

SENATE BILL No. 72

By Committee on Transportation

1-19

AN ACT relating to motor vehicles; concerning farm trucks or truck tractors; defining farm custom operations; amending K.S.A. 2000 Supp. 8-126, 8-142 and 8-143 and repealing the existing sections.

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

Section 1. K.S.A. 2000 Supp. 8-126 is hereby amended to read as follows: 8-126. The following words and phrases when used in this act shall have the meanings respectively ascribed to them herein:

(a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled.

(c) "Truck" means a motor vehicle which is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

(d) "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as herein defined.

(e) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

(f) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

(g) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

(h) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(i) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own

1 weight and that of its own load rests upon or is carried by another vehicle.

2 (j) "Pole trailer" means any two-wheel vehicle used as a trailer with
3 bolsters that support the load, and do not have a rack or body extending
4 to the tractor drawing the load.

5 (k) "Specially constructed vehicle" means any vehicle which shall not
6 have been originally constructed under a distinctive name, make, model
7 or type, or which, if originally otherwise constructed shall have been ma-
8 terially altered by the removal of essential parts, or by the addition or
9 substitution of essential parts, new or used, derived from other vehicles
10 or makes of vehicles.

11 (l) "Foreign vehicle" means every motor vehicle, trailer or semitrailer
12 which shall be brought into this state otherwise than in ordinary course
13 of business by or through a manufacturer or dealer and which has not
14 been registered in this state.

15 (m) "Person" means every natural person, firm, partnership, associ-
16 ation or corporation.

17 (n) "Owner" means a person who holds the legal title of a vehicle, or
18 in the event a vehicle is the subject of an agreement for the conditional
19 sale thereof with the right of purchase upon performance of the condi-
20 tions stated in the agreement and with an immediate right of possession
21 vested in the conditional vendee or in the event a vehicle is subject to a
22 lease of 30 days or more with an immediate right of possession vested in
23 the lessee; or in the event a party having a security interest in a vehicle
24 is entitled to possession, then such conditional vendee or lessee or secured
25 party shall be deemed the owner for the purpose of this act.

26 (o) "Nonresident" means every person who is not a resident of this
27 state.

28 (p) "Manufacturer" means every person engaged in the business of
29 manufacturing motor vehicles, trailers or semitrailers.

30 (q) "New vehicle dealer" means every person actively engaged in the
31 business of buying, selling or exchanging new motor vehicles, travel trail-
32 ers, trailers or vehicles and who holds a dealer's contract therefor from a
33 manufacturer or distributor and who has an established place of business
34 in this state.

35 (r) "Used vehicle dealer" means every person actively engaged in the
36 business of buying, selling or exchanging used vehicles, and having an
37 established place of business in this state and who does not hold a dealer's
38 contract for the sale of new motor vehicles, travel trailers, trailers or
39 vehicles.

40 (s) "Highway" means every way or place of whatever nature open to
41 the use of the public as a matter of right for the purpose of vehicular
42 travel. The term "highway" shall not be deemed to include a roadway or
43 driveway upon grounds owned by private owners, colleges, universities

1 or other institutions.

2 (t) "Department" or "motor vehicle department" or "vehicle depart-
3 ment" means the division of vehicles of the department of revenue, acting
4 directly or through its duly authorized officers and agents.

5 (u) "Commission" or "state highway commission" means the director
6 of vehicles of the department of revenue.

7 (v) "Division" means the division of vehicles of the department of
8 revenue.

9 (w) "Travel trailer" means every vehicle without motive power de-
10 signed to be towed by a motor vehicle constructed primarily for recrea-
11 tional purposes and measuring eight feet or less in width.

12 (x) "Passenger vehicle" means every motor vehicle, as herein defined,
13 which is designed primarily to carry 10 or fewer passengers, and which
14 is not used as a truck.

15 (y) "Self-propelled farm implement" means every farm implement
16 designed for specific use applications with its motive power unit perma-
17 nently incorporated in its structural design.

18 (z) "Farm trailer" means every trailer as defined in subsection (h) of
19 this section and every semitrailer as defined in subsection (i) of this sec-
20 tion, designed and used primarily as a farm vehicle.

21 (aa) "Motorized bicycle" means every device having two tandem
22 wheels or three wheels, which may be propelled by either human power
23 or helper motor, or by both, and which has:

- 24 (1) A motor which produces not more than 3.5 brake horsepower;
- 25 (2) a cylinder capacity of not more than 130 cubic centimeters;
- 26 (3) an automatic transmission; and
- 27 (4) the capability of a maximum design speed of no more than 30
28 miles per hour.

29 (bb) "All-terrain vehicle" means any motorized nonhighway vehicle
30 45 inches or less in width, having a dry weight of 650 pounds or less,
31 traveling on three or more low-pressure tires, having a seat designed to
32 be straddled by the operator. As used in this subsection, low-pressure tire
33 means any pneumatic tire six inches or more in width, designed for use
34 on wheels with rim diameter of 12 inches or less, and utilizing an oper-
35 ating pressure of 10 pounds per square inch or less as recommended by
36 the vehicle manufacturer.

