

## **Registration Fee Collection and Remittance; Seat Belt Violation Fines; SB 89**

**SB 89** amends law relating to the collection of certain vehicle title and registration fees and the remittance of such fees. The bill also increases fines for certain seat belt violations and directs related moneys to the Seat Belt Safety Fund created by the bill.

### ***Collection and Remittance of Certain Vehicle Registration Fees***

**Service fee for a title application to a lienholder.** The bill authorizes the Division of Vehicles (Division) or a contractor, as well as a county treasurer, to collect a \$1.50 service fee for processing and mailing a copy of a title application to a lienholder when the vehicle is subject to a lien. (The bill does not amend the amount of the fee.)

**Payment for fees for registration and certificates of title.** The bill authorizes the Division or a contractor of the Division, as well as a county treasurer, to be paid fees for registration and certificates of title. Formerly, only the county treasurer of the county in which the applicant for registration resides or has an office or principal place of business within Kansas had collected these fees. The bill removes the specific requirements of the county treasurer to issue and deliver copies of receipts and instead specifies the Division, contractor, or county treasurer is required to issue a receipt for such fees paid.

**Deposits to a special operating fund.** The bill requires the Division or contractor, in addition to the county treasurer, to deposit \$0.75 out of each license application, \$0.75 out of each application for transfer of a license plate, and \$2.00 out of each application for a certificate of title, collected under the bill, in a special fund. The special fund is appropriated for use of the Division or contractor, in addition to the county treasurer, in paying for necessary help and expenses incidental to the administration of duties pursuant to the bill. The bill also specifies that the county treasurer will receive extra compensation for services performed in administering certain registration-related duties. (The bill does not amend the duties or the amounts of that compensation.)

**Remittance of fees to the Secretary of Revenue.** The bill requires the Division or contractor, in addition to the county treasurer, to remit the remainder of all registration and certificates of title fees collected, together with the original copy of all applications, to the Secretary of Revenue.

**Certificate of title fee for a repossessed vehicle.** The bill directs \$3 charged for each certificate of title for a repossessed vehicle to the contractor or county treasurer who processes the application. The fee has been remitted to the Secretary of Revenue and deposited into the Repossessed Certificates of Title Fee Fund. (The bill does not amend the amount of the fee.) The bill directs moneys remaining in the Repossessed Certificates of Title Fee Fund to the Division of Vehicles Operating Fund and abolishes the Repossessed Certificates of Title Fee Fund.

**Commercial motor vehicle fees to the Division.** Fees collected by the Division for transfer of ownership and for registration of commercial motor vehicles or vehicles that are part of any commercial fleet will be remitted to the State Treasurer, who will be required to credit such amounts to the Commercial Vehicle Administrative Fund.

**Additional service fee.** In addition to the annual vehicle registration fees, any applicant for vehicle registration or renewal will be required to pay a service fee in the amount of \$5 to the Division or contractor of the Division, as well as to the county treasurer under continuing law. The bill requires the Division or contractor, as well as the county treasurer, to deposit all amounts received in a special fund to be used for all purposes for which the fund has been appropriated by law.

### ***Seat Belt Fines and Seat Belt Safety Fund***

The bill increases the fine from \$10 to \$30 for a person 18 years and older who is not wearing a seat belt in a passenger car when that car is in motion. (Continuing law prohibits court costs from being associated with this fine.) The bill directs \$20 from each \$30 fine for violation of a city ordinance requiring seat belt use by those 18 and older to the Seat Belt Safety Fund, which is established by the bill and will be administered by the Secretary of Transportation. The bill also directs 2.20 percent of all fines, penalties, and forfeitures received from clerks of the district court to the Seat Belt Safety Fund and adjusts percentages to certain other specified funds also receiving such distributions by amounts ranging from 0.05 percent to 0.24 percent.

All expenditures of moneys in the Seat Belt Safety Fund are to be used for the promotion of and education on occupant protection among children, including, but not limited to, programs in schools in Kansas. These expenditures will be made in accordance with appropriations acts. The Secretary of Transportation is authorized to accept gifts, grants, donations, and bequests to the Seat Belt Safety Fund. The Secretary of Transportation will remit all moneys received to the State Treasurer, who will deposit the entire amount to the credit of the Seat Belt Safety Fund.