

SENATE BILL No. 323

By Committee on Ways and Means

3-17

9 AN ACT relating to transportation; providing for a transportation pro-
10 gram; concerning the financing thereof; creating the joint committee
11 on multimodal transportation; amending K.S.A. 8-143b, 8-143c, 8-
12 143g, 8-143h, 8-143i, 8-143k, 8-195, 8-234b, 8-2406, 8-2409, 8-2425,
13 68-416, 68-2316, 68-2320 and 68-2321 and K.S.A. 2008 Supp. 8-142,
14 8-143, 8-143j, 8-143l, 8-145, 8-172, 68-2315, 68-2331, 75-5035, 75-
15 5048, 75-5061, 75-5160, 79-3408c, 79-3491a, 79-3492b, 79-34,118, 79-
16 34,141, 79-34,142, 79-3603, 79-3620, 79-3703 and 79-3710 and re-
17 pealing the existing sections; also repealing K.S.A. 68-2314a.

18

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

20 New Section 1. (a) In order to plan, develop and operate or coor-
21 dinate the development and operation of the various modes and systems
22 of transportation within the state, the secretary of transportation is hereby
23 authorized and directed to initiate a transportation program.

24 (b) The transportation program shall provide for the construction,
25 improvement, reconstruction and maintenance of the state highway sys-
26 tem. The program shall provide for the selection of projects which will
27 allow for the flexibility to meet emerging and economic needs. Program
28 expenditures may include, but not be limited to, the following:

29 (1) Preservation projects to efficiently maintain a safe state highway
30 system in its original or improved condition. It is the intent of the legis-
31 lature that bridges and pavement condition of the state highway system
32 be maintained or improved as determined by the Kansas department of
33 transportation's performance measures;

34 (2) capacity and economic opportunity projects, which include addi-
35 tions to the transportation system or which improve access, relieve con-
36 gestion and enhance economic development opportunities. The Kansas
37 department of transportation shall develop and utilize criteria for the
38 selection of capacity and economic opportunity projects. The selection
39 criteria shall include, but not be limited to, engineering data, local con-
40 sultation, geographic distribution and an economic impact analysis
41 evaluation;

42 (3) modernization projects, which include improvements to the trans-
43 portation system by widening lanes, making geometric improvements,

1 upgrading interchanges or building rail grade separations to improve the
2 safety, condition or service of the highway system. The Kansas depart-
3 ment of transportation shall develop and utilize criteria for the selection
4 of modernization projects. The selection criteria shall include, but not be
5 limited to, engineering data, local consultation and geographic distribu-
6 tion; and

7 (4) system enhancement projects which include additions to the sys-
8 tem of highways or which substantially improve safety, relieve congestion,
9 improve access or enhance economic development. It is the intent of the
10 legislature that, as nearly as possible, the amount of \$2,455,000,000 shall
11 be expended or committed to be expended for system enhancements for
12 the period beginning July 1, 2010, through June 30, 2019. The Kansas
13 department of transportation shall utilize the selection methodology de-
14 veloped by the department, to select system enhancement projects.

15 The department of transportation shall develop criteria for the incor-
16 poration of practical improvements into designs of the projects specified
17 in this subsection.

18 (c) The transportation program shall provide for assistance, including
19 credit and credit enhancements, to cities and counties in meeting their
20 responsibilities for the construction, improvement, reconstruction and
21 maintenance of the roads and bridges not on the state highway system.
22 These expenditures may include, but not be limited to, the following:

23 (1) Apportionment of the special city and county highway fund to
24 assist cities and counties with their responsibilities for roads and bridges
25 not on the state highway system;

26 (2) programs to share federal aid with cities and counties to assist
27 with their responsibilities for roads and bridges not on the state highway
28 system;

29 (3) programs to assist cities with the maintenance of city connecting
30 links as specified in K.S.A. 68-416, and amendments thereto, and local
31 partnership programs to resurface or geometrically improve city con-
32 necting links or to promote economic development;

33 (4) programs to assist cities and counties with railroad crossings of
34 roads not on the state highway system; or

35 (5) programs that allow local governments to exchange federal aid
36 funds for state funds.

