

As Further Amended by House Committee

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Session of 2012

HOUSE BILL No. 2729

By Committee on Agriculture and Natural Resources

2-10

1 AN ACT concerning motor vehicles; relating to parks and recreation motor
2 vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134
3 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2011 Supp. 8-134 is hereby amended to read as
7 follows: 8-134. (a) Every vehicle registration under this act shall expire
8 December 31 of each year, except passenger vehicles and vehicles
9 provided for in K.S.A. 8-134a, and amendments thereto. The registration
10 of vehicles to which K.S.A. 8-134a, and amendments thereto, applies shall
11 expire in 1982 and thereafter in accordance with the provisions of
12 subsections (b) and (c). Registration of vehicles shall be renewed annually
13 upon application by the owner and by payment of the fees required by law.
14 Except vehicles subject to K.S.A. 8-134a, and amendments thereto, and
15 passenger vehicles, the renewal shall take effect on January 1 of each year
16 but the owner of the vehicle shall have until and including the last day of
17 February of each year within which to make application for such renewal.
18 The division shall issue for such vehicles a February month decal to
19 correspond with the statutory grace period. Criminal sanctions provided in
20 K.S.A. 8-142, and amendments thereto, for failure to display any license
21 plate or plates or any registration decal required to be affixed to any such
22 license plate for the current registration year shall not be enforced until
23 March 1 of each year. An owner who has made proper application for
24 renewal of registration of a vehicle prior to January 1, but who has not
25 received the license plate or registration card for the ensuing year, shall be
26 entitled to operate or permit the operation of such vehicle upon the
27 highways upon displaying thereon the license plate issued for the
28 preceding year for such time as the director of vehicles finds necessary for
29 issuance of such new license plate.

30 (b) Every passenger vehicle required by this act to be registered,
31 except as otherwise provided, shall be registered for a period of 12
32 consecutive months. The division of vehicles, in order to initiate a system
33 of registering or reregistering passenger vehicles during any month of a
34 calendar year, may register or reregister a passenger vehicle for less than a

1 twelve-month period, prorating the annual registration fee, when in the
2 director's opinion such proration tends to fulfill the purpose of the monthly
3 registration system.

4 (c) Passenger vehicle registration, and the authority to legally operate,
5 use, or tow such vehicle on the highway shall expire at ~~12:00 a.m.~~ 12
6 midnight on the last day of the last month of the twelve-month period for
7 which such vehicle was registered, and the owner shall see that such
8 vehicle is reregistered as required by this act. The director of vehicles shall
9 designate the registration period for each passenger vehicle in order to as
10 nearly as feasible equalize registration or reregistration within the 12
11 months of the year. Any vehicle after having once been registered shall
12 upon reregistration, be registered for the same twelve-month period except
13 when the certificate of title has been transferred as provided by law. In this
14 case, the vehicle shall be registered by the division of vehicles in
15 accordance with the system adopted.

16 (d) For the purpose of this act, hearses and electrically propelled
17 vehicles shall be classified as passenger vehicles.

18 (e) Every owner who registers or reregisters a vehicle in a calendar
19 year, and in any calendar year in which a license plate is not issued for the
20 renewal of registration of such vehicle, shall be furnished by the division
21 one decal for the license plate issued for such vehicle and required by
22 K.S.A. 8-133, and amendments thereto, to be affixed to the rear of such
23 vehicle. Such decal shall be affixed to the number plate affixed to the rear
24 of such vehicle and shall contain the letters designating the county in
25 which such vehicle is registered, as provided in K.S.A. 8-147, and
26 amendments thereto, shall be numbered serially in each county and shall
27 indicate the year in which such registration expires. The color of a decal
28 shall be such that it contrasts with the color of the license plate to which it
29 is to be affixed, and the director of vehicles shall change the color of such
30 decals each year, without duplicating the same color in any five-year
31 period or such extended period as the director designates under subsection
32 (b) of K.S.A. 8-132, and amendments thereto. Such decals shall be so
33 constructed that once a decal has been affixed to a license plate it cannot
34 be removed without destroying the decal, and the surface of such decals
35 shall be capable of reflecting light. Consistent with the foregoing, the
36 director of vehicles shall prescribe the size of and material to be used in
37 the production of such decals, and the director of vehicles shall designate
38 the location on a number plate where such decal shall be affixed.

