

**As Amended by House Committee**

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**As Amended by Senate Committee**

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Session of 2021

**SENATE BILL No. 36**

By Committee on Transportation

1-15

1 AN ACT concerning motor vehicles; relating to salvage vehicles; ~~allowing~~  
2 ~~employees of salvage vehicle pools to perform vehicle identification~~  
3 ~~number inspections~~ **requiring the Kansas highway patrol to make**  
4 **multiple vehicle checks within a set time period upon application**  
5 **by a salvage vehicle pool**; allowing salvage vehicle pools and salvage  
6 vehicle dealers to apply to the division of vehicles for ownership  
7 documents; providing application and notice requirements therefor;  
8 amending K.S.A. 2020 Supp. 8-116a and 8-198 and repealing the  
9 existing sections.

10  
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. K.S.A. 2020 Supp. 8-116a is hereby amended to read as  
13 follows: 8-116a. (a) Except as provided in K.S.A. 8-170, and amendments  
14 thereto, when an application is made for a vehicle ~~which~~ *that* has been  
15 assembled, reconstructed, reconstituted or restored from one or more  
16 vehicles, or the proper identification number of a vehicle is in doubt, the  
17 procedure in this section shall be followed. The owner of the vehicle shall  
18 request the Kansas highway patrol to check the vehicle and the highway  
19 patrol shall within a reasonable period of time perform such vehicle check.  
20 At the time of such check the owner shall supply the highway patrol with  
21 information concerning the history of the various parts of the vehicle. Such  
22 information shall be supplied by affidavit of the owner, if so requested by  
23 the highway patrol. If the highway patrol is satisfied that the vehicle  
24 contains no stolen parts and complies with K.S.A. 8-116, and amendments  
25 thereto, the highway patrol shall determine the make, model and year of  
26 the vehicle, and shall assign an existing or new identification number to  
27 the vehicle and direct the places and manner in which the identification  
28 number is to be located and affixed or implanted. ~~A charge of \$15 per hour~~  
29 ~~or part thereof, with a minimum charge of \$15, and on and after July 1,~~  
30 ~~2012,~~ a charge of \$20 per hour or part thereof, with a minimum charge of  
31 \$20, shall be made to the owner of a vehicle requesting check under this  
32 subsection, and such charge shall be paid prior to the check under this  
33 section. When a check has been made under subsection (b), not more than  
34 60 days prior to a check of the same vehicle identification number,

1 requested by the owner of the vehicle to obtain a regular certificate of title  
2 in lieu of a nonhighway certificate of title or obtain a rebuilt salvage title  
3 in lieu of a salvage title, no charge shall be made for such second check.

4 (b) Any person making application for any original Kansas title for a  
5 used vehicle ~~which~~ *that*, at the time of making application, is titled in  
6 another jurisdiction, as a condition precedent to obtaining any Kansas title,  
7 shall have such vehicle checked by the Kansas highway patrol for  
8 verification that the vehicle identification number shown on the foreign  
9 title is genuine and agrees with the identification number on the vehicle.  
10 Checks under this section may include inspection for possible violation of  
11 K.S.A. 2020 Supp. 21-5835, and amendments thereto, or other evidence of  
12 possible fraud. The verification shall be made upon forms prescribed by  
13 the division of vehicles which shall contain such information as the  
14 secretary of revenue shall require by rules and regulations. ~~A charge of \$15~~  
15 ~~per hour or part thereof, with a minimum charge of \$15, and on and after~~  
16 ~~July 1, 2012, a charge of \$20 per hour or part thereof, with a minimum~~  
17 ~~charge of \$20, shall be made for checks under this subsection. When a~~  
18 ~~vehicle is registered in another state, but is financed by a Kansas financial~~  
19 ~~institution and is repossessed in another state and such vehicle will not be~~  
20 ~~returned to Kansas, the check required by this subsection shall not be~~  
21 ~~required to obtain a valid Kansas title or registration.~~

22 (c) As used in this act, "identification number" or "vehicle  
23 identification number" means an identifying number, serial number, engine  
24 number, transmission number or other distinguishing number or mark,  
25 placed on a vehicle, engine, transmission or other essential part by its  
26 manufacturer or by authority of the division of vehicles or the Kansas  
27 highway patrol or in accordance with the laws of another state or country.

