

SENATE BILL No. 399

By Committee on Transportation

1-25

1 AN ACT concerning motor vehicles; relating to vehicle dealers and
2 salvage vehicle dealers; requiring that monthly reports be filed on the
3 25th day of the month; amending K.S.A. 8-2408 and repealing the
4 existing section.
5

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

7 Section 1. K.S.A. 8-2408 is hereby amended to read as follows: 8-
8 2408. Except as hereinafter provided, every person licensed as a dealer
9 under provisions of this act shall:

10 (a) On or before the ~~20th~~ 25th day of each month, file a monthly report,
11 on a form prescribed and furnished by the division of vehicles, listing all
12 sales or transfers, except sales or transfers by a first or second stage
13 manufacturer to a vehicle dealer of new or used vehicles, including the
14 name and address of the purchaser or transferee, date of sale, the serial or
15 identification number of the vehicle, and such other information as the
16 division may require.

17 (b) Salvage vehicle dealers, vehicle crusher, vehicle recycler,
18 rebuilder, scrap metal recycler and salvage vehicle pool shall, in addition
19 to their monthly sales report for used vehicles, if applicable, on or before
20 the ~~20th~~ 25th day of each month file a monthly report on a form prescribed
21 and furnished by the division, listing all vehicles for which the major
22 component part containing the vehicle identification number or engine
23 number if manufactured prior to 1981, has been disposed of or sold. The
24 certificate of title or transfer certificate for all vehicles listed must
25 accompany the monthly report.

26 (c) Make available during regular business hours to any employee of
27 the division or any member of law enforcement for the purpose of
28 investigation or inspection, all records concerning vehicles purchased, sold
29 or exchanged during the preceding 12 months, including certificates of
30 title on all vehicles owned by the dealership, except those titles
31 surrendered pursuant to subsection (b).

32 (d) Whenever a dealer sells or otherwise disposes of such dealer's
33 business, or for any reason suspends or goes out of business as a dealer,
34 such dealer shall notify the division and return the dealer's license and
35 dealer plates, and the division upon receipt of such notice and plates shall
36 cancel the dealer's license, except that such dealer may, upon payment of

1 50% of the annual fee to the division, have the license and dealer plates
2 assigned to the purchaser of the business.

3 (e) In addition to the requirements of subsection (a), any dealer
4 paying a commission or fee to a broker shall report to the division, on the
5 monthly sales report, the name of the broker and the broker's license
6 number.

7 (f) Dealers, licensed as brokers must in addition to the requirements
8 of subsection (a) include on the monthly sales reports, the name of the
9 seller, the transferor or dealer that owns the vehicle and whether the seller
10 or the purchaser paid the broker's fee or commission.

11 (g) Lending agencies licensed under this act, which sell two or less
12 repossessed vehicles a month, shall not be required to file the monthly
13 reports under subsection (a), except that such lending agencies shall report
14 annually, on a form prescribed and furnished by the division, the total
15 number of sales or transfers of such vehicles.

16 Sec. 2. K.S.A. 8-2408 is hereby repealed.

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