37 (cc) "Implement of husbandry" means every vehicle designed or
38 adapted and used exclusively for agricultural operations, including feed-
39 lots, and only incidentally moved or operated upon the highways. Such
40 term shall include, but not be limited to:

- 41 (1) A farm tractor;
- 42 (2) a self-propelled farm implement;
- 43 (3) a fertilizer spreader, nurse tank or truck permanently mounted

1 with a spreader used exclusively for dispensing or spreading water, dust
2 or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202,
3 and amendments thereto, regardless of ownership;

4 (4) a truck mounted with a fertilizer spreader used or manufactured
5 principally to spread animal dung;

6 (5) a mixer-feed truck owned and used by a feedlot, as defined in
7 K.S.A. 47-1501, and amendments thereto, and specially designed and
8 used exclusively for dispensing food to livestock in such feedlot.

9 (dd) "Motorized wheelchair" means any self-propelled vehicle de-
10 signed specifically for use by a physically disabled person that is incapable
11 of a speed in excess of 15 miles per hour.

12 (ee) "Oil well servicing, oil well clean-out or oil well drilling machin-
13 ery or equipment" means a vehicle constructed as a machine used exclu-
14 sively for servicing, cleaning-out or drilling an oil well and consisting in
15 general of a mast, an engine for power, a draw works and a chassis per-
16 manently constructed or assembled for one or more of those purposes.
17 The passenger capacity of the cab of a vehicle shall not be considered in
18 determining whether such vehicle is an oil well servicing, oil well clean-
19 out or oil well drilling machinery or equipment.

20 (ff) "*Farm custom operations*" means performing custom work such
21 as but not limited to, grain harvesting, hay harvesting, hay grinding,
22 custom tillage and other custom farm husbandry, where the transporting
23 of the farm machinery is only incidental to the custom work performed.

24 Sec. 2. K.S.A. 2000 Supp. 8-142 is hereby amended to read as fol-
25 lows: 8-142. It shall be unlawful for any person to commit any of the
26 following acts and except as otherwise provided, violation is subject to
27 penalties provided in K.S.A. 8-149, and amendments thereto:

28 *First:* To operate, or for the owner thereof knowingly to permit the
29 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and
30 amendments thereto, which is not registered, or for which a certificate
31 of title has not been issued or which does not have attached thereto and
32 displayed thereon the license plate or plates assigned thereto by the di-
33 vision for the current registration year, including any registration decal
34 required to be affixed to any such license plate pursuant to K.S.A. 8-134,
35 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-
36 135, 8-198 and 8-1751a, and amendments thereto.

37 *Second:* To display or cause or permit to be displayed, or to have in
38 possession, any registration receipt, certificate of title, registration license
39 plate, registration decal, accessible parking placard or accessible parking
40 identification card knowing the same to be fictitious or to have been
41 canceled, revoked, suspended or altered. A violation of this part *Second*
42 shall constitute an unclassified misdemeanor punishable by a fine of not
43 less than \$100 and forfeiture of the item. A mandatory court appearance

1 shall be required of any person violating this part *Second*. This part *Sec-*
2 *ond* shall not apply to the possession of: (a) Model year license plates
3 displayed on antique vehicles as allowed under K.S.A. 8-172, and amend-
4 ments thereto; or (b) distinctive license plates allowed under K.S.A. 2000
5 Supp. 8-1,147, *and amendments thereto*.

6 *Third*: To lend to or knowingly permit the use by one not entitled
7 thereto any registration receipt, certificate of title, registration license
8 plate or registration decal issued to the person so lending or permitting
9 the use thereof.

10 *Fourth*: To fail or refuse to surrender to the division, upon demand,
11 any registration receipt, certificate of title, registration license plate or
12 registration decal which has been suspended, canceled or revoked.

13 *Fifth*: To use a false or fictitious name or address in any application for
14 a certificate of title, the registration of any vehicle or for any renewal or
15 duplicate thereof, or knowingly to make a false statement or knowingly
16 to conceal a material fact or otherwise commit a fraud in any such
17 application.

18 *Sixth*: For the owner of a motor vehicle to file application for the reg-
19 istration thereof, in any county other than the county in which the owner
20 of the vehicle resides or has a bona fide place of business, which place is
21 not an office or facility established or maintained solely for the purpose
22 of obtaining registration.

