

HOUSE BILL No. 2805

By Committee on Taxation

2-7

AN ACT relating to the financing of state government; providing revenue enhancements therefore; amending K.S.A. 8-143, 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143j, 8-143k, 8-172, 8-195, 8-2406, 8-2409, 8-2425, 79-3310 and 79-3312 and K.S.A. 2001 Supp. 79-2959, 79-2964, 79-3311, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-34,147, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2001 Supp. 79-3603b.

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

Section 1. On and after July 1, 2002, K.S.A. 8-143 is hereby amended to read as follows: 8-143. (1) All applications for the registration of motorcycles, motorized bicycles and passenger vehicles other than trucks and truck tractors, except as otherwise provided, shall be accompanied by an annual license fee as follows: For motorized bicycles, ~~\$10~~ \$10.50; for motorcycles, ~~\$15~~ \$15.50; for passenger vehicles, other than motorcycles, used solely for the carrying of persons for pleasure or business, and for hearses and ambulances a fee of (i) ~~\$25~~ \$26 for those having a gross weight of 4,500 pounds or less; (ii) ~~\$35~~ \$36 for those having a gross weight of more than 4,500 pounds; for each electrically propelled motor vehicle, except electrically propelled vehicles intended for the purpose of transporting any commodity, goods, merchandise, produce or freight, or passengers for hire, a fee of ~~\$13~~ \$13.50. Except for motor vehicles, trailers or semitrailers registered under the provisions of K.S.A. 8-1,134, and amendments thereto, the annual registration fee for each motor vehicle, trailer or semitrailer owned by any political or taxing subdivision of this state or by any agency or instrumentality of any one or more political or taxing subdivisions of this state and used exclusively for governmental purposes and not for any private or utility purposes, which is not otherwise exempt from registration, shall be ~~\$2~~ \$2.50.

(2) As used in this subsection, the term "gross weight" shall mean and include the empty weight of the truck, or combination of the truck or truck tractor and any type trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same, except when the empty weight of a truck plus the maximum weight of cargo which will be transported thereon is 12,000 pounds or less. The term

1 gross weight shall not include: The weight of any travel trailer propelled
 2 thereby which is being used for private recreational purposes; or the
 3 weight of any vehicle or combination of vehicles for which wrecker or
 4 towing service, as defined in K.S.A. 66-1329, and amendments thereto,
 5 is to be provided by a wrecker or tow truck, as defined in K.S.A. 66-1329,
 6 and amendments thereto. Such wrecker or tow truck shall be registered
 7 for the empty weight of such vehicle fully equipped for the recovery or
 8 towing of vehicles. The gross weight license fees hereinafter prescribed
 9 shall only apply to the truck or truck tractor used as the propelling unit
 10 for the cargo and vehicle propelled, either as a single vehicle or combi-
 11 nation of vehicles. On application for the registration of a truck or truck
 12 tractor, the owner thereof shall declare as a part of such application the
 13 maximum gross weight the owner desires to be applicable to such vehicle,
 14 which declared gross weight in no event shall be in excess of the limita-
 15 tions described by K.S.A. 8-1908 and 8-1909, and amendments thereto,
 16 for such vehicle or combination of vehicles of which it will be a part. All
 17 applications for the registration of trucks or truck tractors, except as oth-
 18 erwise provided herein, shall be accompanied by an annual license fee as
 19 follows:

20	For a gross weight of 12,000 lbs. or less.....	35 \$36
21	For a gross weight of more than 12,000 lbs. and not more than 16,000	
22	lbs.....	100 103
23	For a gross weight of more than 16,000 lbs. and not more than 20,000	
24	lbs.....	130 134
25	For a gross weight of more than 20,000 lbs. and not more than 24,000	
26	lbs.....	195 201
27	For a gross weight of more than 24,000 lbs. and not more than 26,000	
28	lbs.....	310 320
29	For a gross weight of more than 26,000 lbs. and not more than 30,000	
30	lbs.....	310 320
31	For a gross weight of more than 30,000 lbs. and not more than 36,000	
32	lbs.....	370 381
33	For a gross weight of more than 36,000 lbs. and not more than 42,000	
34	lbs.....	470 484
35	For a gross weight of more than 42,000 lbs. and not more than 48,000	
36	lbs.....	600 618
37	For a gross weight of more than 48,000 lbs. and not more than 54,000	
38	lbs.....	800 824
39	For a gross weight of more than 54,000 lbs. and not more than 60,000	
40	lbs.....	1,000 1,030
41	For a gross weight of more than 60,000 lbs. and not more than 66,000	
42	lbs.....	1,200 1,236
43		

1	For a gross weight of more than 66,000 lbs. and not more than 74,000	
2	lbs.	1,525 1,571
3	For a gross weight of more than 74,000 lbs. and not more than 80,000	
4	lbs.	1,725 1,777
5	For a gross weight of more than 80,000 lbs. and not more than 85,500	
6	lbs.	1,925 1,983

7 If the applicant for registration of any truck or truck tractor for a gross
8 weight of more than 12,000 pounds is the state of Kansas or any political
9 or taxing subdivision or agency of the state, except a city or county, whose
10 truck or truck tractor is not otherwise entitled to the ~~\$2~~ \$2.50 license fee
11 or otherwise exempt from all fees, such vehicle may be licensed for a fee
12 in accordance with the schedule hereinafter prescribed for local trucks
13 or truck tractors.

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

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

41	For the first such set of license plates	\$11 \$46
42	For each additional such set of license plates	19 19

43 A truck or truck tractor registered for a gross weight of more than

1 12,000 pounds, which is operated wholly within the corporate limits of a
 2 city or village or within a radius of 25 miles beyond the corporate limits,
 3 shall be classified as a local truck except that in no event shall such vehicles
 4 operated as contract or common carriers outside a radius of three miles
 5 beyond the corporate limits of the city or village in which such vehicles
 6 were based when registered and licensed be considered local trucks or
 7 truck tractors. The secretary of revenue is hereby authorized and directed
 8 to adopt rules and regulations prescribing a procedure for the issuance
 9 of permits by the division of vehicles whereby owners of local trucks or
 10 truck tractors may operate any such vehicle, empty, beyond the radius
 11 hereinbefore prescribed, when such operation is solely for the purpose
 12 of having such vehicle repaired, painted or serviced or for adding addi-
 13 tional equipment thereto. The annual license fee for a local truck or truck
 14 tractor, except as otherwise provided herein, shall be as follows:

15	For a gross weight of more than 12,000 lbs. and not more than 16,000	
16	lbs.	\$60 \$62
17	For a gross weight of more than 16,000 lbs. and not more than 20,000	
18	lbs.	100 103
19	For a gross weight of more than 20,000 lbs. and not more than 24,000	
20	lbs.	130 134
21	For a gross weight of more than 24,000 lbs. and not more than 26,000	
22	lbs.	175 180
23	For a gross weight of more than 26,000 lbs. and not more than 30,000	
24	lbs.	175 180
25	For a gross weight of more than 30,000 lbs. and not more than 36,000	
26	lbs.	210 216
27	For a gross weight of more than 36,000 lbs. and not more than 42,000	
28	lbs.	240 247
29	For a gross weight of more than 42,000 lbs. and not more than 48,000	
30	lbs.	310 320
31	For a gross weight of more than 48,000 lbs. and not more than 54,000	
32	lbs.	410 422
33	For a gross weight of more than 54,000 lbs. and not more than 60,000	
34	lbs.	470 484
35	For a gross weight of more than 60,000 lbs. and not more than 66,000	
36	lbs.	570 587
37	For a gross weight of more than 66,000 lbs. and not more than 74,000	
38	lbs.	750 773
39	For a gross weight of more than 74,000 lbs. and not more than 80,000	
40	lbs.	880 906
41	For a gross weight of more than 80,000 lbs. and not more than 85,500	
42	lbs.	1,000 1,030
43	A truck or truck tractor registered for a gross weight of more than	

1 12,000 pounds, which is owned by a person engaged in farming and which
 2 truck or truck tractor is used by such owner to transport agricultural
 3 products produced by such owner or commodities purchased by such
 4 owner for use on the farm owned or rented by the owner of such farm
 5 truck or truck tractor, shall be classified as a farm truck or truck tractor
 6 and the annual license fee for such farm truck shall be as follows:

7	For a gross weight of more than 12,000 lbs. and not more than 16,000	
8	lbs.	\$35 \$36
9	For a gross weight of more than 16,000 lbs. and not more than 20,000	
10	lbs.	40 41
11	For a gross weight of more than 20,000 lbs. and not more than 24,000	
12	lbs.	50 52
13	For a gross weight of more than 24,000 lbs. and not more than 26,000	
14	lbs.	70 72
15	For a gross weight of more than 26,000 lbs. and not more than 54,000	
16	lbs.	70 72
17	For a gross weight of more than 54,000 lbs. and not more than 60,000	
18	lbs.	180 186
19	For a gross weight of more than 60,000 lbs. and not more than 66,000	
20	lbs.	360 371
21	For a gross weight of more than 66,000 lbs.	600 618

22 A vehicle licensed as a farm truck or truck tractor may be used by the
 23 owner thereof to transport, for charity and without compensation of any
 24 kind, commodities for religious or educational institutions. A truck which
 25 is licensed as a farm truck may also be used for the transportation of sand,
 26 gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill
 27 material to a township road maintenance or construction site of the town-
 28 ship in which the owner of such truck resides. Any applicant for registra-
 29 tion of any farm truck or farm truck tractor used in combination with a
 30 trailer or semitrailer shall register the farm truck or farm truck tractor for
 31 a gross weight which shall include the empty weight of the truck or truck
 32 tractor or of the combination of any truck or truck tractor and any type
 33 of trailer or semitrailer, plus the maximum weight of cargo which will be
 34 transported on or with the same. The applicant for registration of any
 35 farm truck or farm truck tractor used to transport a gross weight of more
 36 than 54,000 pounds shall durably letter on the side of the motor vehicle
 37 the words "farm vehicle—not for hire." If an applicant for registration of
 38 any farm truck or farm truck tractor operates such vehicle for any use or
 39 purpose not authorized for a farm truck or farm truck tractor, such ap-
 40 plicant shall pay an additional fee equal to the fee required for the reg-
 41 istration of all trucks or truck tractors not registered as local, 6,000-mile
 42 or farm truck or farm truck tractor motor vehicles, less the amount of the
 43 fee paid at time of registration. Nothing in this or the preceding paragraph

1 shall authorize a gross weight of a vehicle or combination of vehicles on
2 the national system of interstate and defense highways greater than per-
3 mitted by laws of the United States congress.

