

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2093

By Committee on Transportation

1-26

1 AN ACT concerning motor vehicles; relating to vehicle identification
2 number inspection fees; amending K.S.A. 2010 Supp. 8-116a and
3 repealing the existing section.
4

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

6 Section 1. K.S.A. 2010 Supp. 8-116a is hereby amended to read as
7 follows: 8-116a. (a) Except as provided in K.S.A. 8-170, and
8 amendments thereto, when an application is made for a vehicle which
9 has been assembled, reconstructed, reconstituted or restored from one
10 or more vehicles, or the proper identification number of a vehicle is in
11 doubt, the procedure in this section shall be followed. The owner of the
12 vehicle shall request the Kansas highway patrol to check the vehicle
13 and the highway patrol shall within a reasonable period of time perform
14 such vehicle check. At the time of such check the owner shall supply
15 the highway patrol with information concerning the history of the
16 various parts of the vehicle. Such information shall be supplied by
17 affidavit of the owner, if so requested by the highway patrol. If the
18 highway patrol is satisfied that the vehicle contains no stolen parts, it
19 shall assign an existing or new identification number to the vehicle and
20 direct the places and manner in which the identification number is to be
21 located and affixed or implanted. ~~A~~Except as provided under
22 ~~subsection (g)~~, A charge of \$~~10~~\$~~15~~\$20 per hour or part thereof, with a
23 minimum charge of \$~~10~~\$~~15~~\$20, shall be made to the owner of a vehicle
24 requesting check under this subsection, and such charge shall be paid
25 prior to the check under this section. When a check has been made
26 under subsection (b), not more than 60 days prior to a check of the
27 same vehicle identification number, requested by the owner of the
28 vehicle to obtain a regular certificate of title in lieu of a nonhighway
29 certificate of title or obtain a rebuilt salvage title in lieu of a salvage
30 title, no charge shall be made for such second check.

31 (b) Any person making application for any original Kansas title
32 for a used vehicle which, at the time of making application, is titled in
33 another jurisdiction, as a condition precedent to obtaining any Kansas

1 title, shall have such vehicle checked by the Kansas highway patrol for
2 verification that the vehicle identification number shown on the foreign
3 title is genuine and agrees with the identification number on the
4 vehicle. Checks under this section may include inspection for possible
5 violation of K.S.A. 21-3757, and amendments thereto, or other
6 evidence of possible fraud. The verification shall be made upon forms
7 prescribed by the division of vehicles which shall contain such
8 information as the secretary of revenue shall require by rules and
9 regulations. ~~A~~Except as provided under subsection (g), A charge of
10 ~~\$10~~~~\$15~~~~\$20~~ per hour or part thereof, with a minimum charge of
11 ~~\$10~~~~\$15~~~~\$20~~, shall be made for checks under this subsection. When a
12 vehicle is registered in another state, but is financed by a Kansas
13 financial institution and is repossessed in another state and such vehicle
14 will not be returned to Kansas, the check required by this subsection (b)
15 shall not be required to obtain a valid Kansas title or registration.

16 (c) As used in this act, "identification number" or "vehicle
17 identification number" means an identifying number, serial number,
18 engine number, transmission number or other distinguishing number or
19 mark, placed on a vehicle, engine, transmission or other essential part
20 by its manufacturer or by authority of the division of vehicles or the
21 Kansas highway patrol or in accordance with the laws of another state
22 or country.

23 (d) The checks made under subsection (b) may be made by:

24 (1) A designee of the superintendent of the Kansas highway patrol;
25 or

26 (2) an employee of a new vehicle dealer, as defined in subsection
27 (b) of K.S.A. 8-2401, and amendments thereto, for the purposes
28 provided for in subsection (f). For checks made by a designee *or new*
29 *vehicle dealer*, ~~\$10~~% of each charge shall be remitted to the Kansas
30 highway patrol and the balance of such charges shall be retained by
31 such designee *or new vehicle dealer*. When a check is made under
32 either subsection (a) or (b) by personnel of the Kansas highway patrol
33 ~~or when a check is made under subsection (b) by an employee of a new~~
34 ~~vehicle dealer~~, the entire amount of the charge therefor shall be paid to
35 the highway patrol.

36 (e) There is hereby created the vehicle identification number fee
37 fund. The Kansas highway patrol shall remit all moneys received by the
38 Kansas highway patrol from fees collected under subsection (d) to the
39 state treasurer in accordance with the provisions of K.S.A. 75-4215,

1 and amendments thereto. Upon receipt of each such remittance, the
2 state treasurer shall deposit the entire amount in the state treasury to the
3 credit of the vehicle identification number fee fund. All expenditures
4 from the vehicle identification number fee fund shall be made in
5 accordance with appropriations acts upon warrants of the director of
6 accounts and reports issued pursuant to vouchers approved by the
7 superintendent of the Kansas highway patrol or by a person or persons
8 designated by the superintendent.

9 (f) An employee of a new vehicle dealer, who has received initial
10 training and certification from the highway patrol, and has met
11 continuing certification requirements, in accordance with rules and
12 regulations adopted by the superintendent of the highway patrol, may
13 provide the checks under subsection (b), in accordance with rules and
14 regulations adopted by the superintendent of the highway patrol, on
15 motor vehicles repurchased or reacquired by a manufacturer, distributor
16 or financing subsidiary of such manufacturer and which are purchased
17 by the new vehicle dealer. At any time, after a hearing in accordance
18 with the provisions of the Kansas administrative procedure act, the
19 superintendent of the highway patrol may revoke, suspend, decline to
20 renew or decline to issue certification for failure to comply with the
21 provisions of this subsection, including any rules and regulations.

22 ~~(g) After July 1, 2012, the fees charged under subsections (a) and~~
23 ~~(b) may be established by the superintendent of the Kansas highway~~
24 ~~patrol by rules and regulations in an amount not to exceed \$20.~~

25 Sec. 2. K.S.A. 2010 Supp. 8-116a is hereby repealed.

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

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