23 *Seventh*: To operate on the highways of this state a vehicle or combi-
24 nation of vehicles whose weight with cargo is in excess of the gross weight
25 for which the truck or truck tractor propelling the same is registered,
26 except as provided by K.S.A. 8-143, and amendments thereto, and sub-
27 sections (a) to (f), inclusive, of K.S.A. 8-1911, and amendments thereto.
28 Such gross weight shall not be required to be in excess of the limitations
29 described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for
30 such vehicle or combination of vehicles of which it is a part. Any person
31 or owner who operates a vehicle in this state with a registration in violation
32 of subsection (2) of K.S.A. 8-143, and amendments thereto, shall be re-
33 quired to pay the additional fee equal to the fee required by the applicable
34 registration fee schedule, less the amount of the fee required for the gross
35 weight for which the vehicle is registered to obtain the proper registration
36 therewith. A fine of \$75 shall be assessed for all such gross weight reg-
37 istration violations.

38 *Eighth*: To operate a local truck or truck tractor which is registered for
39 a gross weight of more than 12,000 pounds as a common or contract
40 carrier outside a radius of three miles beyond the corporate limits of the
41 city in which such vehicle was based when registered and licensed or to
42 operate any other local truck or truck tractor licensed for a gross weight
43 of more than 12,000 pounds outside a radius of 25 miles beyond the

1 corporate limits of the city in which such vehicle was based when regis-
2 tered and licensed, except as provided in subsection (2) of K.S.A. 8-143
3 or 8-143i, and amendments thereto.

4 *Ninth:* To operate on the highways of this state a farm truck or farm
5 trailer other than to transport: (a) Agricultural products produced by such
6 owner; (b) commodities purchased by the owner for use on the farm
7 owned or rented by the owner of such vehicles; (c) commodities for re-
8 ligious or educational institutions being transported by the owner of such
9 vehicles for charity and without compensation of any kind, except as pro-
10 vided in subsection (c) of K.S.A. 66-1,109, and amendments thereto; ~~or~~
11 (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top,
12 dirt or fill material to a township road maintenance or construction site
13 of the township in which the owner of such truck resides; (e) *farm ma-*
14 *chinery, supplies, or both, which transportation is incidental to its use; or*
15 *(f) farm machinery used in farm custom operations in accordance with*
16 *K.S.A. 8-143, and amendments thereto.*

17 *Tenth:* To operate a farm truck or truck tractor used in combination
18 with a trailer or semitrailer for a gross weight which does not include the
19 empty weight of the truck or truck tractor or of the combination of any
20 truck or truck tractor and any type of trailer or semitrailer, plus the max-
21 imum weight of cargo which will be transported on or with the same; and
22 such farm truck or farm truck tractor used to transport a gross weight of
23 more than 54,000 pounds shall have durably lettered on the side of the
24 motor vehicle the words "farm vehicle—not for hire."

25 *Eleventh:* To operate on the highways of this state any truck or truck
26 tractor without the current quarter of license fees being paid thereon.

27 *Twelfth:* To operate on the highways of this state a truck or truck tractor
28 without carrying in the cab a copy of the registration receipt for such
29 vehicle or without having painted or otherwise durably marked on said
30 vehicle on both sides thereof, the gross weight for which said vehicle is
31 licensed and the name and address of the owner thereof, except as pro-
32 vided in K.S.A. 8-143e, and amendments thereto.

33 *Thirteenth:* To operate on the highways of this state a farm trailer car-
34 rying more than 6,000 pounds without being registered and the registra-
35 tion fees paid thereon.

36 *Fourteenth:* To operate more than 6,000 miles in any calendar year any
37 truck or truck tractor which has been registered and licensed to operate
38 not more than 6,000 miles in such calendar year, as provided in subsection
39 (2) of K.S.A. 8-143, and amendments thereto, unless the additional fee
40 required by said subsection (2) has been paid.

41 *Fifteenth:* For any owner who has registered a truck or truck tractor
42 on the basis of operating not more than 6,000 miles to fail to keep the
43 records required by the director of vehicles, or to fail to comply with rules

1 and regulations of the secretary of revenue relating to such registration.

2 *Sixteenth:* To operate a vehicle or combination of vehicles on the na-
3 tional system of interstate and defense highways with a gross weight
4 greater than permitted by the laws of the United States Congress.

5 Sec. 3. K.S.A. 2000 Supp. 8-143 is hereby amended to read as fol-
6 lows: 8-143. (1) All applications for the registration of motorcycles, mo-
7 torized bicycles and passenger vehicles other than trucks and truck trac-
8 tors, except as otherwise provided, shall be accompanied by an annual
9 license fee as follows: For motorized bicycles, \$10; for motorcycles, \$15;
10 for passenger vehicles, other than motorcycles, used solely for the car-
11 rying of persons for pleasure or business, and for hearses and ambulances
12 a fee of (i) \$25 for those having a gross weight of 4,500 pounds or less;
13 (ii) \$35 for those having a gross weight of more than 4,500 pounds; for
14 each electrically propelled motor vehicle, except electrically propelled
15 vehicles intended for the purpose of transporting any commodity, goods,
16 merchandise, produce or freight, or passengers for hire, a fee of \$13.
17 Except for motor vehicles, trailers or semitrailers registered under the
18 provisions of K.S.A. 8-1,134, and amendments thereto, the annual reg-
19 istration fee for each motor vehicle, trailer or semitrailer owned by any
20 political or taxing subdivision of this state or by any agency or instrumen-
21 tality of any one or more political or taxing subdivisions of this state and
22 used exclusively for governmental purposes and not for any private or
23 utility purposes, which is not otherwise exempt from registration, shall be
24 \$2.

