rebuilt salvage title in lieu of a~~
29 ~~salvage title, no charge shall be made for such second check.~~

30 (b) Any person making application for any original Kansas title for a
31 used vehicle which, at the time of making application, is titled in another
32 jurisdiction, as a condition precedent to obtaining any Kansas title, shall
33 have such vehicle checked by the Kansas highway patrol for verification
34 that the vehicle identification number shown on the foreign title is
35 genuine and agrees with the identification number on the vehicle. Checks
36 under this section may include inspection for possible violation of K.S.A.

1 21-3757, and amendments thereto, or other evidence of possible fraud.
2 The verification shall be made upon forms prescribed by the division of
3 vehicles which shall contain such information as the secretary of revenue
4 shall require by rules and regulations. ~~Except as provided under~~
5 ~~subsection (g), a charge of \$10\$15 per hour or part thereof, with a~~
6 ~~minimum charge of \$10\$15, shall be made for checks under this~~
7 ~~subsection. When a vehicle is registered in another state, but is financed~~
8 ~~by a Kansas financial institution and is repossessed in another state and~~
9 ~~such vehicle will not be returned to Kansas, the check required by this~~
10 ~~subsection (b) shall not be required to obtain a valid Kansas title or~~
11 ~~registration.~~

12 (c) As used in this act, "identification number" or "vehicle
13 identification number" means an identifying number, serial number,
14 engine number, transmission number or other distinguishing number or
15 mark, placed on a vehicle, engine, transmission or other essential part by
16 its manufacturer or by authority of the division of vehicles or the Kansas
17 highway patrol or in accordance with the laws of another state or country.

18 (d) The checks made under subsection (b) may be made by:

19 (1) A designee of the superintendent of the Kansas highway patrol;
20 or

21 (2) an employee of a new vehicle dealer, as defined in subsection (b)
22 of K.S.A. 8-2401, and amendments thereto, for the purposes provided for
23 in subsection (f). For checks made by a designee *or new vehicle dealer*,
24 ~~\$10%~~ of each charge shall be remitted to the Kansas highway patrol and
25 the balance of such charges shall be retained by such designee *or new*
26 *vehicle dealer*. When a check is made under either subsection (a) or (b) by
27 personnel of the Kansas highway patrol ~~or when a check is made under~~
28 ~~subsection (b) by an employee of a new vehicle dealer~~, the entire amount
29 of the charge therefor shall be paid to the highway patrol.

30 (e) There is hereby created the vehicle identification number fee
31 fund. The Kansas highway patrol shall remit all moneys received by the
32 Kansas highway patrol from fees collected under subsection (d) to the
33 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
34 amendments thereto. Upon receipt of each such remittance, the state
35 treasurer shall deposit the entire amount in the state treasury to the credit
36 of the vehicle identification number fee fund. All expenditures from the
37 vehicle identification number fee fund shall be made in accordance with
38 appropriations acts upon warrants of the director of accounts and reports
39 issued pursuant to vouchers approved by the superintendent of the Kansas
40 highway patrol or by a person or persons designated by the
41 superintendent.

42 (f) An employee of a new vehicle dealer, who has received initial
43 training and certification from the highway patrol, and has met continuing

1 certification requirements, in accordance with rules and regulations
2 adopted by the superintendent of the highway patrol, may provide the
3 checks under subsection (b), in accordance with rules and regulations
4 adopted by the superintendent of the highway patrol, on motor vehicles
5 repurchased or reacquired by a manufacturer, distributor or financing
6 subsidiary of such manufacturer and which are purchased by the new
7 vehicle dealer. At any time, after a hearing in accordance with the
8 provisions of the Kansas administrative procedure act, the superintendent
9 of the highway patrol may revoke, suspend, decline to renew or decline to
10 issue certification for failure to comply with the provisions of this
11 subsection, including any rules and regulations.

12 *(g) After July 1, 2012, the fees charged under subsections (a) and*
13 *(b) may be established by the superintendent of the Kansas highway*
14 *patrol by rules and regulations in an amount not to exceed \$20.*

15 Sec. 2. K.S.A. 2010 Supp. 8-116a is hereby repealed.

16 Sec. 3. This act shall take effect and be in force from and after its
17 publication in the statute book.
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