

## SENATE BILL No. 543

By Committee on Transportation

2-5

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9 AN ACT concerning motor vehicles; relating to registration of such ve-  
10 hicles; residency; amending K.S.A. 8-1,138 and K.S.A 2007 Supp. 8-  
11 129 and repealing the existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2007 Supp. 8-129 is hereby amended to read as  
15 follows: 8-129. (a) Applications for the registration of a vehicle required  
16 to be registered shall be made by the owner, by mail, on-line, electroni-  
17 cally or otherwise, in the office of the county treasurer of:

- 18 (1) The county in which such owner resides; ~~or~~  
19 (2) the county in which the owner has a bona fide place of business,  
20 if such vehicle is garaged in such county for a period exceeding 90 days.  
21 Such place of business shall not be an office or facility established or  
22 maintained solely for the purpose of obtaining registration; *or*  
23 (3) *the county in which a nonresident, other than a student, owns,*  
24 *leases or rents real property, if the motor vehicle is not driven out-of-state.*

25 Such applications for registration shall be made upon appropriate forms  
26 furnished by the department and every application shall contain the name  
27 of the owner, such owner's residence address ~~or~~, bona fide place of busi-  
28 ness, *or address pursuant to paragraph (3) of subsection (a)*, a brief de-  
29 scription of the vehicle to be registered and such other information as  
30 may be required by the department. If the owner is not a resident of or  
31 does not have a bona fide place of business in this state, the owner may  
32 make application for registration in any county which the department  
33 shall designate, except that in the case of members of the armed forces  
34 of the United States, the application may be signed by the owner's spouse,  
35 parent, eldest brother or sister, in the order named. With reference to  
36 every foreign vehicle which has been registered outside of this state, the  
37 owner shall exhibit to the department the certificate of title and registra-  
38 tion card, or other evidence of such former registration as may be in the  
39 applicant's possession or control, or such other evidence as will satisfy the  
40 department that the applicant is the lawful owner or possessor of the  
41 vehicle.

42 (b) The applicant for the registration of a vehicle required to be reg-  
43 istered, upon the filing of the application, shall submit a statement cer-

1 tifying that such person has a certificate of title for the motor vehicle,  
2 showing the date and identification thereof, or file an application therefor,  
3 as provided in this act.

4 Sec. 2. K.S.A. 8-1,138 is hereby amended to read as follows: 8-1,138.

5 (a) For purposes of article 1 of chapter 8 of the Kansas Statutes Anno-  
6 tated, a person shall be deemed to be a resident of a county in this state  
7 if:

8 (1) The person, including a student, is registered to vote in such  
9 county; or

10 (2) the person, partnership, company, firm, corporation or association  
11 maintains an office within such county to lease or rent motor vehicles, if  
12 such motor vehicles are operated within the state for a period exceeding  
13 60 days.

14 (b) For purposes of article 1 of chapter 8 of the Kansas Statutes An-  
15 notated, there is a rebuttable presumption that a person is a resident of  
16 a county in this state if any of the following exist:

17 (1) The person, other than a student, owns, leases or rents a place of  
18 domicile within such county and remains in such county for a period  
19 exceeding 90 days, except for infrequent or brief absences;

20 (2) the person enrolls the person's child in a school district, all or any  
21 part of which is located in such county, unless out-of-state tuition is being  
22 charged for the attendance of the child at school in such school district;

23 (3) the person has a place of domicile in such county and has accepted  
24 employment or engages in any trade, profession or occupation within this  
25 state;

26 (4) any individual, partnership, company, firm, corporation or asso-  
27 ciation maintains a main or branch office or warehouse facility within such  
28 county or bases and operates motor vehicles in such county, if such motor  
29 vehicles are garaged in such county for a period exceeding 90 days; or

30 (5) any individual, partnership, company, firm, corporation or asso-  
31 ciation operates motor vehicles in intrastate haulage in this state, if such  
32 motor vehicles are garaged in such county for a period exceeding 90 days.

33 (c) For purposes of this section, resident does not include:

34 (1) A student who is enrolled for at least nine hours of credit at a  
35 college or university in this state, if the student has a domicile in another  
36 state and has a valid driver's license and vehicle registration issued by the  
37 state of domicile; and

38 (2) members of the armed forces who are stationed in the state, pro-  
39 vided such members' vehicles are properly registered in such members'  
40 state of residence.

41 (d) *Notwithstanding the provisions of this section, or any other pro-  
42 vision of law to the contrary, a nonresident, other than a student, who  
43 owns, leases or rents real property within such county shall be allowed to*

1 *register a motor vehicle located in such county if such motor vehicle is*  
2 *not driven out-of-state.*

3 Sec. 3. K.S.A. 8-1,138 and K.S.A. 2007 Supp. 8-129 are hereby  
4 repealed.

5 Sec. 4. This act shall take effect and be in force from and after its  
6 publication in the statute book.