25 (2) As used in this subsection, the term "gross weight" shall mean
26 and include the empty weight of truck, or of combination of truck or
27 truck tractor and any type trailer or semitrailer, plus the maximum weight
28 of cargo which will be transported on or with the same, except when the
29 empty weight of a truck plus the maximum weight of cargo which will be
30 transported thereon is 12,000 pounds or less. The term gross weight shall
31 not include: The weight of any travel trailer propelled thereby which is
32 being used for private recreational purposes; or the weight of any vehicle
33 or combination of vehicles for which wrecker or towing service, as defined
34 in K.S.A. 66-1329, and amendments thereto, is to be provided by a
35 wrecker or tow truck, as defined in K.S.A. 66-1329, and amendments
36 thereto. Such wrecker or tow truck shall be registered for the empty
37 weight of such vehicle fully equipped for the recovery or towing of ve-
38 hicles. The gross weight license fees hereinafter prescribed shall only
39 apply to the truck or truck tractor used as the propelling unit for the cargo
40 and vehicle propelled, either as a single vehicle or combination of vehi-
41 cles. On application for the registration of a truck or truck tractor, the
42 owner thereof shall declare as a part of such application the maximum
43 gross weight the owner desires to be applicable to such vehicle, which

1 declared gross weight in no event shall be in excess of the limitations
 2 described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for
 3 such vehicle or combination of vehicles of which it will be a part. All
 4 applications for the registration of trucks or truck tractors, except as oth-
 5 erwise provided herein, shall be accompanied by an annual license fee as
 6 follows:

7	For a gross weight of 12,000 lbs. or less	\$35
8	For a gross weight of more than 12,000 lbs. and not more	
9	than 16,000 lbs.	100
10	For a gross weight of more than 16,000 lbs. and not more	
11	than 20,000 lbs.	130
12	For a gross weight of more than 20,000 lbs. and not more	
13	than 24,000 lbs.	195
14	For a gross weight of more than 24,000 lbs. and not more	
15	than 26,000 lbs.	310
16	For a gross weight of more than 26,000 lbs. and not more	
17	than 30,000 lbs.....	310
18	For a gross weight of more than 30,000 lbs. and not more	
19	than 36,000 lbs.	370
20	For a gross weight of more than 36,000 lbs. and not more	
21	than 42,000 lbs.	470
22	For a gross weight of more than 42,000 lbs. and not more	
23	than 48,000 lbs.	600
24	For a gross weight of more than 48,000 lbs. and not more	
25	than 54,000 lbs.	800
26	For a gross weight of more than 54,000 lbs. and not more	
27	than 60,000 lbs.	1,000
28	For a gross weight of more than 60,000 lbs. and not more	
29	than 66,000 lbs.	1,200
30	For a gross weight of more than 66,000 lbs. and not more	
31	than 74,000 lbs.	1,525
32	For a gross weight of more than 74,000 lbs. and not more	
33	than 80,000 lbs.	1,725
34	For a gross weight of more than 80,000 lbs. and not more	
35	than 85,500 lbs.	1,925

36 If the applicant for registration of any truck or truck tractor for a gross
 37 weight of more than 12,000 pounds is the state of Kansas or any political
 38 or taxing subdivision or agency of the state, except a city or county, whose
 39 truck or truck tractor is not otherwise entitled to the \$2 license fee or
 40 otherwise exempt from all fees, such vehicle may be licensed for a fee in
 41 accordance with the schedule hereinafter prescribed for local trucks or
 42 truck tractors.

43 If the applicant for registration of any truck or truck tractor for a gross

1 weight of more than 12,000 pounds shall under oath state in writing on
 2 a form prescribed and furnished by the director of vehicles that the ap-
 3 plicant does not expect to operate it more than 6,000 miles in the calendar
 4 year for which the applicant seeks registration, and that if the applicant
 5 shall operate it more than 6,000 miles during such registration year such
 6 applicant will pay an additional fee equal to the fee required by the pre-
 7 ceding schedule, less the amount of the fee paid at time of registration,
 8 such vehicle may be licensed for a fee in accordance with the schedule
 9 hereinafter prescribed for local trucks or truck tractors; and whenever
 10 the same is registered on a local truck or truck tractor fee basis a tab or
 11 marker shall be issued in connection with the regular license plate, which
 12 tab or marker shall be attached or affixed to and displayed with the regular
 13 license plate and the failure to have the same attached, affixed or dis-
 14 played shall be subject to the same penalties as provided by law for the
 15 failure to display the regular license plate; and the secretary of revenue
 16 may adopt rules and regulations requiring the owners of trucks and truck
 17 tractors so registered on a local truck or truck tractor fee basis to keep
 18 such records and make such reports of mileage of such vehicles as the
 19 secretary of revenue shall deem proper.