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

29 (1) A designee of the superintendent of the Kansas highway patrol; ~~or~~  
30 **or**

31 (2) an employee of a new vehicle dealer, as defined in ~~subsection (b)~~  
32 ~~of K.S.A. 8-2401(b)~~, and amendments thereto, for the purposes provided  
33 for in subsection (f). For checks made by a designee or new vehicle dealer,  
34 10% of each charge shall be remitted to the Kansas highway patrol and the  
35 balance of such charges shall be retained by such designee or new vehicle  
36 dealer. If the designee is a city or county law enforcement agency, then the  
37 balance shall be retained by the law enforcement agency that conducted  
38 the inspection and shall be deposited into an account to be used for law  
39 enforcement purposes and shall not be used to supplant the law  
40 enforcement agency's budget. When a check is made under either  
41 subsection (a) or (b) by personnel of the Kansas highway patrol, the entire  
42 amount of the charge therefor shall be paid to the highway patrol; ~~or~~

43 ~~(3) a certified vehicle identification number inspector pursuant to~~

1 ~~subsection (g). For checks made by a certified vehicle identification-~~  
2 ~~number inspector, 100% of each charge shall be remitted to the Kansas-~~  
3 ~~highway patrol.~~

4 (e) There is hereby created the vehicle identification number fee fund.  
5 The Kansas highway patrol shall remit all moneys received by the Kansas  
6 highway patrol from fees collected under subsection (d) to the state  
7 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
8 amendments thereto. Upon receipt of each such remittance, the state  
9 treasurer shall deposit the entire amount in the state treasury to the credit  
10 of the vehicle identification number fee fund. All expenditures from the  
11 vehicle identification number fee fund shall be made in accordance with  
12 appropriations acts upon warrants of the director of accounts and reports  
13 issued pursuant to vouchers approved by the superintendent of the Kansas  
14 highway patrol or by a person or persons designated by the superintendent.

15 (f) An employee of a new vehicle dealer, who has received initial  
16 training and certification from the highway patrol; and has met continuing  
17 certification requirements, ~~in accordance with rules and regulations-~~  
18 ~~adopted by the superintendent of the highway patrol, may provide the~~  
19 ~~checks under subsection (b), in accordance with rules and regulations-~~  
20 ~~adopted by the superintendent of the highway patrol, on motor vehicles~~  
21 ~~that a new vehicle dealer purchases through a manufacturer's sponsored~~  
22 ~~auction or on motor vehicles repurchased or reacquired by a manufacturer,~~  
23 ~~distributor or financing subsidiary of such manufacturer and which are~~  
24 ~~purchased by the new vehicle dealer. At any time, after a hearing in~~  
25 ~~accordance with the provisions of the Kansas administrative procedure act,~~  
26 ~~the superintendent of the highway patrol may revoke, suspend, decline to~~  
27 ~~renew or decline to issue certification for failure to comply with the~~  
28 ~~provisions of this subsection, including or any applicable rules and~~  
29 ~~regulations. The superintendent of the highway patrol may promulgate~~  
30 ~~rules and regulations to administer the provisions of this subsection.~~

31 ~~(g)(1) An employee of a salvage vehicle pool, as defined in K.S.A. 8-~~  
32 ~~2401, and amendments thereto, who has received initial training and~~  
33 ~~certification from the highway patrol and has met continuing certification~~  
34 ~~requirements may provide the checks under subsection (b) on motor-~~  
35 ~~vehicles that have been stored at the salvage vehicle pool's licensed~~  
36 ~~location if the vehicle is to be designated as a salvage vehicle pursuant to~~  
37 ~~K.S.A. 8-197(b)(2), and amendments thereto, a vehicle to be designated as~~  
38 ~~a nonrepairable vehicle pursuant to K.S.A. 8-135c(b)(1), and amendments~~  
39 ~~thereto, or a vehicle to be designated as a nonhighway vehicle pursuant to~~  
40 ~~K.S.A. 8-197(b)(1), and amendments thereto. At any time, after a hearing,~~  
41 ~~in accordance with the provisions of the Kansas administrative procedure~~  
42 ~~act, the superintendent of the highway patrol may revoke, suspend, decline~~  
43 ~~to renew or decline to issue certification for failure to comply with the-~~

