

## Substitute for SENATE BILL No. 500

By Committee on Transportation

2-25

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9 AN ACT relating to motor vehicles; concerning salvage vehicles; amend-  
10 ing K.S.A. 8-197 and repealing the existing section.

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

13 Section 1. K.S.A. 8-197 is hereby amended to read as follows: 8-197.

14 (a) The provisions of K.S.A. 8-197 to 8-199, inclusive, and amendments  
15 thereto, shall be a part of and supplemental to the provisions of article 1  
16 of chapter 8 of the Kansas Statutes Annotated, and as used in such sec-  
17 tions, the words and phrases defined by K.S.A. 8-126, and amendments  
18 thereto, shall have the meanings respectively ascribed to them therein.

19 (b) As used in K.S.A. 8-197 through 8-199, and amendments thereto:

20 (1) "Nonhighway vehicle" means:

21 (A) Any motor vehicle which cannot be registered because it is not  
22 manufactured for the purpose of using the same on the highways of this  
23 state and is not provided with the equipment required by state statute  
24 for vehicles of such type which are used on the highways of this state;

25 (B) any motor vehicle, other than a salvage vehicle, for which the  
26 owner has not provided motor vehicle liability insurance coverage or an  
27 approved self insurance plan under K.S.A. 40-3104, and amendments  
28 thereto, and has not applied for or obtained registration of such motor  
29 vehicle in accordance with article 1 of chapter 8 of the Kansas Statutes  
30 Annotated; or

31 (C) any all-terrain vehicle;

32 (2) "salvage vehicle" means:

33 (A) Any motor vehicle, *other than a late model vehicle*, which is of a  
34 type required to be registered in this state, but which cannot be registered  
35 because it has been wrecked or damaged to the extent that: The equip-  
36 ment required by state statute on any such vehicle used on the highways  
37 of this state is not present or is not in good condition or proper adjust-  
38 ment, as prescribed by state statute or any rules and regulations adopted  
39 pursuant thereto, or such vehicle is in an inoperable condition or a con-  
40 dition that would render the operation thereof on the highways of this  
41 state a hazard to the public safety; and in either event, such vehicle would  
42 require substantial repairs to rebuild or restore such vehicle to a condition  
43 which will permit the registration thereof;

1     (B) *a late model vehicle which is of a type required to be registered*  
2 *in this state and which has been wrecked or damaged to the extent that*  
3 *the total cost of repair at retail is 80% or more of the fair market value*  
4 *of the motor vehicle immediately preceding the time it was wrecked or*  
5 *damaged; or*

6     (C) *a motor vehicle, which is of a type required to be registered in*  
7 *this state that the insurer determines is a total loss and for which the*  
8 *insurer takes title;*

9     (3) “salvage title” means a certificate of title issued by the division  
10 designating a motor vehicle a salvage vehicle;

11     (4) “rebuilt salvage vehicle” means any motor vehicle previously is-  
12 sued a salvage title;

13     (5) “rebuilt salvage title” means a certificate of title issued by the  
14 division for a vehicle previously designated a salvage vehicle which is now  
15 designated a rebuilt salvage vehicle;;

16     (6) “late model vehicle” means any motor vehicle which has a man-  
17 ufacturer’s model year designation of or later than the year in which the  
18 vehicle was wrecked or damaged or any of the six preceding years;

19     (7) “fair market value” means the retail value of a motor vehicle as:

20     (A) *Set forth in a current edition of any nationally recognized com-*  
21 *pilation, including an automated database of retail value; or*

22     (B) *determined pursuant to a market survey of comparable vehicles*  
23 *with regard to condition and equipment;*

24     (8) “cost of repairs” means the estimated retail cost of parts and labor  
25 needed to repair the vehicle to its condition immediately before it was  
26 wrecked or damaged. *If the vehicle has been repaired, the “cost of repair”*  
27 *means the actual retail cost of the parts and the cost of the labor computed*  
28 *by using the hourly labor rate and time allocations that are reasonable*  
29 *and customary in the automobile repair industry in the community where*  
30 *the repairs are to be performed which was used to repair the vehicle to*  
31 *its condition immediately before it was wrecked or damaged.*

32     Sec. 2. K.S.A. 8-197 is hereby repealed.

33     Sec. 3. This act shall take effect and be in force from and after its  
34 publication in the statute book.