20 A transporter delivering vehicles not the transporter's own by the dri-
 21 veaway method where such vehicles are being driven, towed, or trans-
 22 ported singly, or by the saddlemount, towbar, or fullmount methods, or
 23 by any lawful combination thereof, may apply for license plates which
 24 may be transferred from one such vehicle or combination to another for
 25 each delivery without further registration, and the annual license fee for
 26 such license plate shall be as follows:

27 For the first such set of license plates	\$44
28 For each additional such set of license plates	18

29 A truck or truck tractor registered for a gross weight of more than
 30 12,000 pounds, which is operated wholly within the corporate limits of a
 31 city or village or within a radius of 25 miles beyond the corporate limits,
 32 shall be classified as a local truck except that in no event shall such vehicles
 33 operated as contract or common carriers outside a radius of three miles
 34 beyond the corporate limits of the city or village in which such vehicles
 35 were based when registered and licensed be considered local trucks or
 36 truck tractors. The secretary of revenue is hereby authorized and directed
 37 to adopt rules and regulations prescribing a procedure for the issuance
 38 of permits by the division of vehicles whereby owners of local trucks or
 39 truck tractors may operate any such vehicle, empty, beyond the radius
 40 hereinbefore prescribed, when such operation is solely for the purpose
 41 of having such vehicle repaired, painted or serviced or for adding addi-
 42 tional equipment thereto. The annual license fee for a local truck or truck
 43 tractor, except as otherwise provided herein, shall be as follows:

1	For a gross weight of more than 12,000 lbs. and not more	
2	than 16,000 lbs.	\$60
3	For a gross weight of more than 16,000 lbs. and not more	
4	than 20,000 lbs.	100
5	For a gross weight of more than 20,000 lbs. and not more	
6	than 24,000 lbs.	130
7	For a gross weight of more than 24,000 lbs. and not more	
8	than 26,000 lbs.	175
9	For a gross weight of more than 26,000 lbs. and not more	
10	than 30,000 lbs.....	175
11	For a gross weight of more than 30,000 lbs. and not more	
12	than 36,000 lbs.	210
13	For a gross weight of more than 36,000 lbs. and not more	
14	than 42,000 lbs.	240
15	For a gross weight of more than 42,000 lbs. and not more	
16	than 48,000 lbs.	310
17	For a gross weight of more than 48,000 lbs. and not more	
18	than 54,000 lbs.	410
19	For a gross weight of more than 54,000 lbs. and not more	
20	than 60,000 lbs.	470
21	For a gross weight of more than 60,000 lbs. and not more	
22	than 66,000 lbs.	570
23	For a gross weight of more than 66,000 lbs. and not more	
24	than 74,000 lbs.	750
25	For a gross weight of more than 74,000 lbs. and not more	
26	than 80,000 lbs.	880
27	For a gross weight of more than 80,000 lbs. and not more	
28	than 85,500 lbs.	1,000
29	A truck or truck tractor registered for a gross weight of more than	
30	12,000 pounds, which is owned by a person engaged in farming and which	
31	truck or truck tractor is used by such owner to transport agricultural	
32	products produced by such owner or commodities purchased by such	
33	owner for use on the farm owned or rented by the owner of such farm	
34	truck or truck tractor, shall be classified as a farm truck or truck tractor	
35	and the annual license fee for such farm truck shall be as follows:	
36	For a gross weight of more than 12,000 lbs. and not more	
37	than 16,000 lbs.	\$35
38	For a gross weight of more than 16,000 lbs. and not more	
39	than 20,000 lbs.	40
40	For a gross weight of more than 20,000 lbs. and not more	
41	than 24,000 lbs.	50
42	For a gross weight of more than 24,000 lbs. and not more	
43	than 26,000 lbs.....	70

1 For a gross weight of more than 26,000 lbs. and not more
2 than 54,000 lbs. 70
3 For a gross weight of more than 54,000 lbs. and not more
4 than 60,000 lbs..... 180
5 For a gross weight of more than 60,000 lbs. and not more
6 than 66,000 lbs..... 360
7 For a gross weight of more than 66,000 lbs. 600