1 ~~provisions of this subsection or any applicable rules and regulations. The~~  
2 ~~superintendent of the highway patrol may promulgate rules and~~  
3 ~~regulations to administer the provisions of this subsection.~~

4 ~~(2) Prior to the Kansas highway patrol certifying any employee~~  
5 ~~pursuant to paragraph (1), such salvage vehicle pool shall furnish and~~  
6 ~~maintain a bond in the amount of \$50,000. Every bond shall be a~~  
7 ~~corporate surety bond issued by a company authorized to do business in~~  
8 ~~the state of Kansas and shall be executed in the name of the state of~~  
9 ~~Kansas.~~

10 ~~(3) Only salvage vehicle pools that sell at least 2,000 vehicles~~  
11 ~~combined per year, as reported to the Kansas department of revenue,~~  
12 ~~from the salvage vehicle pool's licensed locations in Kansas may be~~  
13 ~~eligible to have employees perform the checks pursuant to this subsection~~

14 **An employee of a salvage vehicle pool, as defined by K.S.A. 8-2401,**  
15 **and amendments thereto, who submits an application to the Kansas**  
16 **highway patrol pursuant to this section for six or more vehicles shall**  
17 **have such vehicles checked by the Kansas highway patrol within five**  
18 **business days of the date the application was submitted, if the salvage**  
19 **vehicle pool submitting the application sells at least 2,000 vehicles**  
20 **combined per year from the salvage vehicle pool's licensed locations in**  
21 **Kansas as reported to the Kansas department of revenue. The salvage**  
22 **vehicle pool shall provide the Kansas highway patrol with the address**  
23 **of the salvage vehicle pool facility and the approximate location within**  
24 **the facility of the vehicles to be checked and shall clearly mark the**  
25 **vehicles that are to be checked. The salvage vehicle pool shall provide**  
26 **enclosed office space for use by the Kansas highway patrol during**  
27 **such checks of multiple vehicles. The employees of the salvage vehicle**  
28 **pool shall not be required to move the vehicles within the facility for**  
29 **purposes of the checks. In the event that the Kansas highway patrol is**  
30 **unable to complete the checks required by this subsection within five**  
31 **business days, the Kansas highway patrol shall notify the salvage**  
32 **vehicle pool of the reasons for such delay and the date when such**  
33 **vehicle checks will begin, except that the date shall be not later than 10**  
34 **business days from the date the application for such checks was**  
35 **submitted.**

36 *(h)* No law enforcement agency or employee of such agency acting  
37 within the scope of employment shall be liable for damages resulting from  
38 the adoption or enforcement of any policy adopted under this section.

39 Sec. 2. K.S.A. 2020 Supp. 8-198 is hereby amended to read as  
40 follows: 8-198. (a) A nonhighway or salvage vehicle shall not be required  
41 to be registered in this state, as provided in K.S.A. 8-135, and amendments  
42 thereto, but nothing in this section shall be construed as abrogating,  
43 limiting or otherwise affecting the provisions of K.S.A. 8-142, and

1 amendments thereto, which make it unlawful for any person to operate or  
2 knowingly permit the operation in this state of a vehicle required to be  
3 registered in this state.