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

9	8 or more, but less than 31 passengers	\$15 \$16
10	31 or more, but less than 40 passengers	\$0 31
11	More than 39 passengers	60 62

12 except that the annual license fee for each local urban transit bus which
13 is owned by a metropolitan transit authority established pursuant to ar-
14 ticles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13 of
15 the Kansas Statutes Annotated shall be ~~\$2~~ \$2.50.

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

21 (a) For any trailer, semitrailer, travel trailer or pole trailer the annual
22 license fee shall be as follows: For any such vehicle with a gross weight
23 of more than 12,000 pounds the annual fee shall be ~~\$35~~ \$36; any such
24 vehicle grossing more than 8,000 pounds but not over 12,000 pounds, the
25 annual fee shall be ~~\$25~~ \$26; for any such vehicle grossing more than 2,000
26 pounds but not over 8,000 pounds, the annual fee shall be ~~\$15~~ \$16. Any
27 such vehicle having a gross weight of 2,000 pounds or less may, at the
28 owner's option, be registered and the fee for such registration shall be
29 ~~\$15~~ \$16.

30 Any trailer, semitrailer or travel trailer owned by a nonresident of this
31 state and based in another state, which is properly registered and licensed
32 in the state of residence of the owner or in the state where based, may
33 be operated in this state without being registered or licensed in this state
34 if the truck or truck tractor propelling the same is properly registered and
35 licensed in this state, or is registered and licensed in some other state and
36 is entitled to reciprocal privileges of operation in this state, but this pro-
37 vision shall not apply to any trailer or semitrailer owned by a nonresident
38 of this state when such trailer or semitrailer is owned by a person who
39 has proportionately registered and licensed a fleet of vehicles under the
40 provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments
41 thereto, or under the terms of any reciprocal or proration agreement
42 made pursuant thereto.

43 At the option of the owner, any trailer, semitrailer or pole trailer, with

1 a gross weight of more than 12,000 pounds, may be issued a multi-year
2 registration for a five-year period upon payment of the appropriate reg-
3 istration fee. The fee for a five-year registration of such trailer shall be
4 five times the annual fee for such trailer. If the annual registration fee is
5 increased during the multi-year registration period, the owner of the
6 trailer with such multi-year registration shall be subject to the amount of
7 the increase of the annual registration fee for the remaining calendar
8 years of such multi-year registration. When the owner of any trailer, sem-
9 itrailer or pole trailer registered under this multi-year provision transfers
10 or assigns the title, or interest thereto, the registration of such trailer shall
11 expire. The owner shall remove the license plate from such trailer and
12 forward the license plate to the division of vehicles or may have such
13 license plate assigned to another trailer, semitrailer or pole trailer upon
14 the payment of fees required by law. Any owner of a trailer, semitrailer
15 or pole trailer where the multi-year registration fee has been paid and
16 the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or
17 title transferred by operation of law, and the registration thereon is not
18 going to be transferred to another trailer, may secure a refund for the
19 registration fee for the remaining calendar years by making application
20 to the division of vehicles on a form and in the manner prescribed by the
21 director of vehicles. The secretary of revenue may adopt such rules and
22 regulations necessary to implement the multi-year registration of such
23 trailers, semitrailers and pole trailers.

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

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

15 (c) The owner of any motorcycle, motorized bicycle, passenger ve-
16 hicle, truck, truck tractor, trailer, semitrailer, or electrically propelled ve-
17 hicle who fails to pay the registration fee or fees herein provided on the
18 date when the same become due and payable shall be guilty of a misde-
19 meanor, and upon conviction thereof shall be subject to a penalty in the
20 sum of \$1 for each month or fraction thereof during which such fee has
21 remained unpaid after it became due and payable; and in addition thereto
22 shall be subject to such other punishment as is provided in this act. Upon
23 the transfer of motorcycles, motorized bicycles, passenger vehicles, trail-
24 ers, semitrailers, trucks or truck tractors, on which registration fees have
25 been paid for the year in which the transfer is made, either (A) to a
26 corporation by one or more persons, solely in exchange for stock or se-
27 curities in such corporation, or (B) by one corporation to another cor-
28 poration when all of the assets of such corporation are transferred to the
29 other corporation, then in either case (A) or case (B) the corporation shall
30 be exempt from the payment of registration fees on such vehicles for the
31 year in which such transfer is made. Applications for transfer or registra-
32 tion shall be accompanied by a fee of ~~\$1.50~~ \$2. When the registration of
33 a vehicle has expired at midnight on the last day of any registration year,
34 and such vehicle is not thereafter operated upon the highways, any ap-
35 plication for renewal of registration made subsequent to the anniversary
36 or renewal date of any registration year following the expiration of such
37 registration and for succeeding registration years in which such vehicle
38 has not been registered shall be accompanied by an affidavit of nonoper-
39 ation and nonuse, and such application for renewal or registration shall
40 be received by the division of vehicles upon payment of the proper fees
41 for the current registration year and without penalty.

42 (3) Any nonresident of Kansas purchasing a vehicle from a Kansas
43 resident and desiring to secure registration on the vehicle in the state of

1 such person's residence may make application in the office of any county
2 treasurer for a thirty-day temporary registration. The county treasurer
3 upon presentation of evidence of ownership in the applicant and evidence
4 the sales tax has been paid, if due, shall charge and collect a fee of ~~\$3~~
5 \$3.50 for each thirty-day temporary license and issue a sticker or paper
6 registration as may be determined by the director of vehicles, and the
7 registration so issued shall be valid for a period of 30 days from the date
8 of issuance.

9 (4) Any owner of any motor vehicle which is subject to taxation under
10 the provisions of article 51 of chapter 79 of the Kansas Statutes Annotated
11 or any other truck or truck tractor where the annual registration fee has
12 been paid and the vehicle is sold, junked, repossessed, foreclosed by a
13 mechanic's lien or title transferred by operation of law, and the registra-
14 tion thereon is not going to be transferred to another vehicle may secure
15 a refund for the registration fee for the remaining portion of the year by
16 making application to the division of vehicles on a form and in the manner
17 prescribed by the director of vehicles, accompanied by all license plates
18 and attachments issued in connection therewith. If the owner of the reg-
19 istration becomes deceased and the vehicle is not going to be used on the
20 highway, and title is not being currently transferred, the proper repre-
21 sentative of the estate shall be entitled to the refund. The refund shall be
22 made only for the period of time remaining in the registration year from
23 the date of completion and filing of the application with and delivery of
24 the license plate and attachments to the division of vehicles. Where the
25 registration is secured under a quarterly payment annual registration fee,
26 as provided for in K.S.A. 8-143a, and amendments thereto, such refund
27 shall be made on the quarterly fee paid and unused and all remaining
28 quarterly payments shall be canceled. Any truck or truck tractor having
29 the registration fee paid on quarterly payment basis, all quarterly pay-
30 ments due or a fraction of quarterly payment due shall be paid before
31 title may be transferred, except that in case of death, the filing of the
32 application and returning of the license plate and attachment shall cancel
33 the remaining annual payments due. Whenever a truck or truck tractor,
34 where the registration is secured on a quarterly payment of the annual
35 registration, the one repossessing the truck or truck tractor, or foreclosing
36 by a mechanic's lien, or securing title by court order, the mortgagor or
37 the assigns of the mortgagor, or the one securing title may pay the balance
38 due on date of application for title, but the payments for the remaining
39 portion of the year shall not be canceled unless application is made and
40 the license plate and attachments are surrendered. Nothing in this sub-
41 section shall apply when registration is secured under the provisions of
42 K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto. Notwith-
43 standing any of the foregoing provisions of this section, no refund shall

1 be made under the provisions of this section where the amount thereof
2 does not exceed \$5. The division of vehicles shall furnish such blank forms
3 as may be required under the provisions of this subsection as it deems
4 necessary to be completed by the applicant. Whenever a registration
5 which has been secured on a quarterly basis shall be canceled as provided
6 in this subsection, the division of vehicles shall notify the county treasurer
7 issuing the original registration of such cancellation so that the county
8 treasurer may, and the county treasurer shall cancel the registration of
9 such vehicle in the county treasurer's office and release any lien issued
10 in connection with such registration.

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

30 Sec. 2. On and after July 1, 2002, K.S.A. 8-143b is hereby amended
31 to read as follows: 8-143b. (a) Except as provided in K.S.A. 8-143k, and
32 amendments thereto, and subsection (b), the owner of any truck or truck
33 tractor which is duly registered and licensed in some other state, desiring
34 to operate in intrastate commerce in this state for a temporary period
35 only, in lieu of payment of the annual license fee, may register such truck
36 or truck tractor and obtain either: (1) A seventy-two-hour temporary reg-
37 istration; or (2) a thirty-day license authorizing operation on the highways
38 of this state for a period not to exceed 30 days from the date of issuance
39 of such license. The fee for: The seventy-two-hour temporary registration
40 shall be ~~\$26~~ \$27 and the fee for the thirty-day license shall be ~~\$26~~ \$27
41 or 1/3 of the annual license fee for such vehicle, whichever sum is the
42 larger. Where either fee is paid on a truck or truck tractor no registration
43 or fee shall be required for a trailer or semitrailer duly registered in this

1 or another state and propelled by such truck or truck tractor. Application
2 for such temporary registration or license shall be made to the division
3 in the manner and form prescribed by the director and shall be accom-
4 panied by the required fee, which shall be deposited by the director as
5 provided by K.S.A. 8-146, and amendments thereto.

6 (b) Whenever any natural catastrophe or disaster, civil riot or disorder
7 or any other condition exists in this state that requires or necessitates
8 emergency assistance or aid from persons owning ambulances, rescue
9 vehicles or utility vehicles which are subject to the provisions of this sec-
10 tion, such persons shall be exempt from the payment of the fee required
11 in subsection (a) for any such ambulance, rescue vehicle or utility vehicle
12 that is operated in this state for the purpose of or in connection with
13 rendering such emergency assistance or aid.