8 A vehicle licensed as a farm truck or truck tractor may be used by the
9 owner thereof to transport: (a) For charity and without compensation of
10 any kind, commodities for religious or educational institutions. ~~A truck~~
11 ~~which is licensed as a farm truck may also be used for the transportation~~
12 ~~of;~~ (b) sand, gravel, slag stone, limestone, crushed stone, cinders, black
13 top, dirt or fill material to a township road maintenance or construction
14 site of the township in which the owner of such truck resides; (c) *farm*
15 *machinery, supplies, or both, when such transporting is incidental to the*
16 *use of the farm machinery; or (d) farm machinery within 150 air miles of*
17 *the headquarters of the owner of such truck or truck tractor used for farm*
18 *custom operations.* Any applicant for registration of any farm truck or
19 farm truck tractor used in combination with a trailer or semitrailer shall
20 register the farm truck or farm truck tractor for a gross weight which shall
21 include the empty weight of the truck or truck tractor or of the combi-
22 nation of any truck or truck tractor and any type of trailer or semitrailer,
23 plus the maximum weight of cargo which will be transported on or with
24 the same. The applicant for registration of any farm truck or farm truck
25 tractor used to transport a gross weight of more than 54,000 pounds shall
26 durably letter on the side of the motor vehicle the words "farm vehicle—
27 not for hire." If an applicant for registration of any farm truck or farm
28 truck tractor operates such vehicle for any use or purpose not authorized
29 for a farm truck or farm truck tractor, such applicant shall pay an addi-
30 tional fee equal to the fee required for the registration of all trucks or
31 truck tractors not registered as local, 6,000-mile or farm truck or farm
32 truck tractor motor vehicles, less the amount of the fee paid at time of
33 registration. Nothing in this or the preceding paragraph shall authorize a
34 gross weight of a vehicle or combination of vehicles on the national system
35 of interstate and defense highways greater than permitted by laws of the
36 United States congress.

37 Except as hereinafter provided, the annual license fee for each local
38 urban transit bus used in local urban transit operations exempted under
39 the provisions of subsection (a) of K.S.A. 66-1,109, and amendments
40 thereto, shall be based on the passenger seating capacity of the bus and
41 shall be as follows:

42 8 or more, but less than 31 passengers \$15
43 31 or more, but less than 40 passengers 30

1 More than 39 passengers 60
 2 except that the annual license fee for each local urban transit bus which
 3 is owned by a metropolitan transit authority established pursuant to ar-
 4 ticles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13 of
 5 the Kansas Statutes Annotated shall be \$2.

6 For licensing purposes, station wagons with a carrying capacity of less
 7 than 10 passengers shall be subject to registration fees based on the
 8 weight of the vehicles, as provided in subsection (1). Station wagons with
 9 a carrying capacity of 10 or more passengers shall be subject to the truck
 10 classifications and license fees therefor shall be as herein provided:

11 (a) For any trailer, semitrailer, travel trailer or pole trailer the annual
 12 license fee shall be as follows: For any such vehicle with a gross weight
 13 of more than 12,000 pounds the annual fee shall be \$35; any such vehicle
 14 grossing more than 8,000 pounds but not over 12,000 pounds, the annual
 15 fee shall be \$25; for any such vehicle grossing more than 2,000 pounds
 16 but not over 8,000 pounds, the annual fee shall be \$15. Any such vehicle
 17 having a gross weight of 2,000 pounds or less may, at the owner's option,
 18 be registered and the fee for such registration shall be \$15.

19 Any trailer, semitrailer or travel trailer owned by a nonresident of this
 20 state and based in another state, which is properly registered and licensed
 21 in the state of residence of the owner or in the state where based, may
 22 be operated in this state without being registered or licensed in this state
 23 if the truck or truck tractor propelling the same is properly registered and
 24 licensed in this state, or is registered and licensed in some other state and
 25 is entitled to reciprocal privileges of operation in this state, but this pro-
 26 vision shall not apply to any trailer or semitrailer owned by a nonresident
 27 of this state when such trailer or semitrailer is owned by a person who
 28 has proportionately registered and licensed a fleet of vehicles under the
 29 provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments
 30 thereto, or under the terms of any reciprocal or proration agreement
 31 made pursuant thereto.

32 At the option of the owner, any trailer, semitrailer or pole trailer, with
 33 a gross weight of more than 12,000 pounds, may be issued a multi-year
 34 registration for a five-year period upon payment of the appropriate reg-
 35 istration fee. The fee for a five-year registration of such trailer shall be
 36 five times the annual fee for such trailer. If the annual registration fee is
 37 increased during the multi-year registration period, the owner of the
 38 trailer with such multi-year registration shall be subject to the amount of
 39 the increase of the annual registration fee for the remaining calendar
 40 years of such multi-year registration. When the owner of any trailer, sem-
 41 itrailer or pole trailer registered under this multi-year provision transfers
 42 or assigns the title, or interest thereto, the registration of such trailer shall
 43 expire. The owner shall remove the license plate from such trailer and

1 forward the license plate to the division of vehicles or may have such
2 license plate assigned to another trailer, semitrailer or pole trailer upon
3 the payment of fees required by law. Any owner of a trailer, semitrailer
4 or pole trailer where the multi-year registration fee has been paid and
5 the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or
6 title transferred by operation of law, and the registration thereon is not
7 going to be transferred to another trailer, may secure a refund for the
8 registration fee for the remaining calendar years by making application
9 to the division of vehicles on a form and in the manner prescribed by the
10 director of vehicles. The secretary of revenue may adopt such rules and
11 regulations necessary to implement the multi-year registration of such
12 trailers, semitrailers and pole trailers.

