

SENATE BILL No. 683

By Committee on Ways and Means

3-14

9 AN ACT relating to vehicle dealers; providing for a dealer-hauler full-
10 privilege license plate; amending K.S.A. 8-2406 and 8-2425 and re-
11 pealing the existing sections.
12

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

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

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

- 37 (1) The licensed motor vehicle dealer and such dealer's spouse;
38 (2) the sales manager and all other sales personnel when such man-
39 ager and sales personnel are properly licensed in Kansas, except that no
40 dealer license plate shall be assigned to sales personnel who are working
41 at the established place of business of the dealer less than 20 hours per
42 week;
43 (3) any employee of such motor vehicle dealer when the use thereof

1 is directly connected to a particular business transaction of such motor
2 vehicle dealer;

3 (4) the customer when operating a motor vehicle in connection with
4 negotiations to purchase such motor vehicle or during a demonstration
5 of such motor vehicle;

6 (5) any school district and any accredited nonpublic school which has
7 entered into an agreement with a dealer to use a motor vehicle as a driver
8 training motor vehicle, as defined in K.S.A. 72-5015, and amendments
9 thereto, in an approved driver training course.

10 (c) A wholesaler dealer may authorize the use of dealer license plates
11 on vehicles purchased by the wholesaler for resale to a retail vehicle dealer
12 as follows:

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

16 (2) to deliver a vehicle purchased from the wholesale vehicle dealer
17 to a purchasing vehicle dealer.

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

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

24 (f) Lending agencies may use dealer license plates only on vehicles
25 which they have repossessed or are holding for disposition due to
26 repossession.

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

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

31 (i) Except as provided above, dealer license plates shall be used only
32 in accordance with the provisions of K.S.A. 8-136, and amendments
33 thereto. This subsection (i) does not apply to K.S.A. 8-2425, and amend-
34 ments thereto, or full-privilege license plates *or dealer-hauler full-privi-*
35 *lege license plates* issued thereunder.

36 Sec. 2. K.S.A. 8-2425 is hereby amended to read as follows: 8-2425.

37 (a) When a first dealer license plate has been issued under K.S.A. 8-2406,
38 and amendments thereto, the secretary of revenue may issue full-privilege
39 license plates *or dealer-hauler full-privilege license plates, in accordance*
40 *with the provisions of this section*, to a licensed manufacturer of or li-
41 censed dealer in vehicles. In no calendar year shall the secretary issue in
42 excess of 10 *of each type of* such license plates to any licensed manufac-
43 turer or dealer.

1 (b) The annual fee for each: (1) Full-privilege license plate shall be
2 ~~\$350~~ \$350.50; and (2) *dealer-hauler full-privilege license plate shall be*
3 *\$450.50.*

4 (c) The secretary shall, upon application provided by the secretary
5 and payment of the fee required in subsection (b), issue to the applicant
6 ~~appropriate passenger car or truck license plates. Each license plate so~~
7 ~~issued shall be a full-privilege license plate which shall expire on the~~
8 ~~January 31 next following its issuance~~ *the appropriate full-privilege license*
9 *plate, which shall expire on the January 31 next following its issuance.*

10 (d) Subject to subsection ~~(c)~~ (f), a full-privilege license plate may be
11 used in lieu of regular vehicle registration and license plate. *A full-priv-*
12 *ilege license plate may be used on passenger cars or trucks.* A full-privilege
13 license plate may be transferred from one vehicle to another owned or
14 in inventory of such manufacturer or dealer and may be assigned for use
15 by any person, at the discretion of the manufacturer or dealer to whom
16 it is issued. The person to whom a full-privilege license plate is assigned
17 for use shall be only a person who is: (1) A member of the immediate
18 family of the licensed manufacturer of or licensed dealer in vehicles; (2)
19 a corporate officer of the licensed manufacturer of or licensed dealer in
20 vehicles; or (3) an employee of the licensed manufacturer of or licensed
21 dealer in vehicles.

22 (e) *Subject to subsection (f), a dealer-hauler full-privilege license plate*
23 *may be used in lieu of regular vehicle registration and license plate. A*
24 *dealer-hauler full-privilege license plate may be used on trailers. A dealer-*
25 *hauler full-privilege license plate may be transferred from one trailer to*
26 *another owned or in inventory of the manufacturer or dealer to whom*
27 *issued. The dealer-hauler full-privilege license plate shall expire on the*
28 *January 31 next following its issuance.*

29 ~~(e)~~ (f) A full-privilege license plate *or dealer-hauler full-privilege li-*
30 *cence plate* shall not be used on a lease or rental vehicle. A full-privilege
31 license plate shall not permit any vehicle to be operated or moved upon
32 a highway to haul commodities weighing in excess of two tons. *A dealer-*
33 *hauler full-privilege license plate may be used by a dealer or manufacturer*
34 *to haul nonhighway equipment for either demonstration purposes or de-*
35 *livery, if such nonhighway-equipment does not weigh more than 10 tons.*
36 A full-privilege license plate shall not be used on a wrecker or tow truck
37 when providing wrecker or towing service as defined by K.S.A. 66-1329,
38 and amendments thereto.

39 ~~(f)~~ (g) Fees received under this section shall be divided equally be-
40 tween the county treasurer in which the licensed manufacturer or dealer
41 has its established place of business and the secretary of revenue.
42 Amounts allotted to the secretary of revenue shall be remitted to the state
43 treasurer in accordance with the provisions of K.S.A. 75-4215, and

1 amendments thereto. Upon receipt of each such remittance, the state
2 treasurer shall deposit the entire amount in the state treasury to the credit
3 of the vehicle dealers and manufacturers fee fund which fund is hereby
4 created in the state treasury. Expenditures from the vehicle dealers and
5 manufacturers fee fund shall be made on vouchers approved by the sec-
6 retary of revenue, or a person designated by the secretary, for enforce-
7 ment of the vehicle dealers and manufacturers licensing act in accordance
8 with appropriations therefor. Amounts allotted to the county treasurers
9 shall be credited to the county treasurers' vehicle licensing fee fund which
10 fund is hereby created in the state treasury. Amounts due each county
11 treasurer shall be paid quarterly from such fund upon vouchers approved
12 by the secretary of revenue or a person designated by the secretary.
13 Amounts received by each county treasurer shall be deposited, appro-
14 priated and used as provided by K.S.A. 8-145, and amendments thereto.
15 ~~(g)~~ (h) The provisions of K.S.A. 8-136 and 8-2406, and amendments
16 thereto, shall not apply to full-privilege license plates *or dealer-hauler*
17 *full-privilege license plates* or the use thereof.
18 ~~(h) This section shall take effect and be in force from and after Jan-~~
19 ~~uary 1, 1986.~~
20 Sec. 3. K.S.A. 8-2406 and 8-2425 are hereby repealed.
21 Sec. 4. This act shall take effect and be in force from and after its
22 publication in the statute book.