14 Sec. 3. On and after July 1, 2002, K.S.A. 8-143c is hereby amended
15 to read as follows: 8-143c. The owner of any truck or truck tractor, which
16 is registered and licensed in some other state, not entitled to reciprocal
17 privileges while being operated in interstate commerce on the highways
18 of this state, and which truck or truck tractor has a gross weight, as defined
19 in subsection (2) of K.S.A. 8-143, and amendments thereto, in excess of
20 12,000 pounds, in lieu of payment of the annual license fee for such
21 vehicle pursuant to the provisions of K.S.A. 8-143, and amendments
22 thereto, or K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto,
23 may register such vehicle and obtain temporary registration from the di-
24 vision of vehicles authorizing operation of such vehicle on the highways
25 of this state in interstate commerce for a period of not to exceed 72 hours.
26 The fee for such temporary registration is ~~\$26~~ \$27, which shall be de-
27 posited by the division as provided by K.S.A. 8-146, and amendments
28 thereto. Where such fee is paid on a truck or truck tractor no registration
29 or fee shall be required for a trailer or semitrailer duly registered in this
30 or another state and propelled by such truck or truck tractor. The sec-
31 retary of revenue shall adopt rules and regulations to effectuate the pur-
32 pose of this section. A temporary registration as provided in this section
33 is not required for a truck or truck tractor which is registered and licensed
34 in some other state and which operates between cities and villages in this
35 state and cities and villages in another state which are within territory
36 designated as a commercial zone by the interstate commerce commission.

37 Sec. 4. On and after July 1, 2002, K.S.A. 8-143g is hereby amended
38 to read as follows: 8-143g. A motor vehicle dealer licensed in this state
39 or in a state contiguous to this state, who is the owner of a truck or truck
40 tractor which the owner desires to demonstrate under actual working
41 conditions by having it operated by the prospective purchaser in interstate
42 or intrastate commerce on the highways of this state, in lieu of obtaining
43 a regular registration for such vehicle, may obtain from the division, or

1 an agent designated by director of vehicles, a trip permit authorizing such
2 demonstration and operation for a period of: (a) Seventy-two hours upon
3 making proper application and the payment of a fee of ~~\$26~~ \$27; or (b)
4 fifteen days upon making proper application and the payment of a fee of
5 ~~\$100~~ \$103. A dealer may purchase such demonstration permits in mul-
6 tiples of three upon making proper application and the payment of re-
7 quired fees. The application shall be to the division on a form prescribed
8 and furnished by the director of vehicles. The name of the prospective
9 purchaser must be shown on the application. A dealer purchasing permits
10 in multiples, shall complete the application and permit as required by the
11 division and mail a copy of such application to the division within 24 hours
12 from the date of issuance of such permit. Only one such permit may be
13 used by the same prospective purchaser on the same truck or truck trac-
14 tor. Whenever a truck or truck tractor is operated under the authority of
15 a trip permit issued hereunder it also shall have displayed thereon a
16 dealer's registration plate which has been issued by this state or a state
17 contiguous to this state to the dealer who is the owner of such truck or
18 truck tractor. The provision of K.S.A. 8-136, and amendments thereto,
19 prohibiting the hauling of commodities in excess of two tons by a vehicle
20 displaying a dealer plate shall not apply to a truck or truck tractor being
21 operated under a trip permit as authorized by this section. This section
22 shall be construed as a part of and supplementary to the motor vehicle
23 registration law of this state. The division shall remit all fees collected
24 under this section to the state treasurer in accordance with the provisions
25 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
26 remittance, the state treasurer shall deposit the entire amount in the state
27 treasury to the credit of the state highway fund.

28 Sec. 5. On and after July 1, 2002, K.S.A. 8-143h is hereby amended
29 to read as follows: 8-143h. Except as provided in K.S.A. 8-143k, the owner
30 of any duly registered and licensed farm truck in this state, engaged in
31 the hauling of grain as provided by subsection (h) of K.S.A. 66-1,109, and
32 amendments thereto, or chopped forage, and desiring to operate in in-
33 trastate commerce in this state for a temporary period only, in lieu of
34 payment of the annual license fee, may register such farm truck and
35 obtain a thirty-day license authorizing operation on the highways of this
36 state for a period of only 30 days from the date of issuance of such license.
37 The fee for such license shall be ~~\$26~~ \$27. Where such fee is paid on a
38 farm truck no registration or fee shall be required for a trailer duly reg-
39 istered in this or another state and propelled by such farm truck. Appli-
40 cation for such license shall be made to the division of vehicles on such
41 form as the director of vehicles shall prescribe and shall be accompanied
42 by the required fee, which shall be deposited by the division as provided
43 by K.S.A. 8-146, and amendments thereto. The director of vehicles may

1 designate agents to issue the licenses authorized by this act so that such
2 licenses will be obtainable at convenient locations. This section shall be
3 construed as supplemental to and a part of the motor vehicle registration
4 laws of this state.

5 Sec. 6. On and after July 1, 2002, K.S.A. 8-143i is hereby amended
6 to read as follows: 8-143i. The owner of any truck or truck tractor which
7 is properly registered and licensed in this state as a local truck or truck
8 tractor as provided in K.S.A. 8-143, and amendments thereto, may secure
9 a temporary permit authorizing operation of such vehicle on the highways
10 of this state beyond the local radius authorized by such annual registration
11 for a period only of 72 hours from the time of issuance of such permit.
12 The fee for such permit shall be ~~\$26~~ \$27. Application for such permit
13 shall be made to the division of vehicles on such form as the director of
14 vehicles shall prescribe and shall be accompanied by the required fee,
15 except that such owner shall not be entitled to more than 10 such permits
16 in any calendar year. All such fees shall be deposited by the division as
17 provided by K.S.A. 8-146, and amendments thereto. The division shall
18 issue appropriate identification for such vehicle to authorize its operation
19 under provisions of this act and to specify the expiration time of such
20 permit. No truck or truck tractor shall be authorized to leave the territory
21 of this state under any such 72-hour permit, nor shall any permit issued
22 under authority of this act entitle any truck or truck tractor or the owner
23 to reciprocity in any other state. Nothing in this act shall be construed to
24 authorize the movement of any truck or truck tractor on the highways of
25 this state in violation of any size, weight, safety or insurance requirement
26 of the laws of this state applicable to such truck or truck tractor. Nothing
27 in this act shall be construed to authorize the operation of any motor
28 vehicle in violation of K.S.A. 66-1,111, and amendments thereto.

29 Sec. 7. On and after July 1, 2002, K.S.A. 8-143j is hereby amended
30 to read as follows: 8-143j. (a) On and after January 1, 1991, any truck or
31 truck tractor registered for a gross weight of more than 12,000 pounds
32 which is engaged in farm custom harvesting operations may be registered
33 in accordance with the schedule for such farm custom harvesting vehicles,
34 but shall not be registered as a farm truck or farm truck tractor. The
35 annual license fee for a farm custom harvesting truck or truck tractor shall
36 be as follows:

37	For a gross weight of more than 12,000 lbs. and not more than 16,000	
38	lbs.	\$60 \$62
39	For a gross weight of more than 16,000 lbs. and not more than 20,000	
40	lbs.	100 103
41	For a gross weight of more than 20,000 lbs. and not more than 24,000	
42	lbs.	130 134
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1	For a gross weight of more than 24,000 lbs. and not more than 26,000	
2	lbs.	175 180
3	For a gross weight of more than 26,000 lbs. and not more than 30,000	
4	lbs.	175 180
5	For a gross weight of more than 30,000 lbs. and not more than 36,000	
6	lbs.	210 216
7	For a gross weight of more than 36,000 lbs. and not more than 42,000	
8	lbs.	240 247
9	For a gross weight of more than 42,000 lbs. and not more than 48,000	
10	lbs.	310 320
11	For a gross weight of more than 48,000 lbs. and not more than 54,000	
12	lbs.	410 422
13	For a gross weight of more than 54,000 lbs. and not more than 60,000	
14	lbs.	470 484
15	For a gross weight of more than 60,000 lbs. and not more than 66,000	
16	lbs.	570 587
17	For a gross weight of more than 66,000 lbs. and not more than 74,000	
18	lbs.	750 773
19	For a gross weight of more than 74,000 lbs. and not more than 80,000	
20	lbs.	880 906
21	For a gross weight of more than 80,000 lbs. and not more than 85,500	
22	lbs.	1,000 1,030

23 (b) A tab or marker shall be issued and displayed in connection with
 24 the regular license plate for a truck or truck tractor registered as a farm
 25 custom harvesting truck or truck tractor.

26 (c) Trucks or truck tractors registered under this section shall be el-
 27 igible for apportioned registration under the provisions of K.S.A. 8-1,100
 28 *et seq.*, and amendments thereto.

29 (d) As used in this section, “farm custom harvesting operations”
 30 means a person, firm, partnership, association or corporation engaged in
 31 farm custom harvesting operations if a truck or truck tractor is used to:

- 32 (1) Transport farm machinery, supplies, or both, to or from a farm,
 33 for custom harvesting operations on a farm;
- 34 (2) transport custom harvested crops only from a harvested field to
 35 initial storage or to initial market locations; or
- 36 (3) transport agricultural products produced by such owner or com-
 37 modities purchased by such owner for use on the farm owned or rented
 38 by the owner of such vehicle.

39 Sec. 8. On and after July 1, 2002, K.S.A. 8-143k is hereby amended
 40 to read as follows: 8-143k. (a) The owner of any truck or truck tractor
 41 which is duly registered and licensed in some other state and is engaged
 42 in farm custom harvesting operations and desiring to operate in intrastate
 43 commerce in this state for a temporary period only, may obtain a harvest

1 permit, in lieu of the thirty-day license in K.S.A. 8-143b or 8-143h, and
2 amendments thereto, authorizing the operation of such truck or truck
3 tractor on the highways of this state for a period of not to exceed 60 days
4 from the date of issuance of such permit. For a foreign-based truck or
5 truck tractor, the fee for each permit shall be ~~\$26~~ \$27 or 1/6 of the annual
6 license fee for such vehicle, whichever sum is the larger. Where such fee
7 is paid on a truck or truck tractor, no registration or fee shall be required
8 for a trailer or semitrailer duly registered in this or another state and
9 propelled by such truck or truck tractor. Application for such harvest
10 permit shall be made to the division of vehicles of the department of
11 revenue. The secretary of revenue may adopt rules and regulations to
12 implement the provisions of this section.

13 (b) For the purpose of this section, "farm custom harvesting opera-
14 tions" means a person, firm, partnership, association or corporation en-
15 gaged in farm custom harvesting operations if the truck or truck tractor
16 is used to:

17 (1) Transport farm machinery, supplies, or both, to or from a farm,
18 for custom harvesting operations on a farm;

19 (2) transport custom harvested crops only from a harvested field to
20 initial storage or to initial market locations; or

21 (3) transport agricultural products produced by such owner or com-
22 modities purchased by such owner for use on the farm owned or rented
23 by the owner of such vehicle.