37 (d) The transportation program shall provide for a railroad program
38 to provide assistance in accordance with K.S.A. 75-5040 through 75-5050,
39 and amendments thereto, for the preservation and revitalization of rail
40 service in the state.

41 (e) The transportation program shall provide for an aviation program
42 to provide assistance for the planning, constructing, reconstructing or
43 rehabilitating the facilities of public use general aviation airports, in ac-

1 cordance with K.S.A. 75-5061, and amendments thereto.

2 (f) The transportation program shall provide for public transit pro-
3 grams to aid elderly persons, persons with disabilities and the general
4 public, in accordance with K.S.A. 75-5032 through 75-5038, and amend-
5 ments thereto, and K.S.A. 75-5051 through 75-5058, and amendments
6 thereto.

7 (g) The transportation program shall provide for a multimodal eco-
8 nomic development program to provide assistance for transportation-sen-
9 sitive economic opportunities on a local or a regional basis.

10 (h) The secretary of transportation shall, using the department of
11 transportation selection methods and criteria, determine the projects to
12 be selected for inclusion under the transportation program.

13 Sec. 2. K.S.A. 68-416 is hereby amended to read as follows: 68-416.
14 The state highway fund shall be apportioned as follows:

15 (a) The secretary of transportation annually shall apportion and dis-
16 tribute quarterly, on the first day of January, April, July and October, to
17 cities on the state highway system from the state highway fund moneys
18 at the rate of \$3,000 per year per lane per mile for the maintenance of
19 streets and highways in cities designated by the secretary as city con-
20 necting links, *except that on and after July 1, 2010, the rate per year per*
21 *lane per mile shall be \$5,000.* Unless a consolidated street and highway
22 fund is established pursuant to K.S.A. 12-1,119, and amendments thereto,
23 all moneys distributed by the secretary shall be credited to the street and
24 alley funds of such cities. All moneys so distributed shall be used solely
25 for the maintenance of city connecting links. Maintenance of such city
26 connecting links shall be as prescribed in K.S.A. 68-416a, and amend-
27 ments thereto. As used in this subsection, "lane" means the portion of
28 the roadway for use of moving traffic of a standard width prescribed by
29 the secretary. In lieu of such apportionment, the secretary, by and with
30 the consent of the governing body of any city within the state of Kansas,
31 may maintain such streets within the city and pay for such maintenance
32 from the highway fund.

33 (b) All of the remainder of such highway fund shall be used by the
34 secretary of transportation for:

35 (1) The construction, improvement, reconstruction and maintenance
36 of the state highway system;

37 (2) improvements in transportation programs to aid elderly persons,
38 persons with disabilities and the general public;

39 (3) for any purpose specified in ~~K.S.A. 68-2314a~~ *section 1, and*
40 *amendments thereto;*

41 (4) the support and maintenance of the department of transportation;

42 (5) the expenses of administering the motor vehicle registration and
43 drivers' license laws; and

1 (6) the payment of losses to department of transportation employees
2 authorized by K.S.A. ~~2002~~ 2008 Supp. 75-5062, and amendments thereto.

3 Sec. 3. K.S.A. 2008 Supp. 68-2315 is hereby amended to read as
4 follows: 68-2315. Annually, prior to the 10th day of each regular session
5 of the legislature, the secretary of transportation shall submit a written
6 report to the governor and each member of the legislature providing:

7 (a) Summary financial information and a statement of assurance that
8 the department of transportation has prepared a comprehensive financial
9 report of all funds for the preceding year which includes a report by
10 independent public accountants attesting that the financial statements
11 present fairly the financial position of the Kansas department of trans-
12 portation in conformity with generally accepted accounting principles and
13 a notification that the complete comprehensive financial report, including
14 the auditor's report is available upon request;

15 (b) a detailed explanation of the methods or criteria employed in the
16 selection of substantial maintenance and construction projects and in the
17 awarding of assistance to cities, counties or other transportation providers;

