

BRAD SMOOT
ATTORNEY AT LAW

800 SW JACKSON, SUITE 808
Topeka, Kansas 66612
bradsmoot@smootlawoffice.com

(785) 233-0016 (Office)
(785) 224-1200 (Cell)

Statement of Brad Smoot
Legislative Counsel
Copart, Inc.
Senate Transportation Committee
Regarding 2020 SB 374
February 19, 2020

Mr. Chairman and Members:

On behalf of Copart, Inc., an international auto salvage pool operating in Kansas, we appreciate the opportunity to comment in support of SB 374. This bill will allow the Kansas Highway Patrol (KHP) to certify a limited number of salvage pool employees to do vehicle identification number (VIN) inspections, a function done primarily by the officers of the KHP. We approach this proposal in an effort to speed up the VIN inspection while preserving the integrity of the inspection process. We also hope to make this a mutually beneficial and collaborative process with law enforcement. Frankly, Copart and other salvage pools have sincere interest in maintaining an honest and accurate inspection process.

To that end, we contacted the KHP in December and met with officers in early January to discuss our first draft proposal. That proposal, based on an existing New Mexico law, did not fit well in Kansas statutes and seemed broader than necessary for our purposes. Our second draft, now contained in SB 374, is limited to salvage pools as defined by Kansas law and is patterned after the authority the legislature has granted to the automobile dealers. See Section 1(f). We are attempting to solve a specific problem with a very specific solution.

In addition, the bill gives the KHP complete control over the certification process, including who may be certified, how that certification may be withdrawn and what training will be required. The Patrol may adopt all necessary rules and regulations to implement the certification process.

Copart asks for no compensation or discount in the statutory fee (\$20/hour) currently required even though it will be certified Copart employees who will perform the inspections at our expense. We see no reason to disrupt the current flow of funds to the Patrol for this service as it will still need to train and certify our employees as inspectors.

We shared this bill draft with the Patrol weeks ago and have not received any specific criticism of the bill or any proposed amendments from the KHP. We are certainly eager to work with the KHP and would be happy to consider any suggestions for improvement of the bill. The Department of Revenue has seen the bill and has not expressed any concerns or suggested edits.

We urge you to act favorably on SB 374. Thank you.