24 Sec. 9. On and after July 1, 2002, K.S.A. 8-172 is hereby amended
25 to read as follows: 8-172. (a) Except as provided in subsection (c), license
26 plates issued for antique vehicles shall be distinctive and shall contain the
27 words "Kansas" and "antique" and there shall be no year date thereon.
28 The numbering system shall consist of combinations of not more than
29 seven letters of the alphabet or numerals or a combination of such letters
30 and numerals. The combinations of such letters and numerals shall be at
31 the direction of the director of vehicles, except that any person owning
32 an antique vehicle, other than an antique motorcycle, may make appli-
33 cation for a special combination of letters and numerals not exceeding
34 seven. Antique motorcycle license plates shall be the same as other an-
35 tique vehicle license plates, except the numbering system shall consist of
36 not more than five letters of the alphabet or numerals or a combination
37 of letters and numerals. Such application shall be made in a manner
38 prescribed by the director of vehicles and shall be accompanied by a
39 special combination fee of \$40. Unless the combination of letters or nu-
40 merals designated by the applicant have been assigned to another antique
41 vehicle registered in this state, or unless the combination of letters or
42 numerals designated by the applicant have a profane, vulgar, lewd or
43 indecent meaning or connotation, as determined by the director, the di-

1 vision shall assign such combination of letters to the applicant's vehicle.

2 (b) In addition to the fees required under subsection (b) of K.S.A. 8-
3 167, and amendments thereto, and subsection (a) or (c) of this section,
4 the registration fee for any antique vehicle shall be ~~\$40~~ \$41 and once
5 paid shall not be required to be renewed.

6 (c) On and after January 1, 2000, in lieu of the license plate issued
7 under subsection (a), a person who owns an antique vehicle who wants
8 to display a model year license plate on the vehicle shall make application
9 in a manner prescribed by the director of vehicles, including the execution
10 of an affidavit setting forth that the model year license plate the person
11 wants to display on the person's antique vehicle is a legible and serviceable
12 license plate that originally was issued by this state. Such license plate
13 shall be inscribed with the date of the year corresponding to the model
14 year when the vehicle was manufactured. Duplicate numbers for any year
15 shall not be allowed for any model year license plate under the provisions
16 of this subsection. The model year license plate fee shall be ~~\$40~~ \$41.

17 (d) In addition to the license plates authorized under subsection (a)
18 or (c), a person who owns an antique vehicle may display a model year
19 license plate originally issued by the state of Kansas on the front of an
20 antique vehicle. Such license plate shall be inscribed with the date of the
21 year corresponding to the model year when the vehicle was manufac-
22 tured.

23 Sec. 10. On and after July 1, 2002, K.S.A. 8-195 is hereby amended
24 to read as follows: 8-195. (a) Any person who is the owner of a special
25 interest vehicle or street rod vehicle at the time of making application for
26 registration or transfer of title of the vehicle may upon application register
27 the same as a special interest vehicle or street rod vehicle upon payment
28 of an annual fee of ~~\$26~~ \$27 and be furnished each year upon the payment
29 of such fee license plates of a distinctive design in lieu of the usual license
30 plates which shall show in addition to the identification number, that the
31 vehicle is a special interest vehicle or that the vehicle is a special interest
32 vehicle and it meets the qualifications of a street rod, as the case may be,
33 owned by a Kansas collector. The registration shall be valid for one year
34 and may be renewed by payment of such annual fee. Special interest
35 vehicles including street rod vehicles may be used as are other vehicles
36 of the same type, except that special interest vehicles including street rod
37 vehicles may not transport passengers for hire, nor haul material weighing
38 more than 500 pounds.

39 (b) Each collector applying for special interest vehicle or street rod
40 vehicle license plates will be issued a collector's identification number
41 which will appear on each license plate. Second and all subsequent reg-
42 istrations under this section by the same collector will bear the same
43 collector's identification number followed by a suffix letter for vehicle

1 identification.

2 (c) A collector must own and have registered one or more vehicles
3 with regular license plates which are used for regular transportation.

4 Sec. 11. On and after July 1, 2002, K.S.A. 8-2406 is hereby amended
5 to read as follows: 8-2406. (a) The annual fee for the first dealer license
6 plate is ~~\$275~~ \$284, and the annual fee for additional dealer license plates
7 shall be an amount equal to the amount required to register a passenger
8 vehicle having a gross weight of less than 4,500 pounds, except that the
9 annual fee for dealer license plates used by trailer dealers on trailers
10 which they have purchased or own and are holding for resale shall be ~~\$25~~
11 \$26 for each plate. To determine the number of dealer license plates the
12 dealer needs, the director may base the decision on the dealer's past sales,
13 inventory and any other pertinent factors as the director may determine.
14 After the end of the first year of licensure as a dealer, not more than one
15 dealer license plate shall be issued to any dealer who has not reported to
16 the division the sale of at least five motor vehicles in the preceding year.
17 There shall be no refund of fees for dealer license plates in the event of
18 suspension, revocation or voluntary cancellation of a license. The director
19 is hereby authorized to designate by identifying symbols on a dealer's
20 license plate the type of dealer's license that the person has been issued.
21 If a dealer has an established place of business in more than one county,
22 such dealer shall secure a separate and distinct dealer's license and dealer
23 license plates for each established place of business.

24 (b) New motor vehicle dealers and used motor vehicle dealers may
25 authorize use of dealer license plates assigned to such motor vehicle deal-
26 ers as follows:

- 27 (1) The licensed motor vehicle dealer and such dealer's spouse;
 - 28 (2) the sales manager and all other sales personnel when such man-
29 ager and sales personnel are properly licensed in Kansas, except that no
30 dealer license plate shall be assigned to sales personnel who are working
31 at the established place of business of the dealer less than 20 hours per
32 week;
 - 33 (3) any employee of such motor vehicle dealer when the use thereof
34 is directly connected to a particular business transaction of such motor
35 vehicle dealer;
 - 36 (4) the customer when operating a motor vehicle in connection with
37 negotiations to purchase such motor vehicle or during a demonstration
38 of such motor vehicle;
 - 39 (5) any school district and any accredited nonpublic school which has
40 entered into an agreement with a dealer to use a motor vehicle as a driver
41 training motor vehicle, as defined in K.S.A. 72-5015, and amendments
42 thereto, in an approved driver training course.
- 43 (c) A wholesaler dealer may authorize the use of dealer license plates

1 on vehicles purchased by the wholesaler for resale to a retail vehicle dealer
2 as follows:

3 (1) To transport or operate a vehicle to or from a licensed retail or
4 wholesale vehicle dealer for the purpose of buying, selling, or offering or
5 attempting to negotiate a sale of the vehicle to a licensed vehicle dealer;

6 (2) to deliver a vehicle purchased from the wholesale vehicle dealer
7 to a purchasing vehicle dealer.

8 (d) Salvage vehicle dealers may use dealer license plates only on ve-
9 hicles which they have purchased for salvage, including dismantling, dis-
10 assembling or recycling.

11 (e) Insurance companies may use dealer license plates only on vehi-
12 cles purchased or acquired for salvage in the course of business of the
13 insurance company.

14 (f) Lending agencies may use dealer license plates only on vehicles
15 which they have repossessed or are holding for disposition due to repos-
16 session.

17 (g) Trailer dealers may use dealer license plates only on trailers which
18 they have purchased or own and are holding for resale.

19 (h) Brokers are not entitled to be assigned or to use any dealer license
20 plates.

21 (i) Except as provided above, dealer license plates shall be used only
22 in accordance with the provisions of K.S.A. 8-136, and amendments
23 thereto. This subsection (i) does not apply to K.S.A. 8-2425, and amend-
24 ments thereto, or full-privilege license plates issued thereunder.

25 Sec. 12. On and after July 1, 2002, K.S.A. 8-2409 is hereby amended
26 to read as follows: 8-2409. (a) Any dealer may purchase from the division
27 of vehicles thirty-day temporary registration permits, in multiples of five
28 permits valid for 30 days at a cost of ~~\$3~~ \$3.50 each. Such dealer shall have
29 completed the application and permit as required by the division and mail
30 a copy of such application to the division within 24 hours from the date
31 of issuance. Such registration shall not extend the date when registration
32 fees are due, but shall be valid registration for a period of 30 days from
33 date of issuance. The dealer upon presentation of evidence of ownership
34 in the applicant and evidence that the sales tax has been paid, if due, shall
35 issue a sticker or paper registration as determined by the division. No
36 dealer, or county treasurer, as authorized by K.S.A. 8-143, and amend-
37 ments thereto, shall issue more than one thirty-day temporary registration
38 permit to the purchaser of a vehicle.

39 (b) The division of vehicles may deny any dealer the authority to
40 purchase thirty-day temporary permits if the vehicle dealer is delinquent
41 in monthly sales reports to the division for two months or more or if the
42 vehicle dealer is found to have issued more than one thirty-day permit to
43 the purchaser of a vehicle.

1 (c) The temporary registration authorized by this section shall not
2 entitle a truck, truck tractor or any combination of truck or truck tractor
3 and any type of trailer or semitrailer to be operated under laden condi-
4 tions, except that such temporary registration shall authorize any such
5 vehicle or combination of vehicles to be operated under laden conditions
6 for 48 hours after the time of issuance of the temporary permit.

7 Sec. 13. On and after July 1, 2002, K.S.A. 8-2425 is hereby amended
8 to read as follows: 8-2425. (a) When a first dealer license plate has been
9 issued under K.S.A. 8-2406, and amendments thereto, the secretary of
10 revenue may issue full-privilege license plates to a licensed manufacturer
11 of or licensed dealer in vehicles. In no calendar year shall the secretary
12 issue in excess of 10 such license plates to any licensed manufacturer or
13 dealer.

14 (b) The annual fee for each full-privilege license plate shall be ~~\$350~~
15 \$361.

16 (c) The secretary shall, upon application provided by the secretary
17 and payment of the fee required in subsection (b), issue to the applicant
18 appropriate passenger car or truck license plates. Each license plate so
19 issued shall be a full-privilege license plate which shall expire on the
20 January 31 next following its issuance.