4 (b) Upon the sale or transfer of any nonhighway vehicle or salvage  
5 vehicle, the purchaser thereof shall obtain a nonhighway certificate of title  
6 or salvage title, whichever is applicable, in the following manner:

7 (1) If the transferor is a vehicle dealer, as defined in K.S.A. 8-2401,  
8 and amendments thereto, and a certificate of title has not been issued for  
9 such vehicle under this section or under the provisions of K.S.A. 8-135,  
10 and amendments thereto, such transferor shall make application for and  
11 assign a nonhighway certificate of title or a salvage title, whichever is  
12 applicable, to the purchaser of such nonhighway vehicle or salvage vehicle  
13 in the same manner and under the same conditions prescribed by K.S.A. 8-  
14 135, and amendments thereto, for the application for and assignment of a  
15 certificate of title thereunder. Upon the assignment thereof, the purchaser  
16 shall make application for a new nonhighway certificate of title or salvage  
17 title, as provided in subsection (c) or (d).

18 (2) Except as provided in K.S.A. 8-199(b), and amendments thereto,  
19 if a certificate of title has been issued for any such vehicle under the  
20 provisions of K.S.A. 8-135, and amendments thereto, the owner of such  
21 nonhighway vehicle or salvage vehicle may surrender such certificate of  
22 title to the division of vehicles and make application to the division for a  
23 nonhighway certificate of title or salvage title, whichever is applicable, or  
24 the owner may obtain from the county treasurer's office a form prescribed  
25 by the division of vehicles and, upon proper execution thereof, may assign  
26 the nonhighway certificate of title, salvage title or the regular certificate of  
27 title with such form attached to the purchaser of the nonhighway vehicle or  
28 salvage vehicle. Upon receipt of the nonhighway certificate of title,  
29 salvage title or the regular certificate of title with such form attached, the  
30 purchaser shall make application for a new nonhighway certificate of title  
31 or salvage title, whichever is applicable, as provided in subsection (c) or  
32 (d).

33 (3) If the transferor is not a vehicle dealer, as defined in K.S.A. 8-  
34 2401, and amendments thereto, and a certificate of title has not been issued  
35 for the vehicle under this section or a certificate of title was not required  
36 under K.S.A. 8-135, and amendments thereto, the transferor shall make  
37 application to the division for a nonhighway certificate of title or salvage  
38 title, whichever is applicable, as provided in this section, except that in  
39 addition thereto, the division shall require a bill of sale or such transferor's  
40 affidavit, with at least one other corroborating affidavit, that such  
41 transferor is the owner of such nonhighway vehicle or salvage vehicle. If  
42 the division is satisfied that the transferor is the owner, the division shall  
43 issue a nonhighway certificate of title or salvage title, whichever is

1 applicable, for such vehicle, and the transferor shall assign the same to the  
2 purchaser, who shall make application for a new nonhighway certificate of  
3 title or salvage title, whichever is applicable, as provided in subsection (c)  
4 or (d).

5 (c) Every purchaser of a nonhighway vehicle, whether assigned a  
6 nonhighway certificate of title or a regular certificate of title with the form  
7 specified in subsection (b)(2) attached, shall make application to the  
8 county treasurer of the county ~~in which~~ *where* such person resides for a  
9 new nonhighway certificate of title in the same manner and under the same  
10 conditions as for an application for a certificate of title under K.S.A. 8-  
11 135, and amendments thereto. Such application shall be in the form  
12 prescribed by the director of vehicles and shall contain substantially the  
13 same provisions as required for an application under K.S.A. 8-135(c)(1),  
14 and amendments thereto. In addition, such application shall provide a  
15 place for the applicant to certify that the vehicle for which the application  
16 for a nonhighway certificate of title is made is a nonhighway vehicle and  
17 other provisions the director deems necessary. Each application for a  
18 nonhighway certificate of title shall be accompanied by a fee of \$10, and if  
19 the application is not made to the county treasurer within the time  
20 prescribed by K.S.A. 8-135, and amendments thereto, for making  
21 application for a certificate of title thereunder, an additional fee of \$2.

22 (d) (1) Except as otherwise provided by this section, the owner of a  
23 vehicle that meets the definition of a salvage vehicle shall apply for a  
24 salvage title before the ownership of the motor vehicle or travel trailer is  
25 transferred. In no event shall such application be made more than 60 days  
26 after the vehicle is determined to be a salvage vehicle.