13 A farm trailer used in carrying not more than 6,000 pounds owned by
14 a person engaged in farming, which trailer is used exclusively by the
15 owner to transport agricultural products produced by such owner or com-
16 modities purchased by the owner for use on the farm owned or rented
17 by the owner of such trailer, shall not be subject to the registration and
18 registration fees prescribed by this act for trailers, and the weight of any
19 such farm trailer, plus the cargo weight of 6,000 pounds or less, shall not
20 be considered in determining the gross weight for which the truck or
21 truck tractor propelling the same shall be registered. Any nonself-pro-
22 pelled vehicle used and designed for applying fertilizers to the soil or for
23 picking up and transporting hay or forage from a field to a storage area
24 or from a storage area to a feedlot, which is only incidentally moved or
25 operated upon the highways, shall not be subject to registration and reg-
26 istration fees prescribed by this act for trailers.

27 (b) Any truck or truck tractor having a gross weight of 4,000 pounds
28 or over, using solid tires, shall pay a license fee of double the amount
29 herein charged. The annual fees herein provided for trucks, truck tractors
30 and trailers not subject to K.S.A. 8-134a, and amendments thereto, shall
31 be due January 1 of each year and payable on or before February 15 in
32 each year. If the fee is not paid by such date a penalty of \$1 shall be
33 added to the fee charged herein for each month or fraction thereof and
34 until December 31 of each registration year. The annual registration fee
35 for all passenger vehicles and vehicles subject to K.S.A. 8-134a, and
36 amendments thereto, shall be due on or before the last day of the month
37 in which the registration plate expires and shall be due for other vehicles
38 as provided by K.S.A. 8-134, and amendments thereto. If the registration
39 fee is not paid by such date a penalty of \$1 shall be added to the fee
40 charged herein for each month or fraction thereof until such registration
41 fee is paid. Members of the armed forces of the United States shall be
42 permitted to apply for registration at any time and be subject to registra-
43 tion fee, less penalties, applicable at the time the application is made. If

1 any motorcycle, motorized bicycle, trailer, semitrailer, travel trailer, or
2 pole trailer is either purchased or acquired after the anniversary or re-
3 newal date in any registration year there shall immediately become due
4 and payable a registration fee as follows: If purchased or acquired be-
5 tween the anniversary or renewal date of any registration year and the
6 first six months of such registration year, the annual fee hereinbefore
7 provided; if purchased or acquired during the last six months of any reg-
8 istration year, 50% of such annual fee. If any truck or truck tractor, except
9 trucks subject to K.S.A. 8-134a, and amendments thereto, is purchased
10 or acquired prior to April 1 of any year the fee shall be the annual fee
11 hereinbefore provided, but if such truck or truck tractor is purchased or
12 acquired after the end of March of any year, the license fee for such year
13 shall be reduced $\frac{1}{12}$ for each calendar month which has elapsed since the
14 beginning of the year. If any truck registered for a gross weight of 12,000
15 pounds or less or passenger vehicle is purchased or acquired and less than
16 12 months remain in the registration period, the fee shall be $\frac{1}{12}$ of the
17 annual fee for each calendar month remaining in the registration period.

18 (c) The owner of any motorcycle, motorized bicycle, passenger ve-
19 hicle, truck, truck tractor, trailer, semitrailer, or electrically propelled ve-
20 hicle who fails to pay the registration fee or fees herein provided on the
21 date when the same become due and payable shall be guilty of a misde-
22 meanor, and upon conviction thereof shall be subject to a penalty in the
23 sum of \$1 for each month or fraction thereof during which such fee has
24 remained unpaid after it became due and payable; and in addition thereto
25 shall be subject to such other punishment as is provided in this act. Upon
26 the transfer of motorcycles, motorized bicycles, passenger vehicles, trail-
27 ers, semitrailers, trucks or truck tractors, on which registration fees have
28 been paid for the year in which the transfer is made, either (A) to a
29 corporation by one or more persons, solely in exchange for stock or se-
30 curities in such corporation, or (B) by one corporation to another cor-
31 poration when all of the assets of such corporation are transferred to the
32 other corporation, then in either case (A) or case (B) the corporation shall
33 be exempt from the payment of registration fees on such vehicles for the
34 year in which such transfer is made. Applications for transfer or registra-
35 tion shall be accompanied by a fee of \$1.50. When the registration of a
36 vehicle has expired at midnight on the last day of any registration year,
37 and such vehicle is not thereafter operated upon the highways, any ap-
38 plication for renewal of registration made subsequent to the anniversary
39 or renewal date of any registration year following the expiration of such
40 registration and for succeeding registration years in which such vehicle
41 has not been registered shall be accompanied by an affidavit of nonoper-
42 ation and nonuse, and such application for renewal or registration shall
43 be received by the division of vehicles upon payment of the proper fees

1 for the current registration year and without penalty.