39 (f) *(1) The owner of a vehicle may, at the time of such registration or*
40 *reregistration, purchase a park and recreation motor vehicle permit. Such*
41 *permit shall cost \$15 until such time as the amount for such permit is*
42 *changed by rules and regulations of the secretary of wildlife, parks and*
43 *tourism.*

1 (2) ~~Such permit shall be nontransferable and shall expire on the last~~
2 ~~day of the 12th month after such permit is purchased~~ **date of expiration of**
3 **the vehicle registration.**

4 (3) *Except as provided in subsection (f)(4), the county treasurer shall*
5 *remit all such moneys paid to the county treasurer to the state treasurer in*
6 *accordance with the provisions of K.S.A. 75-4215, and amendments*
7 *thereto. Upon receipt of each such remittance, the state treasurer shall*
8 *deposit the entire amount in the state treasury and shall be credited as*
9 *provided in K.S.A. 32-991, and amendments thereto.*

10 (4) *The county treasurer may collect and retain a service charge fee*
11 *of up to \$.50 for each park and recreation motor vehicle permit issued or*
12 *sold by the county treasurer.*

13 **(5) As a condition of receiving the park and recreation motor**
14 **vehicle permit, the applicant shall consent to the sharing of**
15 **information, including, but not limited to, the applicant's name,**
16 **address, email address and phone number, with the secretary of**
17 **wildlife, parks and tourism by the division of motor vehicles.**

18 (g) The secretary of revenue shall adopt rules and regulations
19 necessary to accomplish the purpose of this act.

20 Sec. 2. K.S.A. 32-901 is hereby amended to read as follows: 32-901.

21 (a) Except as otherwise provided by law or rules and regulations of the
22 secretary, a valid park and recreation motor vehicle permit is required to
23 use a motor vehicle in any state park, or any portion thereof, or in any
24 other area designated by the secretary pursuant to subsection (f), which is
25 posted in accordance with subsection (g).

26 (b) (1) The secretary shall issue annual and ~~temporary~~ *daily* park and
27 recreation motor vehicle permits, *in addition to permits as provided in*
28 *K.S.A. 8-134, and amendments thereto.*

29 (2) The annual permit shall be issued ~~to certificate of titleholders~~ for
30 each calendar year as provided in K.S.A. 32-983, 32-984 and 32-985, and
31 amendments thereto, and shall not be transferable. ~~An additional vehicle~~
32 ~~permit may be issued to the owner of an original annual permit.~~ The fee
33 for an annual permit ~~and the fee for an additional vehicle permit~~ shall be
34 fixed by the secretary by rules and regulations adopted in accordance with
35 K.S.A. 32-805, and amendments thereto. ~~The fee for an annual permit for~~
36 ~~a motor vehicle of any Kansas resident certificate of title holder who is 65~~
37 ~~or more years of age or who is a person with a disability and displays a~~
38 ~~special license plate or placard issued pursuant to K.S.A. 8-1,125 and~~
39 ~~amendments thereto shall be an amount equal to 1/2 the fee fixed by the~~
40 ~~secretary for other annual park and recreation motor vehicle permits,~~
41 ~~except a nonresident regardless of age shall pay the full fee.~~ A duplicate
42 permit may be issued upon proof of loss of the original permit for the
43 remainder of the calendar year for a fee fixed by the secretary by rules and

1 regulations adopted in accordance with K.S.A. 32-805, and amendments
2 thereto. If the motor vehicle for which an annual permit has been issued is
3 sold or traded during the calendar year for which the permit was issued
4 and the original permit is surrendered to the department, a new permit
5 effective for the remainder of the calendar year may be issued to the
6 person who sold or traded the motor vehicle for a fee fixed by the
7 secretary by rules and regulations adopted in accordance with K.S.A. 32-
8 805, and amendments thereto. Before any duplicate or new permit is
9 issued, the purchaser thereof must show by evidence that the purchaser
10 was issued the original permit and that the purchaser is the holder of a
11 valid certificate of title to the motor vehicle for which the duplicate or new
12 permit is issued.