21 (d) Subject to subsection (e), a full-privilege license plate may be used
22 in lieu of regular vehicle registration and license plate. A full-privilege
23 license plate may be transferred from one vehicle to another owned or
24 in inventory of such manufacturer or dealer and may be assigned for use
25 by any person, at the discretion of the manufacturer or dealer to whom
26 it is issued. The person to whom a full-privilege license plate is assigned
27 for use shall be only a person who is: (1) A member of the immediate
28 family of the licensed manufacturer of or licensed dealer in vehicles; (2)
29 a corporate officer of the licensed manufacturer of or licensed dealer in
30 vehicles; or (3) an employee of the licensed manufacturer of or licensed
31 dealer in vehicles.

32 (e) A full-privilege license plate shall not be used on a lease or rental
33 vehicle. A full-privilege license plate shall not permit any vehicle to be
34 operated or moved upon a highway to haul commodities weighing in
35 excess of two tons. A full-privilege license plate shall not be used on a
36 wrecker or tow truck when providing wrecker or towing service as defined
37 by K.S.A. 66-1329, and amendments thereto.

38 (f) Fees received under this section shall be divided equally between
39 the county treasurer in which the licensed manufacturer or dealer has its
40 established place of business and the secretary of revenue. Amounts al-
41 lotted to the secretary of revenue shall be remitted to the state treasurer
42 in accordance with the provisions of K.S.A. 75-4215, and amendments
43 thereto. Upon receipt of each such remittance, the state treasurer shall

1 deposit the entire amount in the state treasury to the credit of the vehicle
2 dealers and manufacturers fee fund which fund is hereby created in the
3 state treasury. Expenditures from the vehicle dealers and manufacturers
4 fee fund shall be made on vouchers approved by the secretary of revenue,
5 or a person designated by the secretary, for enforcement of the vehicle
6 dealers and manufacturers licensing act in accordance with appropriations
7 therefor. Amounts allotted to the county treasurers shall be credited to
8 the county treasurers' vehicle licensing fee fund which fund is hereby
9 created in the state treasury. Amounts due each county treasurer shall be
10 paid quarterly from such fund upon vouchers approved by the secretary
11 of revenue or a person designated by the secretary. Amounts received by
12 each county treasurer shall be deposited, appropriated and used as pro-
13 vided by K.S.A. 8-145, and amendments thereto.

14 (g) The provisions of K.S.A. 8-136 and 8-2406, and amendments
15 thereto, shall not apply to full-privilege license plates or the use thereof.

16 ~~(h) This section shall take effect and be in force from and after Jan-~~
17 ~~uary 1, 1986.~~

18 Sec. 14. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3492b is
19 hereby amended to read as follows: 79-3492b. Alternatively to the meth-
20 ods otherwise set forth in this act, special LP-gas permit users operating
21 motor vehicles on the public highways of this state may upon application
22 to the director on forms prescribed by the director elect to pay taxes in
23 advance on LP-gas for each and every motor vehicle owned or operated
24 by them and propelled in whole or in part with LP-gas during the calendar
25 year and thereafter to purchase LP-gas tax free in lieu of securing a
26 bonded user's permit and filing monthly reports and tax payments and
27 keeping the records otherwise provided for in this act. The amount of
28 such tax for each motor vehicle shall, except as otherwise provided, be
29 based upon the gross weight of the motor vehicle and the number of
30 miles it was operated on the public highways of this state during the
31 previous year pursuant to the following schedules:

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1 In the event any additional motor vehicles equipped to use LP-gas as
 2 a fuel are placed in operation by a special LP-gas permit user after the
 3 first month of any calendar year, a tax shall become due and payable to
 4 this state and is hereby imposed at the tax rate prescribed herein prorated
 5 on the basis of the weight and mileage for the months operated in the
 6 calendar year. The director shall issue special permit decals for each mo-
 7 tor vehicle on which taxes have been paid in advance as provided herein,
 8 which shall be affixed on each such vehicle in the manner prescribed by
 9 the director.

10 Sec. 15. On and after June 1, 2002, K.S.A. 2001 Supp. 79-34,118 is
 11 hereby amended to read as follows: 79-34,118. Upon application to the
 12 director of taxation and payment of the fee prescribed under this section
 13 any interstate motor fuel user may obtain a trip permit which will au-
 14 thorize one commercial motor vehicle to be operated within this state
 15 without compliance with the other provisions of the interstate motor fuel
 16 use act and in lieu of the tax imposed by K.S.A. 79-34,109 and amend-
 17 ments thereto. The fee for each trip permit issued under this section shall
 18 be ~~\$11 until July 1, 2001, and \$11.50~~ \$12 until July 1, 2003, and ~~\$12~~
 19 \$12.50 until July 1, 2020, and \$10 thereafter. The secretary of revenue
 20 shall adopt rules and regulations specifying the conditions under which
 21 trip permits will be issued and providing for the issuance thereof. The
 22 secretary may designate agents or contract with private individuals, firms
 23 or corporations to issue such trip permits so that such permits will be
 24 obtainable at convenient locations.

25 Sec. 16. On and after June 1, 2002, K.S.A. 2001 Supp. 79-34,141 is
 26 hereby amended to read as follows: 79-34,141. ~~(a) On and after July 1,~~
 27 ~~1999, until July 1, 2001, the tax imposed under this act shall be not less~~
 28 ~~than:~~

- 29 ~~—(1) On motor-vehicle fuels, \$.20 per gallon, or fraction thereof;~~
 30 ~~—(2) on special fuels, \$.22 per gallon, or fraction thereof; and~~
 31 ~~—(3) on LP-gas, \$.19 per gallon, or fraction thereof.~~

32 ~~(b)~~ (a) On and after ~~July 1, 2001~~ June 1, 2002, until July 1, 2003, the
 33 tax imposed under this act shall be not less than:

- 34 (1) On motor-vehicle fuels, ~~\$.21~~ \$.22 per gallon, or fraction thereof;
 35 (2) on special fuels, ~~\$.23~~ \$.24 per gallon, or fraction thereof; and
 36 (3) on LP-gas, ~~\$.20~~ \$.21 per gallon, or fraction thereof.

37 ~~(c)~~ (b) On and after July 1, 2003, until July 1, 2020, the tax imposed
 38 under this act shall be not less than:

- 39 (1) On motor-vehicle fuels, ~~\$.22~~ \$.23 per gallon, or fraction thereof;
 40 (2) on special fuels, ~~\$.24~~ \$.25 per gallon, or fraction thereof; and
 41 (3) on LP-gas, ~~\$.21~~ \$.22 per gallon, or fraction thereof.

42 ~~(d)~~ (c) On and after July 1, 2020, the tax rates imposed under this act
 43 shall be not less than:

- 1 (1) On motor-vehicle fuels, \$.18 per gallon, or fraction thereof;
- 2 (2) on special fuels, \$.20 per gallon, or fraction thereof; and
- 3 (3) on LP-gas, \$.17 per gallon, or fraction thereof.

4 Sec. 17. On and after June 1, 2002, K.S.A. 2001 Supp. 79-34,142 is
5 hereby amended to read as follows: 79-34,142. ~~(a) On and after July 1,~~
6 ~~1999, until July 1, 2001, the state treasurer shall credit amounts received~~
7 ~~pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118~~
8 ~~and amendments thereto as follows: To the state highway fund 59.55%~~
9 ~~and to the special city and county highway fund 40.45%.~~

10 ~~(b)~~ (a) On and after ~~July 1, 2001~~ June 1, 2002, until July 1, 2003, the
11 state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,
12 79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as
13 follows: To the state highway fund ~~61.55%~~ 63.28% and to the special city
14 and county highway fund ~~38.45%~~ 36.72%.

15 ~~(c)~~ (b) On and after July 1, 2003, until July 1, 2020, the state treasurer
16 shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-
17 3491a, 79-3492 and 79-34,118 and amendments thereto as follows: To
18 the state highway fund ~~63.35%~~ 64.92% and to the special city and county
19 highway fund ~~36.65%~~ 35.08%.

20 ~~(d)~~ (c) On and after July 1, 2020, the state treasurer shall credit
21 amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-
22 3492 and 79-34,118 and amendments thereto as follows: To the state
23 highway fund 55.3% and to the special city and county highway fund
24 44.7%.

25 Sec. 18. On and after June 1, 2002, K.S.A. 79-3310 is hereby
26 amended to read as follows: 79-3310. There is imposed a tax upon all
27 cigarettes sold, distributed or given away within the state of Kansas. The
28 rate of such tax shall be ~~\$.24~~ \$.89 on each 20 cigarettes or fractional part
29 thereof or ~~\$.30~~ \$1.1125 on each 25 cigarettes, as the case requires. Such
30 tax shall be collected and paid to the director as provided in this act. Such
31 tax shall be paid only once and shall be paid by the wholesale dealer first
32 receiving the cigarettes as herein provided.

33 The taxes imposed by this act are hereby levied upon all sales of ciga-
34 rettes made to any department, institution or agency of the state of Kan-
35 sas, and to the political subdivisions thereof and their departments, insti-
36 tutions and agencies.

37 New Sec. 19. On or before June 30, 2002, each wholesale dealer,
38 retail dealer and vending machine operator shall file a report with the
39 director in such form as the director may prescribe showing cigarettes,
40 cigarette stamps and meter imprints on hand at 12:01 a.m. on June 1,
41 2002. A tax of \$.65 on each 20 cigarettes or fractional part thereof or
42 \$.8125 on each 25 cigarettes, as the case requires, and \$.65 or \$.8125, as
43 the case requires, upon all tax stamps and all meter imprints purchased

1 from the director and not affixed to cigarettes prior to June 1, 2002 is
2 hereby imposed and shall be due and payable on or before June 30, 2002.
3 The tax imposed upon such cigarettes, tax stamps and meter imprints
4 shall be imposed only once under this act. The director shall remit all
5 moneys collected pursuant to this section to the state treasurer who shall
6 credit the entire amount thereof to the state general fund.