2 (3) Any nonresident of Kansas purchasing a vehicle from a Kansas
3 resident and desiring to secure registration on the vehicle in the state of
4 such person's residence may make application in the office of any county
5 treasurer for a thirty-day temporary registration. The county treasurer
6 upon presentation of evidence of ownership in the applicant and evidence
7 the sales tax has been paid, if due, shall charge and collect a fee of \$3 for
8 each thirty-day temporary license and issue a sticker or paper registration
9 as may be determined by the director of vehicles, and the registration so
10 issued shall be valid for a period of 30 days from the date of issuance.

11 (4) Any owner of any motor vehicle which is subject to taxation under
12 the provisions of article 51 of chapter 79 of the Kansas Statutes Annotated
13 or any other truck or truck tractor where the annual registration fee has
14 been paid and the vehicle is sold, junked, repossessed, foreclosed by a
15 mechanic's lien or title transferred by operation of law, and the registra-
16 tion thereon is not going to be transferred to another vehicle may secure
17 a refund for the registration fee for the remaining portion of the year by
18 making application to the division of vehicles on a form and in the manner
19 prescribed by the director of vehicles, accompanied by all license plates
20 and attachments issued in connection therewith. If the owner of the reg-
21 istration becomes deceased and the vehicle is not going to be used on the
22 highway, and title is not being currently transferred, the proper repre-
23 sentative of the estate shall be entitled to the refund. The refund shall be
24 made only for the period of time remaining in the registration year from
25 the date of completion and filing of the application with and delivery of
26 the license plate and attachments to the division of vehicles. Where the
27 registration is secured under a quarterly payment annual registration fee,
28 as provided for in K.S.A. 8-143a, and amendments thereto, such refund
29 shall be made on the quarterly fee paid and unused and all remaining
30 quarterly payments shall be canceled. Any truck or truck tractor having
31 the registration fee paid on quarterly payment basis, all quarterly pay-
32 ments due or a fraction of quarterly payment due shall be paid before
33 title may be transferred, except that in case of death, the filing of the
34 application and returning of the license plate and attachment shall cancel
35 the remaining annual payments due. Whenever a truck or truck tractor,
36 where the registration is secured on a quarterly payment of the annual
37 registration, the one repossessing the truck or truck tractor, or foreclosing
38 by a mechanic's lien, or securing title by court order, the mortgagor or
39 the assigns of the mortgagor, or the one securing title may pay the balance
40 due on date of application for title, but the payments for the remaining
41 portion of the year shall not be canceled unless application is made and
42 the license plate and attachments are surrendered. Nothing in this sub-
43 section shall apply when registration is secured under the provisions of

1 K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto. Notwith-
2 standing any of the foregoing provisions of this section, no refund shall
3 be made under the provisions of this section where the amount thereof
4 does not exceed \$5. The division of vehicles shall furnish such blank forms
5 as may be required under the provisions of this subsection as it deems
6 necessary to be completed by the applicant. Whenever a registration
7 which has been secured on a quarterly basis shall be canceled as provided
8 in this subsection, the division of vehicles shall notify the county treasurer
9 issuing the original registration of such cancellation so that the county
10 treasurer may, and the county treasurer shall cancel the registration of
11 such vehicle in the county treasurer's office and release any lien issued
12 in connection with such registration.

13 (5) Every owner of a travel trailer designed for or intended to be
14 moved upon any highway in this state shall, before the same is so moved,
15 apply for and obtain the proper registration thereof as provided in this
16 act, except when such unit is permitted to be moved under the special
17 provisions relating to secured parties, manufacturers, dealers and non-
18 residents contained in this act. At the time of registering any travel trailer
19 for the purpose of moving any such vehicle upon any highway in this
20 state, the owner thereof shall indicate on the registration form whether
21 or not such vehicle is being moved permanently to a location outside of
22 the county in which such vehicle is being registered. No such vehicle
23 which the owner thereof intends to move to a permanent location outside
24 the boundaries of such county shall be registered for movement on the
25 highways of this state until all taxes levied against such vehicle have been
26 paid. A copy of such registration form shall be sent to the county clerk
27 or assessor of the county to which such vehicle is being moved. When
28 such travel trailer is used for living quarters and not operated on the
29 highways, the owner shall be exempt from the license fees as provided in
30 paragraph (a) of subsection (2) so long as such travel trailer is not operated
31 on the highway.

32 Sec. 4. K.S.A. 2000 Supp. 8-126, 8-142 and 8-143 are hereby re-
33 pealed.

34 Sec. 5. This act shall take effect and be in force from and after its
35 publication in the statute book.

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