27 (2) Every insurance company, ~~which~~ *that*, pursuant to a damage  
28 settlement, acquires ownership of a vehicle that has incurred damage  
29 requiring the vehicle to be designated a salvage vehicle, shall apply for a  
30 salvage title within 60 days after the title is assigned and delivered by the  
31 owner to the insurance company, with all liens released. In the event that  
32 an insurance company is unable to obtain voluntary assignment of the title  
33 after 30 days from the date the vehicle owner enters into an oral or written  
34 damage settlement agreement where the owner agrees to transfer the title,  
35 the insurance company may submit an application on a form prescribed by  
36 the division for a salvage title. The form shall be accompanied by an  
37 affidavit from the insurance company stating that: (A) The insurance  
38 company is unable to obtain a transfer of the title from the owner  
39 following an oral or written acceptance of an offer of damage settlement;  
40 (B) there is evidence of the damage settlement; (C) that there are no  
41 existing liens on the vehicle or all liens on the vehicle have been released;  
42 (D) the insurance company has physical possession of the vehicle; and (E)  
43 the insurance company has provided the owner, at the owner's last known

1 address, 30 days' prior notice of such intent to transfer and the owner has  
2 not delivered a written objection to the insurance company.

3 (3) Every insurance company ~~which~~ that makes a damage settlement  
4 for a vehicle that has incurred damage requiring such vehicle to be  
5 designated a salvage vehicle, but does not acquire ownership of the  
6 vehicle, shall notify the vehicle owner of the owner's obligation to apply  
7 for a salvage title for the motor vehicle or travel trailer, and shall notify the  
8 division of this fact in accordance with procedures established by the  
9 division. The vehicle owner shall apply for a salvage title within 60 days  
10 after being notified by the insurance company.

11 (4) The lessee of any vehicle ~~which~~ that incurs damage requiring the  
12 vehicle to be designated a salvage vehicle shall notify the lessor of this fact  
13 within 30 days of the determination that the vehicle is a salvage vehicle.

14 (5) The lessor of any motor vehicle or travel trailer ~~which~~ that has  
15 incurred damage requiring the vehicle to be titled as a salvage vehicle,  
16 shall apply for a salvage title within 60 days after being notified of this  
17 fact by the lessee.

18 (6) Every person acquiring ownership of a motor vehicle or travel  
19 trailer that meets the definition of a salvage vehicle, for which a salvage  
20 title has not been issued, shall apply for the required document prior to any  
21 further transfer of such vehicle, but in no event, more than 60 days after  
22 ownership is acquired.

23 (7) Every purchaser of a salvage vehicle, whether assigned a salvage  
24 title or a regular certificate of title with the form specified in subsection (b)  
25 (2) attached, shall make application to the county treasurer of the county ~~in~~  
26 ~~which~~ where such person resides for a new salvage title, in the same  
27 manner and under the same condition as for an application for a certificate  
28 of title under K.S.A. 8-135, and amendments thereto. Such application  
29 shall be in the form prescribed by the director of vehicles and shall contain  
30 substantially the same provisions as required for an application under  
31 K.S.A. 8-135(c)(1), and amendments thereto. In addition, such application  
32 shall provide a place for the applicant to certify that the vehicle for which  
33 the application for salvage title is made is a salvage vehicle, and other  
34 provisions the director deems necessary. Each application for a salvage  
35 title shall be accompanied by a fee of \$10 and if the application is not  
36 made to the county treasurer within the time prescribed by K.S.A. 8-135,  
37 and amendments thereto, for making application for a certificate of title  
38 thereunder, an additional fee of \$2.

39 (8) Failure to apply for a salvage title as provided by this subsection  
40 shall be a class C nonperson misdemeanor.

41 (e) A nonhighway certificate of title or salvage title shall be in form  
42 and color as prescribed by the director of vehicles. A nonhighway  
43 certificate of title or salvage title shall indicate clearly and distinctly on its

1 face that it is issued for a nonhighway vehicle or salvage vehicle,  
2 whichever is applicable. A nonhighway certificate of title or salvage title  
3 shall contain substantially the same information as required on a certificate  
4 of title issued under K.S.A. 8-135, and amendments thereto, and other  
5 information the director deems necessary.