18 (c) the proposed allocation and expenditure of moneys and proposed
19 work plan for the current fiscal year and at least the next five years;

20 (d) information concerning system enhancements, construction work
21 completed in the preceding fiscal year and construction work in progress;

22 (e) information concerning the operation and financial condition of
23 the transportation revolving fund;

24 (f) the annual allocation and expenditure of moneys from the coor-
25 dinated public transportation assistance fund under K.S.A. 75-5035, and
26 amendments thereto;

27 (g) the annual allocation and expenditure of moneys from the rail
28 service improvement fund under K.S.A. 75-5048, and amendments
29 thereto, including specific information relating to any grants or loans
30 made under such program;

31 (h) the annual allocation and expenditure of moneys from the public
32 use general aviation airport development fund under K.S.A. 75-5061, and
33 amendments thereto, including specific information relating to grants
34 made under such program;

35 (i) specific recommendations for any statutory changes necessary for
36 the successful completion of the comprehensive transportation program
37 specified in ~~K.S.A. 68-2314a~~ *section 1, and amendments thereto*, or effi-
38 cient and effective operation of the Kansas department of transportation;
39 and

40 (j) an explanation of any material changes from the previous annual
41 report.

42 Sec. 4. K.S.A. 68-2316 is hereby amended to read as follows: 68-
43 2316. For the period beginning July 1, ~~1999~~ 2010, through June 30, ~~2009~~

1 2019, the secretary of transportation shall expend or commit to expend,
2 from the revenue provided under the provisions of this act, at least
3 ~~\$3,000,000~~ \$5,000,000 for highway, bridge and substantial maintenance
4 projects in each county of the state.

5 Sec. 5. K.S.A. 68-2320 is hereby amended to read as follows: 68-
6 2320. (a) On and after July 1, 1991, the secretary of transportation is
7 hereby authorized and empowered to issue bonds of the state of Kansas,
8 payable solely from revenues accruing to the state highway fund and
9 transferred to the highway bond debt service fund and pledged to their
10 payment, for the purpose of providing funds to pay costs relating to con-
11 struction, reconstruction, maintenance or improvement of highways in
12 this state and to pay all expenses incidental thereto and to the bonds. The
13 secretary is hereby authorized to issue bonds the total principal amount
14 of which shall not exceed \$890,000,000.

15 (b) In addition to the provisions of subsection (a), on and after July
16 1, 1999, the secretary of transportation is hereby authorized and empow-
17 ered to issue bonds of the state of Kansas, payable solely from revenues
18 accruing to the state highway fund and transferred to the highway bond
19 debt service fund and pledged to their payment, for the purpose of pro-
20 viding funds to pay costs relating to construction, reconstruction, main-
21 tenance or improvement of highways in this state and to pay all expenses
22 incidental thereto and to the bonds. The secretary is hereby authorized
23 to issue bonds the total principal amount of which shall not exceed
24 \$1,272,000,000.

25 (c) *In addition to the provisions of subsections (a) and (b), on and*
26 *after July 1, 2010, the secretary of transportation is hereby authorized*
27 *and empowered to issue bonds of the state of Kansas, payable solely from*
28 *revenues accruing to the state highway fund and transferred to the high-*
29 *way bond debt service fund and pledged to their payment, for the purpose*
30 *of providing funds to pay costs relating to construction, reconstruction,*
31 *maintenance or improvement of highways in this state and to pay all*
32 *expenses incidental thereto and to the bonds. The secretary is hereby*
33 *authorized to issue bonds the total principal amount of which shall not*
34 *exceed \$1,000,000,000.*

35 (⇌) (d) In accordance with procurement statutes, the secretary may
36 contract with financial advisors, attorneys and such other professional
37 services as the secretary deems necessary to carry out the provisions of
38 this act, and to do all things necessary or convenient to carry out the
39 powers expressly granted in this act.