13 (3) A ~~temporary~~ *daily* permit shall be issued for a day, shall be issued
14 for a specific vehicle and shall not be transferable. The fee for such a
15 ~~temporary~~ *daily* permit shall be fixed by the secretary by rules and
16 regulations adopted in accordance with K.S.A. 32-805, and amendments
17 thereto. ~~The fee for a temporary permit for a motor vehicle of any Kansas~~
18 ~~resident certificate of title holder who is 65 or more years of age or who is~~
19 ~~a person with a disability and displays a special license plate or placard~~
20 ~~issued pursuant to K.S.A. 8-1,125 and amendments thereto shall be an~~
21 ~~amount equal to 1/2 the fee fixed by the secretary for other temporary park~~
22 ~~and recreation motor vehicle permits, except a nonresident regardless of~~
23 ~~age shall pay the full fee.~~

24 (c) *Except as provided in K.S.A. 8-134, and amendments thereto, the*
25 *following fees shall be applicable until changed by rules and regulations*
26 *of the secretary:*

27 (1) *Annual motor vehicle permit: \$22.50; and*

28 (2) *One-day temporary motor vehicle permit: \$3.50.*

29 (d) The provisions of subsection (a) do not apply to:

30 (1) A motor vehicle used in the operation or maintenance of state
31 parks or other areas under the secretary's control, emergency motor
32 vehicles, state-owned motor vehicles, law enforcement motor vehicles or
33 private or government motor vehicles being operated on official business
34 for a governmental agency;

35 (2) a motor vehicle of a nonresident who secures a special fee, license
36 or permit required by rules and regulations adopted by the secretary in
37 accordance with K.S.A. 32-805, and amendments thereto, relating to the
38 use of the park or other area;

39 (3) a motor vehicle for which a special permit or pass has been issued
40 pursuant to subsection (d);

41 (4) a motor vehicle in a state park or other area to which subsection
42 (d) applies on dates designated pursuant to subsection (e); or

43 (5) a motor vehicle in an area or at a time not designated pursuant to

1 subsection (f) as an area or time which requires a permit.

2 ~~(d)~~ (e) The secretary may issue a special permit or pass for a motor
3 vehicle used for the purpose of sightseeing, attending a church service,
4 attending an approved special event by members of the news media or
5 emergency reasons, as provided by rules and regulations adopted by the
6 secretary in accordance with K.S.A. 32-805, and amendments thereto.

7 ~~(e)~~ (f) The secretary may designate by resolution two days each
8 calendar year during which persons may use motor vehicles in state parks
9 and other areas under the secretary's control without having a valid park
10 and recreation motor vehicle permit.

11 ~~(f)~~ (g) The secretary shall designate the state parks and other areas
12 under the secretary's control, or portions thereof, and the time periods in
13 which motor vehicle permits shall be required hereunder.

14 The secretary shall cause signs to be posted and maintained at the
15 entrances to all such designated state parks or other areas, or portions
16 thereof, which signs shall display a legend that a motor vehicle entering
17 and using the state park or area, or portion thereof, is required to display
18 on the motor vehicle a permit of the type described in this section.

19 ~~(g)~~ (h) All fees, licenses and other charges, and rules and regulations
20 relating to the use of and conduct of persons in a state park or other area
21 under the secretary's control, or any facility therein, shall be posted in a
22 convenient and conspicuous place in each such park, area or facility.
23 Except as otherwise provided in this section, each and every person using
24 any such park, area or facility shall be charged the same fees, licenses and
25 every other charge.

26 Sec. 3. K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 are hereby
27 repealed.

28 Sec. 4. This act shall take effect and be in force from and after
29 **January 1, 2013, and** its publication in the statute book.

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