6 (f) (1) A nonhighway certificate of title or salvage title may be  
7 transferred in the same manner and under the same conditions as  
8 prescribed by K.S.A. 8-135, and amendments thereto, for the transfer of a  
9 certificate of title, except as otherwise provided in this section. A  
10 nonhighway certificate of title or salvage title may be assigned and  
11 transferred only while the vehicle remains a nonhighway vehicle or  
12 salvage vehicle.

13 (2) Upon transfer or sale of a nonhighway vehicle in a condition  
14 ~~which~~ *that* will allow the registration of such vehicle, the owner shall  
15 assign the nonhighway certificate of title to the purchaser, and the  
16 purchaser shall obtain a certificate of title and register such vehicle as  
17 provided in K.S.A. 8-135, and amendments thereto. No regular certificate  
18 of title shall be issued for a vehicle for which there has been issued a  
19 nonhighway certificate of title until there has been compliance with K.S.A.  
20 8-116a, and amendments thereto.

21 (3) (A) Upon transfer or sale of a salvage vehicle ~~which~~ *that* has been  
22 rebuilt or restored or is otherwise in a condition ~~which~~ *that* will allow the  
23 registration of such vehicle, the owner shall assign the salvage title to the  
24 purchaser, and the purchaser shall obtain a rebuilt salvage title and register  
25 such vehicle as provided in K.S.A. 8-135, and amendments thereto. No  
26 rebuilt salvage title shall be issued for a vehicle for which there has been  
27 issued a salvage title until there has been compliance with K.S.A. 8-116a,  
28 and amendments thereto, and the notice required in subsection (f)(3)(B)  
29 has been attached to such vehicle.

30 (B) As part of the inspection for a rebuilt salvage title conducted  
31 under K.S.A. 8-116a, and amendments thereto, the Kansas highway patrol  
32 shall attach a notice affixed to the left door frame of the rebuilt salvage  
33 vehicle indicating the vehicle identification number of such vehicle and  
34 that such vehicle is a rebuilt salvage vehicle. In addition to any fee allowed  
35 under K.S.A. 8-116a, and amendments thereto, a fee of \$5 shall be  
36 collected from the owner of such vehicle requesting the inspection for the  
37 notice required under this paragraph. All moneys received under this  
38 paragraph shall be remitted in accordance with K.S.A. 8-116a(e), and  
39 amendments thereto.

40 (C) Failure to apply for a rebuilt salvage title as provided by this  
41 paragraph shall be a class C nonperson misdemeanor.

42 (g) The owner of a salvage vehicle ~~which~~ *that* has been issued a  
43 salvage title and has been assembled, reconstructed, reconstituted or



1 restored or otherwise placed in an operable condition may make  
2 application to the county treasurer for a permit to operate such vehicle on  
3 the highways of this state over the most direct route from the place such  
4 salvage vehicle is located to a specified location named on the permit and  
5 to return to the original location. No such permit shall be issued for any  
6 vehicle unless the owner has motor vehicle liability insurance coverage or  
7 an approved self-insurance plan under K.S.A. 40-3104, and amendments  
8 thereto. Such permit shall be on a form furnished by the director of  
9 vehicles and shall state the date the vehicle is to be taken to the other  
10 location, the name of the insurer, as defined in K.S.A. 40-3103, and  
11 amendments thereto, and the policy number or a statement that the vehicle  
12 is included in a self-insurance plan approved by the commissioner of  
13 insurance, a statement attesting to the correctness of the information  
14 concerning financial security, the vehicle identification number and a  
15 description of the vehicle. Such permit shall be signed by the owner of the  
16 vehicle. The permit shall be carried in the vehicle for which it is issued and  
17 shall be displayed so that it is visible from the rear of the vehicle. The fee  
18 for such permit shall be \$1 ~~which~~ and shall be retained by the county  
19 treasurer, ~~who shall annually forward 25% of all such fees collected to the~~  
20 ~~division of vehicles to reimburse the division for administrative expenses,~~  
21 ~~and shall deposit the remainder in a special fund for expenses of issuing~~  
22 ~~such permits.~~