40 Sec. 6. K.S.A. 68-2321 is hereby amended to read as follows: 68-
41 2321. (a) Bonds issued shall be authorized by resolution of the secretary.
42 The secretary shall determine the form and manner of the execution of
43 the bonds and the bonds may be made exchangeable for bonds of another

1 denomination or in another form. The bonds shall be dated. Bonds issued
2 under ~~subsections (a) and (b)~~ *the provisions* of K.S.A. 68-2320, and
3 amendments thereto, shall mature not more than 20 years from their date.
4 The bonds may be in such form and denominations, may bear interest
5 payable at such times and at such rate or rates, may be payable at such
6 places within or without the state, may be subject to such terms of re-
7 demption in advance of maturity at such prices, and may contain such
8 terms and conditions, all as the secretary shall determine. The bonds shall
9 have all the qualities of and shall be deemed to be negotiable instruments
10 under the laws of the state of Kansas. The authorizing resolution may
11 contain any other terms, covenants and conditions that the secretary
12 deems reasonable and desirable.

13 (b) The proceeds from the sale of the bonds authorized to be issued
14 under this section are deemed to be trust funds which shall be deposited
15 in the custody of the state treasurer in the highway bond proceeds fund
16 which is hereby created. The secretary shall have responsibility for the
17 management and control of the highway bond proceeds fund and shall
18 provide, by resolution, for both amounts and the duration of investments
19 of moneys in such fund. Such resolution may recommend investment and
20 reporting policies, including acceptable levels of return, risk and security.
21 After consultation with the secretary and subject to the terms, covenants
22 and conditions provided in the resolutions providing for the issuance of
23 such bonds, the director of investments shall have the authority to invest
24 and reinvest moneys in such fund and to acquire, retain, manage, includ-
25 ing the exercise of any voting rights, and dispose of investments of such
26 fund. In investing or reinvesting moneys in such fund, there shall be
27 exercised the judgment and care under the circumstances then prevailing
28 which persons of prudence, discretion and intelligence exercise in the
29 management of their own affairs, not in regard to speculation but in re-
30 gard to the permanent disposition of their funds, considering the probable
31 income as well as the probable safety of their capital, except that moneys
32 of the fund may not be invested in common stocks. Notwithstanding an-
33 ything to the contrary, all interest or other income of the investments,
34 after payment of any management fees, of the highway bond proceeds
35 fund shall be credited to the highway bond debt service fund, until pay-
36 ments on bonds authorized by this act and interest thereon has been fully
37 funded. Thereafter, earnings and other income shall be credited to the
38 state highway fund.

39 (c) The authorizing resolution may provide for the execution of a trust
40 indenture. The trust indenture may contain any terms, covenants and
41 conditions that are deemed desirable by the secretary, including, without
42 limitation, those pertaining to the maintenance of various funds and re-
43 serves, the nature and extent of any security for payment of the bonds,

1 the custody and application of the proceeds of the bonds, the collection
2 and disposition of bond proceeds and earnings thereon, the investing for
3 authorized purposes, and the rights, duties and obligations of the secre-
4 tary and the holders and registered owners of the bonds.

5 (d) Any authorizing resolution and trust indenture relating to the is-
6 suance and security of the bonds may set forth covenants, agreements
7 and obligations therein, which may be enforced by mandamus or other
8 appropriate proceeding at law or in equity.

9 (e) The bonds may be issued under the provisions of this act without
10 obtaining the consent of any department, division, commission, board,
11 bureau or agency of the state and without any other proceedings or the
12 happening of any other conditions or things than those proceedings, con-
13 ditions or things which are specifically required by this act.

