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MEMORANDUM

To: Members of the Senate Committee on Transportation

From: Adam Siebers, Assistant Revisor

Date: March 2, 2022

Subject: House Bill No. 2594

Summary

House Bill No. 2594 exempts certain modifications on antique vehicles from the statute that provides the procedures for vehicle identification number (VIN) offense seizures and dispositions.

K.S.A. 8-116 provides procedures for when a vehicle's VIN has been destroyed, removed, altered or defaced. Under the statute, it's unlawful to sell, exchange, knowingly own or have custody of a motor vehicle with a VIN that has been destroyed, removed, altered or defaced when no part of the vehicle has been stolen and a VIN has been assigned to the vehicle. Additionally, it is unlawful to actually destroy, remove, alter or deface a VIN when no part of the vehicle has been stolen. There are certain exceptions provided in K.S.A. 8-116a for assembled or reconstructed vehicles. Every law enforcement officer having knowledge of a vehicle with a defective VIN is directed to seize and take possession of the motor vehicle and that seized vehicle is classified as an article of contraband.

House Bill No. 2594 would create an exemption to K.S.A. 8-116 specifically for antique vehicles as defined in K.S.A. 8-166 (vehicles 35 years or older). The exemption would allow for the removal and reinstallation of a serial number or VIN on an antique vehicle if: (1) The removal is reasonably necessary for a repair or restoration of the antique vehicle; and (2) the person completing the repair or restoration reinstalls the serial number or VIN immediately after the repair or restoration is complete. This exemption would not apply if the person knows or has reason to know that the antique vehicle is stolen.