7 Sec. 20. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3311 is
8 hereby amended to read as follows: 79-3311. The director shall design
9 and designate indicia of tax payment to be affixed to each package of
10 cigarettes as provided by this act. The director shall sell water applied
11 stamps only to licensed wholesale dealers in the amounts of 1,000 or
12 multiples thereof. Stamps applied by the heat process shall be sold only
13 in amounts of 30,000 or multiples thereof, except that such stamps which
14 are suitable for packages containing 25 cigarettes each shall be sold in
15 amounts prescribed by the director. Meter imprints shall be sold only in
16 amounts of 10,000 or multiples thereof. Water applied stamps in amounts
17 of 10,000 or multiples thereof and stamps applied by the heat process
18 and meter imprints shall be supplied to wholesale dealers at a discount
19 of ~~2.65%~~ 0.71% from the face value thereof, and shall be deducted at the
20 time of purchase or from the remittance therefor as hereinafter provided.
21 Any wholesale cigarette dealer who shall file with the director a bond, of
22 acceptable form, payable to the state of Kansas with a corporate surety
23 authorized to do business in Kansas, shall be permitted to purchase
24 stamps, and remit therefor to the director within 30 days after each such
25 purchase, up to a maximum outstanding at any one time of 85% of the
26 amount of the bond. Failure on the part of any wholesale dealer to remit
27 as herein specified shall be cause for forfeiture of such dealer's bond. All
28 revenue received from the sale of such stamps or meter imprints shall be
29 remitted to the state treasurer in accordance with the provisions of K.S.A.
30 75-4215, and amendments thereto. Upon receipt of each such remittance,
31 the state treasurer shall deposit the entire amount in the state treasury.
32 The state treasurer shall first credit such amount as the director shall
33 order to the cigarette tax refund fund and shall credit the remaining
34 balance to the state general fund. A refund fund designated the cigarette
35 tax refund fund not to exceed \$10,000 at any time shall be set apart and
36 maintained by the director from taxes collected under this act and held
37 by the state treasurer for prompt payment of all refunds authorized by
38 this act. Such cigarette tax refund fund shall be in such amount as the
39 director shall determine is necessary to meet current refunding require-
40 ments under this act.

41 The wholesale cigarette dealer shall affix to each package of cigarettes
42 stamps or tax meter imprints required by this act prior to the sale of
43 cigarettes to any person, by such dealer or such dealer's agent or agents,

1 within the state of Kansas. The director is empowered to authorize whole-
2 sale dealers to affix revenue tax meter imprints upon original packages of
3 cigarettes and is charged with the duty of regulating the use of tax meters
4 to secure payment of the proper taxes. No wholesale dealer shall affix
5 revenue tax meter imprints to original packages of cigarettes without first
6 having obtained permission from the director to employ this method of
7 affixation. If the director approves the wholesale dealer's application for
8 permission to affix revenue tax meter imprints to original packages of
9 cigarettes, the director shall require such dealer to file a suitable bond
10 payable to the state of Kansas executed by a corporate surety authorized
11 to do business in Kansas. The director may, to assure the proper collection
12 of taxes imposed by the act, revoke or suspend the privilege of imprinting
13 tax meter imprints upon original packages of cigarettes. All meters shall
14 be under the direct control of the director, and all transfer assignments
15 or anything pertaining thereto must first be authorized by the director.
16 All inks used in the stamping of cigarettes must be of a special type
17 devised for use in connection with the machine employed and approved
18 by the director. All repairs to the meter are strictly prohibited except by
19 a duly authorized representative of the director. Requests for service shall
20 be directed to the director. Meter machine ink imprints on all packages
21 shall be clear and legible. If a wholesale dealer continuously issues illeg-
22 ible cigarette tax meter imprints, it shall be considered sufficient cause
23 for revocation of such dealer's permit to use a cigarette tax meter.

24 A licensed wholesale dealer may, for the purpose of sale in another
25 state, transport cigarettes not bearing Kansas indicia of tax payment
26 through the state of Kansas provided such cigarettes are contained in
27 sealed and original cartons.

28 Sec. 21. On and after June 1, 2002, K.S.A. 79-3312 is hereby
29 amended to read as follows: 79-3312. The director shall redeem any un-
30 used stamps or meter imprints that any wholesale dealer presents for
31 redemption within six months after the purchase thereof, at the face value
32 less ~~2.65%~~ 0.71% thereof if such stamps or meter imprints have been
33 purchased from the director. The director shall prepare a voucher show-
34 ing the net amount of such refund due, and the director of accounts and
35 reports shall draw a warrant on the state treasurer for the same. Wholesale
36 dealers shall be entitled to a refund of the tax paid on cigarettes which
37 have become unfit for sale upon proof thereof less 2.65% of such tax.

38 Sec. 22. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3603 is
39 hereby amended to read as follows: 79-3603. For the privilege of engaging
40 in the business of selling tangible personal property at retail in this state
41 or rendering or furnishing any of the services taxable under this act, there
42 is hereby levied and there shall be collected and paid a tax at the rate of
43 ~~4.9%~~ 5.15% and, within a redevelopment district established pursuant to

1 K.S.A. 74-8921, and amendments thereto, there is hereby levied and
2 there shall be collected and paid an additional tax at the rate of 2% until
3 the earlier of the date the bonds issued to finance or refinance the re-
4 development project have been paid in full or the final scheduled maturity
5 of the first series of bonds issued to finance any part of the project upon:

6 (a) The gross receipts received from the sale of tangible personal
7 property at retail within this state;

8 (b) (1) the gross receipts from intrastate telephone or telegraph serv-
9 ices; (2) the gross receipts received from the sale of interstate telephone
10 or telegraph services, which (A) originate within this state and terminate
11 outside the state and are billed to a customer's telephone number or
12 account in this state; or (B) originate outside this state and terminate
13 within this state and are billed to a customer's telephone number or ac-
14 count in this state except that the sale of interstate telephone or telegraph
15 service does not include: (A) Any interstate incoming or outgoing wide
16 area telephone service or wide area transmission type service which en-
17 titles the subscriber to make or receive an unlimited number of com-
18 munications to or from persons having telephone service in a specified
19 area which is outside the state in which the station provided this service
20 is located; (B) any interstate private communications service to the per-
21 sons contracting for the receipt of that service that entitles the purchaser
22 to exclusive or priority use of a communications channel or group of
23 channels between exchanges; (C) any value-added nonvoice service in
24 which computer processing applications are used to act on the form, con-
25 tent, code or protocol of the information to be transmitted; (D) any tel-
26 ecommunication service to a provider of telecommunication services
27 which will be used to render telecommunications services, including car-
28 rier access services; or (E) any service or transaction defined in this sec-
29 tion among entities classified as members of an affiliated group as pro-
30 vided by section 1504 of the federal internal revenue code of 1986, as in
31 effect on January 1, 2001. For the purposes of this subsection the term
32 gross receipts does not include purchases of telephone, telegraph or tel-
33 ecommunications using a prepaid telephone calling card or prepaid au-
34 thorization number. As used in this subsection, a prepaid telephone call-
35 ing card or prepaid authorization number means the right to exclusively
36 make telephone calls, paid for in advance, with the prepaid value meas-
37 ured in minutes or other time units, that enables the origination of calls
38 using an access number or authorization code or both, whether manually
39 or electronically dialed; and (3) the gross receipts from the provision of
40 services taxable under this subsection which are billed on a combined
41 basis with nontaxable services, shall be accounted for and the tax remitted
42 as follows: The taxable portion of the selling price of those combined
43 services shall include only those charges for taxable services if the selling

1 price for the taxable services can be readily distinguishable in the retailer's
2 books and records from the selling price for the nontaxable services. Oth-
3 erwise, the gross receipts from the sale of both taxable and nontaxable
4 services billed on a combined basis shall be deemed attributable to the
5 taxable services included therein. Within 90 days of billing taxable services
6 on a combined basis with nontaxable services, the retailer shall enter into
7 a written agreement with the secretary identifying the methodology to be
8 used in determining the taxable portion of the selling price of those com-
9 bined services. The burden of proving that any receipt or charge is not
10 taxable shall be upon the retailer. Upon request from the customer, the
11 retailer shall disclose to the customer the selling price for the taxable
12 services included in the selling price for the taxable and nontaxable serv-
13 ices billed on a combined basis;

14 (c) the gross receipts from the sale or furnishing of gas, water, elec-
15 tricity and heat, which sale is not otherwise exempt from taxation under
16 the provisions of this act, and whether furnished by municipally or pri-
17 vately owned utilities but such tax shall not be levied and collected upon
18 the gross receipts from: (1) The sale of a rural water district benefit unit;
19 (2) a water system impact fee, system enhancement fee or similar fee
20 collected by a water supplier as a condition for establishing service; or (3)
21 connection or reconnection fees collected by a water supplier;

22 (d) the gross receipts from the sale of meals or drinks furnished at
23 any private club, drinking establishment, catered event, restaurant, eating
24 house, dining car, hotel, drugstore or other place where meals or drinks
25 are regularly sold to the public;

26 (e) the gross receipts from the sale of admissions to any place pro-
27 viding amusement, entertainment or recreation services including admis-
28 sions to state, county, district and local fairs, but such tax shall not be
29 levied and collected upon the gross receipts received from sales of ad-
30 missions to any cultural and historical event which occurs triennially;

31 (f) the gross receipts from the operation of any coin-operated device
32 dispensing or providing tangible personal property, amusement or other
33 services except laundry services, whether automatic or manually operated;

34 (g) the gross receipts from the service of renting of rooms by hotels,
35 as defined by K.S.A. 36-501 and amendments thereto, or by accommo-
36 dation brokers, as defined by K.S.A. 12-1692, and amendments thereto;

37 (h) the gross receipts from the service of renting or leasing of tangible
38 personal property except such tax shall not apply to the renting or leasing
39 of machinery, equipment or other personal property owned by a city and
40 purchased from the proceeds of industrial revenue bonds issued prior to
41 July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through
42 12-1749, and amendments thereto, and any city or lessee renting or leas-
43 ing such machinery, equipment or other personal property purchased

1 with the proceeds of such bonds who shall have paid a tax under the
2 provisions of this section upon sales made prior to July 1, 1973, shall be
3 entitled to a refund from the sales tax refund fund of all taxes paid
4 thereon;

5 (i) the gross receipts from the rendering of dry cleaning, pressing,
6 dyeing and laundry services except laundry services rendered through a
7 coin-operated device whether automatic or manually operated;

8 (j) the gross receipts from the rendering of the services of washing
9 and washing and waxing of vehicles;

10 (k) the gross receipts from cable, community antennae and other sub-
11 scriber radio and television services;

12 (l) (1) except as otherwise provided by paragraph (2), the gross re-
13 cepts received from the sales of tangible personal property to all con-
14 tractors, subcontractors or repairmen for use by them in erecting struc-
15 tures, or building on, or otherwise improving, altering, or repairing real
16 or personal property.