14 Sec. 7. K.S.A. 2008 Supp. 68-2331 is hereby amended to read as
15 follows: 68-2331. (a) For the purpose of financing a portion of the com-
16 prehensive transportation program, ~~K.S.A. 68-2314a, et seq., and amend-~~
17 ~~ments thereto,~~ the Kansas development finance authority is hereby au-
18 thorized to issue one or more series of revenue bonds pursuant to the
19 Kansas development finance authority act, K.S.A. 74-8901 et seq., and
20 amendments thereto, in an amount necessary to provide a deposit or
21 deposits in a total amount not to exceed \$150,000,000 to the state highway
22 fund plus amounts necessary to pay the costs of issuance of the bonds,
23 including any credit enhancement, and provide any required reserves for
24 the bonds. The principal amount, interest rates and final maturity of such
25 revenue bonds and any bonds issued to refund such bonds or parameters
26 for such principal amount, interest rates and final maturity shall be ap-
27 proved by the secretary of transportation and by a resolution of the state
28 finance council. The bonds, and interest thereon, issued pursuant to this
29 section shall be payable from moneys appropriated by the state for such
30 purpose. The bonds and interest thereon, issued pursuant to this section
31 shall be obligations only of the authority and in no event shall such bonds
32 constitute an indebtedness or obligation of the Kansas department of
33 transportation or an indebtedness or obligation for which the faith and
34 credit or any assets of the Kansas department of transportation are
35 pledged.

36 (b) (1) The authority may pledge the contract or contracts authorized
37 in subsection (c), or any part thereof, for the payment or redemption of
38 the bonds, and covenant as to the use and disposition of money available
39 to the authority for payments of the bonds. The authority is authorized
40 to enter into any agreements necessary or desirable to effectuate the
41 purposes of this section.

42 (2) The proceeds from the sale of the bonds, other than refunding
43 bonds, issued pursuant to this section, after payment of any costs related

1 to the issuance of such bonds, shall be paid by the authority to the Kansas
2 department of transportation to be applied to the payment, in full or in
3 part, of the construction projects authorized by the comprehensive trans-
4 portation program.

5 (3) The state hereby pledges and covenants with the holders of any
6 bonds issued pursuant to the provisions of this section, that it will not
7 limit or alter the rights or powers vested in the authority by this section,
8 nor limit or alter the rights or powers of the authority, the department of
9 administration or the Kansas department of transportation, in any manner
10 which would jeopardize the interest of the holders or any trustee of such
11 holders or inhibit or prevent performance or fulfillment by the authority,
12 the department of administration or the Kansas department of transpor-
13 tation with respect to the terms of any agreement made with the holders
14 of the bonds or agreements made pursuant to this section, except that
15 the failure of the legislature to appropriate moneys for any purpose shall
16 not be deemed a violation of this pledge and covenant. The department
17 of administration is hereby specifically authorized to include this pledge
18 and covenant in any agreement with the authority. The authority is hereby
19 specifically authorized to include this pledge and covenant in any bond
20 resolution, trust indenture or agreement for the benefit of holders of the
21 bonds.

22 (4) Revenue bonds may be issued pursuant to this section without
23 obtaining the consent of any department, division, commission, board or
24 agency of the state, other than the approvals of the state finance council
25 required by this section, and without any other proceedings or the oc-
26 currence of any other conditions or other things other than those pro-
27 ceedings, conditions or things which are specifically required by the Kan-
28 sas development finance authority act.

29 (c) The department of administration and the authority are author-
30 ized to enter into one or more contracts to implement the payment ar-
31 rangement that is provided for in this section. The contract or contracts
32 shall provide for payment of the amounts required to be paid pursuant
33 to this section and shall set forth the procedure for the transfer of moneys
34 for the purpose of paying such moneys. The contract or contracts shall
35 contain such terms and conditions including principal amount, interest
36 rates and final maturity as shall be approved by resolution of the state
37 finance council and shall include, but not be limited to, terms and con-
38 ditions necessary or desirable to provide for repayment of and to secure
39 any bonds of the authority issued pursuant to this section.

40 (d) In addition to the bonds authorized under subsection (a), if the
41 incremental increases in the amount of federal funds estimated to be
42 available to fund the comprehensive transportation program projects for
43 state fiscal years 2005 through 2009 by the congressional reauthorization

1 of the federal highway program are less than the anticipated federal re-
2 ceipts, the Kansas development finance authority is authorized to issue
3 one or more series of revenue bonds pursuant to the Kansas development
4 finance authority act, K.S.A. 74-8901 et seq., and amendments thereto.
5 Such bonds shall be in an amount necessary to provide a deposit or de-
6 posits in a total amount not to exceed the lesser of the federal shortfall
7 or \$60,000,000 to the state highway fund. The purpose of such bonds
8 shall be to off-set shortfalls in anticipated federal receipts. The issuance
9 of such bonds shall be approved by resolution of the state finance council
10 and shall be issued in accordance with the provisions of this section.

