

SENATE BILL No. 33

By Committee on Transportation

1-14

1 AN ACT concerning motor vehicles; relating to the vehicle dealers and
2 manufacturers licensing act; providing for a display show license;
3 allowing for new vehicle dealers and manufacturers to participate in
4 display shows; amending K.S.A. 2020 Supp. 8-2435 and repealing the
5 existing section.
6

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

8 Section 1. K.S.A. 2020 Supp. 8-2435 is hereby amended to read as
9 follows: 8-2435. (a)(1) Upon proper application, on a form approved by
10 the division of vehicles, the director of vehicles may authorize the display
11 of new motor vehicles *of a new vehicle dealer* at a location other than the
12 established or supplemental place of business of a motor vehicle dealer
13 provided that the requirements of ~~subsections (i) and (n)~~ of K.S.A. 8-2404,
14 ~~and amendments thereto,~~(i) and (n) and K.S.A. 8-2405, and amendments
15 thereto, are satisfied by the motor vehicle dealer. A fee in the amount of
16 \$15 shall be paid by an applicant for each application. No sales
17 transactions, *leases or test drives* may occur at such display locations.

18 (2)(A) *Upon proper application on a form approved by the division of*
19 *vehicles, the director of vehicles may issue a license known as a temporary*
20 *display show license to a sponsor of such display show that is responsible*
21 *for organizing and operating the display show under such terms and*
22 *conditions as the director may reasonably require. A fee in the amount of*
23 *\$100 shall be paid by the sponsor applying for each application and each*
24 *participant displaying vehicles shall pay a fee of \$35 to the sponsor. The*
25 *sponsor shall remit all fees to the director. New vehicle dealers, first stage*
26 *manufacturers, second stage manufacturers, first stage converters, second*
27 *stage converters and distributors may attend and participate in the display*
28 *of new motor vehicles under this subparagraph and may display vehicles*
29 *without regard to geographical territorial assignment or relevant market*
30 *area, as defined in K.S.A. 8-2430, and amendments thereto. New motor*
31 *vehicle dealers participating in a display show may do so without the*
32 *approval of any first stage manufacturer, second stage manufacturer, first*
33 *stage converter, second stage converter or distributor who may not bar or*
34 *treat such new vehicle dealer adversely for participating in a display*
35 *show. No sales or lease transactions may occur at a display show, but test*
36 *drives for purposes other than the sale or lease of a vehicle may be made*

1 *to demonstrate the vehicle and its features.*

2 *(B) For purposes of this paragraph, "display show" means a display*
3 *of new motor vehicles that does not fall under the description set forth in*
4 *subsection (a)(1) or K.S.A. 8-2444(a), and amendments thereto.*

5 *(b) Authorization granted by the director under ~~this section~~*
6 *subsection (a)(1) shall be granted only to motor vehicle dealers licensed by*
7 *the director and to no other person, natural or otherwise. The authorization*
8 *shall be for a period not to exceed 15 consecutive days unless otherwise*
9 *authorized by the director of vehicles. A sponsor under subsection (a)(2) is*
10 *not required to be a licensed new vehicle dealer, but participating new*
11 *vehicle dealers must be licensed motor vehicle dealers or the participant*
12 *must be a first stage manufacturer, second stage manufacturer, first stage*
13 *converter second stage converter or distributor for such manufacturers or*
14 *converter. Such type of participant is not required to be licensed to*
15 *participate.*

16 *(c) Authorization to display under this section shall not be granted for*
17 *events for which a temporary trade show license under K.S.A. 2020 Supp.*
18 *8-2444, and amendments thereto, would be required.*

19 *(d) The director may deny an application for a license under this*
20 *section if the director:*

21 *(1) Has probable cause to believe that the applicant's request for a*
22 *license should be made under the provisions of K.S.A. 2020 Supp. 8-2444,*
23 *and amendments thereto; or*

24 *(2) the request for a license under this section is being made to avoid*
25 *compliance with the provisions of K.S.A. 2020 Supp. 8-2444, and*
26 *amendments thereto.*

27 *(e) The provisions of this section shall be a part of and supplemental*
28 *to the vehicle dealers and manufacturers licensing act.*

29 *Sec. 2. K.S.A. 2020 Supp. 8-2435 is hereby repealed.*

30 *Sec. 3. This act shall take effect and be in force from and after its*
31 *publication in the statute book.*