17 (2) Any such contractor, subcontractor or repairman who maintains
18 an inventory of such property both for sale at retail and for use by them
19 for the purposes described by paragraph (1) shall be deemed a retailer
20 with respect to purchases for and sales from such inventory, except that
21 the gross receipts received from any such sale, other than a sale at retail,
22 shall be equal to the total purchase price paid for such property and the
23 tax imposed thereon shall be paid by the deemed retailer;

24 (m) the gross receipts received from fees and charges by public and
25 private clubs, drinking establishments, organizations and businesses for
26 participation in sports, games and other recreational activities, but such
27 tax shall not be levied and collected upon the gross receipts received from:

28 (1) Fees and charges by any political subdivision, by any organization
29 exempt from property taxation pursuant to paragraph *Ninth* of K.S.A. 79-
30 201, and amendments thereto, or by any youth recreation organization
31 exclusively providing services to persons 18 years of age or younger which
32 is exempt from federal income taxation pursuant to section 501(c)(3) of
33 the federal internal revenue code of 1986, for participation in sports,
34 games and other recreational activities; and (2) entry fees and charges for
35 participation in a special event or tournament sanctioned by a national
36 sporting association to which spectators are charged an admission which
37 is taxable pursuant to subsection (e);

38 (n) the gross receipts received from dues charged by public and pri-
39 vate clubs, drinking establishments, organizations and businesses, pay-
40 ment of which entitles a member to the use of facilities for recreation or
41 entertainment, but such tax shall not be levied and collected upon the
42 gross receipts received from: (1) Dues charged by any organization ex-
43 empt from property taxation pursuant to paragraphs *Eighth* and *Ninth* of

1 K.S.A. 79-201, and amendments thereto; and (2) sales of memberships
2 in a nonprofit organization which is exempt from federal income taxation
3 pursuant to section 501 (c)(3) of the federal internal revenue code of
4 1986, and whose purpose is to support the operation of a nonprofit zoo;

5 (o) the gross receipts received from the isolated or occasional sale of
6 motor vehicles or trailers but not including: (1) The transfer of motor
7 vehicles or trailers by a person to a corporation or limited liability com-
8 pany solely in exchange for stock securities or membership interest in
9 such corporation or limited liability company; or (2) the transfer of motor
10 vehicles or trailers by one corporation or limited liability company to
11 another when all of the assets of such corporation or limited liability
12 company are transferred to such other corporation or limited liability
13 company; or (3) the sale of motor vehicles or trailers which are subject
14 to taxation pursuant to the provisions of K.S.A. 79-5101 *et seq.*, and
15 amendments thereto, by an immediate family member to another im-
16 mediate family member. For the purposes of clause (3), immediate family
17 member means lineal ascendants or descendants, and their spouses. In
18 determining the base for computing the tax on such isolated or occasional
19 sale, the fair market value of any motor vehicle or trailer traded in by the
20 purchaser to the seller may be deducted from the selling price;

21 (p) the gross receipts received for the service of installing or applying
22 tangible personal property which when installed or applied is not being
23 held for sale in the regular course of business, and whether or not such
24 tangible personal property when installed or applied remains tangible
25 personal property or becomes a part of real estate, except that no tax shall
26 be imposed upon the service of installing or applying tangible personal
27 property in connection with the original construction of a building or
28 facility, the original construction, reconstruction, restoration, remodeling,
29 renovation, repair or replacement of a residence or the construction, re-
30 construction, restoration, replacement or repair of a bridge or highway.

31 For the purposes of this subsection:

32 (1) "Original construction" shall mean the first or initial construction
33 of a new building or facility. The term "original construction" shall include
34 the addition of an entire room or floor to any existing building or facility,
35 the completion of any unfinished portion of any existing building or fa-
36 cility and the restoration, reconstruction or replacement of a building or
37 facility damaged or destroyed by fire, flood, tornado, lightning, explosion
38 or earthquake, but such term, except with regard to a residence, shall not
39 include replacement, remodeling, restoration, renovation or reconstruc-
40 tion under any other circumstances;

41 (2) "building" shall mean only those enclosures within which individ-
42 uals customarily are employed, or which are customarily used to house
43 machinery, equipment or other property, and including the land improve-

1 ments immediately surrounding such building;

2 (3) “facility” shall mean a mill, plant, refinery, oil or gas well, water
3 well, feedlot or any conveyance, transmission or distribution line of any
4 cooperative, nonprofit, membership corporation organized under or sub-
5 ject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto,
6 or of any municipal or quasi-municipal corporation, including the land
7 improvements immediately surrounding such facility; and

8 (4) “residence” shall mean only those enclosures within which indi-
9 viduals customarily live;

10 (q) the gross receipts received for the service of repairing, servicing,
11 altering or maintaining tangible personal property, except computer soft-
12 ware described in subsection (s), which when such services are rendered
13 is not being held for sale in the regular course of business, and whether
14 or not any tangible personal property is transferred in connection there-
15 with. The tax imposed by this subsection shall be applicable to the services
16 of repairing, servicing, altering or maintaining an item of tangible personal
17 property which has been and is fastened to, connected with or built into
18 real property;

19 (r) the gross receipts from fees or charges made under service or
20 maintenance agreement contracts for services, charges for the providing
21 of which are taxable under the provisions of subsection (p) or (q);

22 (s) the gross receipts received from the sale of computer software,
23 and the sale of the services of modifying, altering, updating or maintaining
24 computer software. As used in this subsection, “computer software”
25 means information and directions loaded into a computer which dictate
26 different functions to be performed by the computer. Computer software
27 includes any canned or prewritten program which is held or existing for
28 general or repeated sale, even if the program was originally developed
29 for a single end user as custom computer software. The sale of computer
30 software or services does not include: (1) The initial sale of any custom
31 computer program which is originally developed for the exclusive use of
32 a single end user; or (2) those services rendered in the modification of
33 computer software when the modification is developed exclusively for a
34 single end user only to the extent of the modification and only to the
35 extent that the actual amount charged for the modification is separately
36 stated on invoices, statements and other billing documents provided to
37 the end user. The services of modification, alteration, updating and main-
38 tenance of computer software shall only include the modification, alter-
39 ation, updating and maintenance of computer software taxable under this
40 subsection whether or not the services are actually provided;

41 (t) the gross receipts received for telephone answering services, in-
42 cluding mobile phone services, beeper services and other similar services;

43 (u) the gross receipts received from the sale of prepaid telephone

1 calling cards or prepaid authorization numbers and the recharge of such
2 cards or numbers. A prepaid telephone calling card or prepaid authori-
3 zation number means the right to exclusively make telephone calls, paid
4 for in advance, with the prepaid value measured in minutes or other time
5 units, that enables the origination of calls using an access number or
6 authorization code or both, whether manually or electronically dialed. If
7 the sale or recharge of such card or number does not take place at the
8 vendor's place of business, it shall be conclusively determined to take
9 place at the customer's shipping address; if there is no item shipped then
10 it shall be the customer's billing address; and

11 (v) the gross receipts received from the sales of bingo cards, bingo
12 faces and instant bingo tickets by licensees under K.S.A. 79-4701, *et seq.*,
13 and amendments thereto, shall be taxed at a rate of: (1) 4.9% on July 1,
14 2000, and before July 1, 2001; and (2) 2.5% on July 1, 2001, and before
15 July 1, 2002. From and after July 1, 2002, all sales of bingo cards, bingo
16 faces and instant bingo tickets by licensees under K.S.A. 79-4701 *et seq.*,
17 and amendments thereto, shall be exempt from taxes imposed pursuant
18 to this section.

19 Sec. 23. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3703 is
20 hereby amended to read as follows: 79-3703. There is hereby levied and
21 there shall be collected from every person in this state a tax or excise for
22 the privilege of using, storing, or consuming within this state any article
23 of tangible personal property. Such tax shall be levied and collected in an
24 amount equal to the consideration paid by the taxpayer multiplied by the
25 rate of ~~4.9%~~ 5.15%. Within a redevelopment district established pursuant
26 to K.S.A. 2001 Supp. 74-8921, and amendments thereto, there is hereby
27 levied and there shall be collected and paid an additional tax of 2% until
28 the earlier of: (1) The date the bonds issued to finance or refinance the
29 redevelopment project undertaken in the district have been paid in full;
30 or (2) the final scheduled maturity of the first series of bonds issued to
31 finance the redevelopment project. All property purchased or leased
32 within or without this state and subsequently used, stored or consumed
33 in this state shall be subject to the compensating tax if the same property
34 or transaction would have been subject to the Kansas retailers' sales tax
35 had the transaction been wholly within this state.

36 Sec. 24. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3620 is
37 hereby amended to read as follows: 79-3620. (a) All revenue collected or
38 received by the director of taxation from the taxes imposed by this act
39 shall be remitted to the state treasurer in accordance with the provisions
40 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
41 remittance, the state treasurer shall deposit the entire amount in the state
42 treasury, less amounts withheld as provided in subsection (b) and amounts
43 credited as provided in subsection (c) and (d), to the credit of the state

1 general fund.

2 (b) A refund fund, designated as “sales tax refund fund” not to exceed
3 \$100,000 shall be set apart and maintained by the director from sales tax
4 collections and estimated tax collections and held by the state treasurer
5 for prompt payment of all sales tax refunds including refunds authorized
6 under the provisions of K.S.A. 79-3635, and amendments thereto. Such
7 fund shall be in such amount, within the limit set by this section, as the
8 director shall determine is necessary to meet current refunding require-
9 ments under this act. In the event such fund as established by this section
10 is, at any time, insufficient to provide for the payment of refunds due
11 claimants thereof, the director shall certify the amount of additional funds
12 required to the director of accounts and reports who shall promptly trans-
13 fer the required amount from the state general fund to the sales tax refund
14 fund, and notify the state treasurer, who shall make proper entry in the
15 records.

16 (c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected
17 or received from the tax imposed by K.S.A. 79-3603, and amendments
18 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
19 exclusive of amounts credited pursuant to subsection (d), in the state
20 highway fund.

21 (2) *The state treasurer shall credit $\frac{5}{103}$ of the revenue collected or*
22 *received from the tax imposed by K.S.A. 79-3603, and amendments*
23 *thereto, at the rate of 5.15%, and deposited as provided by subsection (a),*
24 *exclusive of amounts credited pursuant to subsection (d), in the state high-*
25 *way fund.*

26 (d) The state treasurer shall credit all revenue collected or received
27 from the tax imposed by K.S.A. 79-3603, and amendments thereto, as
28 certified by the director, from taxpayers doing business within that por-
29 tion of a redevelopment district occupied by a redevelopment project that
30 was determined by the secretary of commerce and housing to be of state-
31 wide as well as local importance or will create a major tourism area for
32 the state as defined in K.S.A. 12-1770a, and amendments thereto, to the
33 city bond finance fund, which fund is hereby created. The provisions of
34 this subsection shall expire when the total of all amounts credited here-
35 under and under subsection (d) of K.S.A. 79-3710, and amendments
36 thereto, is sufficient to retire the special obligation bonds issued for the
37 purpose of financing all or a portion of the costs of such redevelopment
38 project.