23 (h) A nonhighway vehicle or salvage vehicle for which a nonhighway  
24 certificate of title or salvage title has been issued pursuant to this section  
25 shall not be deemed a motor vehicle for the purposes of K.S.A. 40-3101 ~~to~~  
26 ~~through~~ 40-3121, ~~inclusive~~, and amendments thereto, except when such  
27 vehicle is being operated pursuant to subsection (g). Any person who  
28 knowingly makes a false statement concerning financial security in  
29 obtaining a permit pursuant to subsection (g), or who fails to obtain a  
30 permit when required by law to do so is guilty of a class C misdemeanor.

31 (i) Any person who, on July 1, 1996, is the owner of an all-terrain  
32 vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be  
33 required to file an application for a nonhighway certificate of title under  
34 the provisions of this section for such all-terrain vehicle, unless the person  
35 transfers an interest in such all-terrain vehicle.

36 (j) Any person who, on July 1, 2006, is the owner of a work-site  
37 utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall  
38 not be required to file an application for a nonhighway certificate of title  
39 under the provisions of this section for such work-site utility vehicle,  
40 unless the person transfers an interest in such work-site utility vehicle.

41 (k) (1) *A salvage vehicle pool, or a salvage vehicle dealer, as both*  
42 *are defined and licensed to operate in this state pursuant to K.S.A. 8-2401*  
43 *et seq., and amendments thereto, may apply for an ownership document*

1 with the division of vehicles without forwarding the ~~statement of origin or~~  
2 certificate of title to the division for a vehicle that is the subject of an  
3 insurance claim when:

4 (A) At the request of an insurance company, the salvage vehicle pool  
5 or salvage vehicle dealer obtains possession of the vehicle;

6 (B) the insurance claim for the vehicle has been closed without  
7 payment or denied by the insurance company; and

8 (C) the vehicle has remained unclaimed at the salvage vehicle pool's  
9 or salvage vehicle dealer's facility for more than 30 days.

10 (2) An application made pursuant to this subsection shall provide  
11 sufficient evidence that at least two written notices were delivered by  
12 certified mail to the address provided by the division of vehicles'  
13 ownership verification, or through another courier service that provides  
14 proof of delivery, to the owner of the vehicle and any lienholder of the  
15 vehicle identified in the division of vehicles' records requesting that the  
16 vehicle be removed from the salvage vehicle pool's or salvage vehicle  
17 dealer's facility. A salvage vehicle dealer shall also provide sufficient  
18 evidence to the division of the request by the insurance company to obtain  
19 possession of the vehicle. Such written notice shall specify that the owner  
20 of the vehicle and any lienholder of the vehicle identified in the division of  
21 vehicles' records has at least 30 days from the receipt of the notice to  
22 remove the vehicle. If the salvage vehicle pool or salvage vehicle dealer  
23 does not receive proof of delivery for the notices, the salvage vehicle pool  
24 or salvage vehicle dealer shall cause notice of the application for an  
25 ownership document to be published in a newspaper of general circulation  
26 in the county where the vehicle is located.

27 (3) If the most recent ownership document for the vehicle was not  
28 issued by this state, the application shall also include evidence of an  
29 inspection of the vehicle completed pursuant to K.S.A. 8-116a, and  
30 amendments thereto. The application shall also indicate whether a  
31 ~~certificate of title, a salvage title or a nonrepairable vehicle certificate~~  
32 shall be issued for the vehicle.

33 (4) Upon receipt of the application and all information required by  
34 this subsection, the division shall issue to the salvage vehicle pool or  
35 salvage vehicle dealer a ~~certificate of title, a salvage title or a~~  
36 nonrepairable vehicle certificate free and clear of all liens, security  
37 interests and encumbrances.

38 Sec. 3. K.S.A. 2020 Supp. 8-116a and 8-198 are hereby repealed.

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