39 Sec. 25. On and after June 1, 2002, K.S.A. 2001 Supp. 79-3710 is
40 hereby amended to read as follows: 79-3710. (a) All revenue collected or
41 received by the director under the provisions of this act shall be remitted
42 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
43 and amendments thereto. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount in the state treasury, less
2 amounts set apart as provided in subsection (b) and amounts credited as
3 provided in subsection (c) and (d), to the credit of the state general fund.

4 (b) A revolving fund, designated as "compensating tax refund fund"
5 not to exceed \$10,000 shall be set apart and maintained by the director
6 from compensating tax collections and estimated tax collections and held
7 by the state treasurer for prompt payment of all compensating tax refunds.
8 Such fund shall be in such amount, within the limit set by this section,
9 as the director shall determine is necessary to meet current refunding
10 requirements under this act.

11 (c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected
12 or received from the tax imposed by K.S.A. 79-3703, and amendments
13 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
14 exclusive of amounts credited pursuant to subsection (d), in the state
15 highway fund.

16 (2) *The state treasurer shall credit $\frac{5}{103}$ of the revenue collected or*
17 *received from the tax imposed by K.S.A. 79-3703, and amendments*
18 *thereto, at the rate of 5.15%, and deposited as provided by subsection (a),*
19 *exclusive of amounts credited pursuant to subsection (d), in the state high-*
20 *way fund.*

21 (d) The state treasurer shall credit all revenue collected or received
22 from the tax imposed by K.S.A. 79-3703, and amendments thereto, as
23 certified by the director, from taxpayers doing business within that por-
24 tion of a redevelopment district occupied by a redevelopment project that
25 was determined by the secretary of commerce and housing to be of state-
26 wide as well as local importance or will create a major tourism area for
27 the state as defined in K.S.A. 12-1770a, and amendments thereto, to the
28 city bond finance fund created by subsection (d) of K.S.A. 79-3620, and
29 amendments thereto. The provisions of this subsection shall expire when
30 the total of all amounts credited hereunder and under subsection (d) of
31 K.S.A. 79-3620, and amendments thereto, is sufficient to retire the special
32 obligation bonds issued for the purpose of financing all or a portion of
33 the costs of such redevelopment project.

34 Sec. 26. On and after June 1, 2002, K.S.A. 2001 Supp. 79-2959 is
35 hereby amended to read as follows: 79-2959. (a) There is hereby created
36 the local ad valorem tax reduction fund. All moneys transferred or cred-
37 ited to such fund under the provisions of this act or any other law shall
38 be apportioned and distributed in the manner provided herein.

39 (b) On January 15 and on July 15 of each year, the director of ac-
40 counts and reports shall make transfers in equal amounts which in the
41 aggregate equal 4.5% of the total retail sales and compensating taxes
42 credited to the state general fund pursuant to articles 36 and 37 of chapter
43 79 of Kansas Statutes Annotated and acts amendatory thereof and sup-

1 plemental thereto during the preceding calendar year from the state gen-
2 eral fund to the local ad valorem tax reduction fund, except that: (1) The
3 transfers on January 15 and July 15 of each year shall be in equal amounts
4 which in the aggregate equal 3.630% of such taxes credited to the state
5 general fund during the preceding calendar year; ~~and~~ (2) the amount of
6 the transfer on each such date during state fiscal year ~~2002~~ 2003 shall be
7 \$27,340,335.50; (3) *the amount of the transfer on each such date during*
8 *state fiscal year 2004 shall be \$32,462,000; (4) the amount of the transfer*
9 *on each such date during state fiscal year 2005 shall be \$33,502,000; (5)the*
10 *amount of the transfer on each such date during state fiscal year 2006*
11 *shall be \$34,643,000; and (6) the amount of the transfer on each such*
12 *date during state fiscal year 2007 shall be \$35,884,000.* All such transfers
13 are subject to reduction under K.S.A. 75-6704 and amendments thereto.
14 All transfers made in accordance with the provisions of this section shall
15 be considered to be demand transfers from the state general fund, except
16 that all such transfers during the fiscal year ending June 30, 2002, shall
17 be considered revenue transfers from the state general fund.

18 (c) The state treasurer shall apportion and pay the amounts trans-
19 ferred under subsection (b) to the several county treasurers on January
20 15 and on July 15 in each year as follows: (1) Sixty-five percent of the
21 amount to be distributed shall be apportioned on the basis of the popu-
22 lation figures of the counties certified to the secretary of state pursuant
23 to K.S.A. 11-201 and amendments thereto on July 1 of the preceding
24 year; and (2) thirty-five percent of such amount shall be apportioned on
25 the basis of the equalized assessed tangible valuations on the tax rolls of
26 the counties on November 1 of the preceding year as certified by the
27 director of property valuation.

28 Sec. 27. On and after June 1, 2002, K.S.A. 2001 Supp. 79-2964 is
29 hereby amended to read as follows: 79-2964. There is hereby created the
30 county and city revenue sharing fund. All moneys transferred or credited
31 to such fund under the provisions of this act or any other law shall be
32 allocated and distributed in the manner provided herein. The director of
33 accounts and reports in each year on July 15 and December 10, shall
34 make transfers in equal amounts which in the aggregate equal 3.5% of
35 the total retail sales and compensating taxes credited to the state general
36 fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes
37 Annotated and acts amendatory thereof and supplemental thereto during
38 the preceding calendar year from the state general fund to the county
39 and city revenue sharing fund, except that: (a) The transfers on July 15
40 and December 10 of each year shall be in equal amounts which in the
41 aggregate equal 2.823% of such taxes credited to the state general fund
42 during the preceding calendar year; ~~and~~ (b) the amount of the transfer
43 on each such date during state fiscal year ~~2002~~ 2003 shall be

1 \$17,438,174.50; (c) the amount of the transfer on each such date during
2 state fiscal year 2004 shall be \$24,857,000; (d) the amount of the transfer
3 on each such date during state fiscal year 2005 shall be \$25,633,000; (e)
4 the amount of the transfer on each such date during state fiscal year 2006
5 shall be \$26,475,000; and (f) the amount of the transfer on each such date
6 during state fiscal year 2007 shall be \$27,407,000. All such transfers are
7 subject to reduction under K.S.A. 75-6704 and amendments thereto. All
8 transfers made in accordance with the provisions of this section shall be
9 considered to be demand transfers from the state general fund, except
10 that all such transfers during the fiscal year ending June 30, 2002, shall
11 be considered revenue transfers from the state general fund.

12 Sec. 28. On and after June 1, 2002, K.S.A. 2001 Supp. 79-34,147 is
13 hereby amended to read as follows: 79-34,147. (a) (1) On July 1, 1999,
14 and quarterly thereafter the secretary of revenue shall certify to the di-
15 rector of accounts and reports the amount equal to 7.628% of the total
16 revenues received by the secretary from the taxes imposed under the
17 Kansas retailers' sales tax act and deposited in the state treasury and
18 credited to the state general fund during the preceding three calendar
19 months.

20 (2) On July 1, 2001, and quarterly thereafter, the secretary of revenue
21 shall certify to the director of accounts and reports the amount equal to
22 9.5% of the total revenues received by the secretary from the taxes im-
23 posed under the Kansas retailers' sales tax act and deposited in the state
24 treasury and credited to the state general fund during the preceding three
25 calendar months.

26 (3) On July 1, 2002, and quarterly thereafter, the secretary of revenue
27 shall certify to the director of accounts and reports the amount equal to
28 11% of the total revenues received by the secretary from the taxes im-
29 posed under the Kansas retailers' sales tax act and deposited in the state
30 treasury and credited to the state general fund during the preceding three
31 calendar months.

32 (4) On July 1, 2003, and quarterly thereafter, the secretary of revenue
33 shall certify to the director of accounts and reports the amount equal to
34 ~~11.25%~~ 10.687% of the total revenues received by the secretary from the
35 taxes imposed under the Kansas retailers' sales tax act and deposited in
36 the state treasury and credited to the state general fund during the pre-
37 ceding three calendar months.

38 (5) On July 1, 2004, and quarterly thereafter, the secretary of revenue
39 shall certify to the director of accounts and reports the amount equal to
40 ~~12%~~ 11.394% of the total revenues received by the secretary from the
41 taxes imposed under the Kansas retailers' sales tax act and deposited in
42 the state treasury and credited to the state general fund during the pre-
43 ceding three calendar months.

1 (6) *On July 1, 2006, and quarterly thereafter, the secretary of revenue*
2 *shall certify to the director of accounts and reports the amount equal to*
3 *11.389% of the total revenues received by the secretary from the taxes*
4 *imposed under the Kansas retailers' sales tax act and deposited in the state*
5 *treasury and credited to the state general fund during the preceding three*
6 *calendar months.*

7 (b) Upon receipt of each certification under subsection (a), the di-
8 rector of accounts and reports shall transfer from the state general fund
9 to the state highway fund an amount equal to the amount so certified, on
10 each July 1, October 1, January 1 and April 1, except that ~~the amount of~~
11 ~~the transfer on each such date during state fiscal year 2002 shall not~~
12 ~~exceed \$30,277,162~~ *no such transfer shall be made on each such date*
13 *during state fiscal year 2003.* All transfers made pursuant to this section
14 are subject to reduction under K.S.A. 75-6704, and amendments thereto.

15 (c) All transfers made in accordance with the provisions of this section
16 shall be considered to be demand transfers from the state general fund.

17 Sec. 29. On and after June 1, 2002, K.S.A. 79-3310 and 79-3312 and
18 K.S.A. 2001 Supp. 79-2959, 79-2964, 79-3311, 79-3492b, 79-34,118, 79-
19 34,141, 79-34,142, 79-34,147, 79-3603, 79-3603b, 79-3620, 79-3703 and
20 79-3710 are hereby repealed.

21 Sec. 30. On and after July 1, 2002, K.S.A. 8-143, 8-143b, 8-143c, 8-
22 143g, 8-143h, 8-143i, 8-143j, 8-143k, 8-172, 8-195, 8-2406, 8-2409 and 8-
23 2425 are hereby repealed.

24 Sec. 31. This act shall take effect and be in force from and after its
25 publication in the Kansas register.

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