11 No bonds shall be issued pursuant to this subsection prior to the review
12 and recommendation to the state finance council of such issuance by the
13 legislative budget committee.

14 (e) The approvals by the state finance council required by subsection
15 (a), (c) and (d) are hereby characterized as matters of legislative delega-
16 tion and subject to the guidelines prescribed in subsection (c) of K.S.A.
17 75-3711c, and amendments thereto. Such approvals may be given by the
18 state finance council when the legislature is in session.

19 (f) Except for bonds authorized under subsection (d), no bonds shall
20 be issued pursuant to this section prior to the review of and recommen-
21 dation to the state finance council of such issuance by the standing com-
22 mittees on transportation of the house of representatives and the senate.

23 Sec. 8. K.S.A. 2008 Supp. 75-5035 is hereby amended to read as
24 follows: 75-5035. (a) There is hereby established in the state treasury the
25 coordinated public transportation assistance fund. Any expenditures from
26 the fund shall be for the coordinated development, improvement or main-
27 tenance of transportation systems for elderly persons, persons with disa-
28 bilities or the general public under this act and shall be made in accord-
29 ance with appropriation acts upon warrants of the director of accounts
30 and reports issued pursuant to vouchers approved by the secretary or by
31 a person designated by the secretary.

32 (b) (1) ~~On July 1, 1999, and each July 1 thereafter~~ *until June 30,*
33 *2010,* the director of accounts and reports shall transfer \$6,000,000 from
34 the state highway fund to the coordinated public transportation assistance
35 fund.

36 (2) *On July 1, 2010, and each July 1 thereafter, the director of ac-*
37 *counts and reports shall transfer \$15,000,000 from the state highway fund*
38 *to the coordinated public transportation assistance fund.*

39 Sec. 9. K.S.A. 2008 Supp. 75-5048 is hereby amended to read as
40 follows: 75-5048. (a) The secretary of transportation is hereby authorized
41 to make loans or grants to a qualified entity for the purpose of facilitating
42 the financing, acquisition or rehabilitation of railroads and rolling stock
43 in the state of Kansas.

1 (b) Such loans or grants shall be made upon such terms and condi-
2 tions as the secretary of transportation may deem appropriate, and such
3 loans or grants shall be made from funds credited to the rail service
4 improvement fund.

5 (c) The rail service improvement fund is hereby established in the
6 state treasury which shall be for the purpose of facilitating the financing,
7 acquisition and rehabilitation of railroads pursuant to subsection (a) of
8 this section and for the refinancing thereof. The secretary of transporta-
9 tion shall administer the rail service improvement fund. All expenditures
10 from the rail service improvement fund shall be made in accordance with
11 appropriation acts upon warrants of the director of accounts and reports
12 issued pursuant to vouchers approved by the secretary of transportation
13 or by a person or persons designated by the secretary.

14 (d) All moneys received from the federal government under the local
15 rail freight assistance program (49 U.S.C. 1654) shall be remitted to the
16 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
17 amendments thereto. Upon receipt of each such remittance, the state
18 treasurer shall deposit the entire amount in the state treasury to the credit
19 of the rail service improvement fund.

20 (e) The management and investment of the rail service improvement
21 fund shall be in accordance with K.S.A. 68-2324, and amendments
22 thereto. Notwithstanding anything to the contrary, all interest or other
23 income of the investments, after payment of any management fees, shall
24 be considered income of the rail service improvement fund.

25 (f) (1) On July 1, 1999, ~~and each July 1 thereafter~~ *until June 30, 2010,*
26 the director of accounts and reports shall transfer \$3,000,000 from the
27 state highway fund to the rail service improvement fund.

28 (2) ~~The provisions of this subsection shall expire on June 30, 2009~~
29 *On July 1, 2010, and each July 1 thereafter, the director of accounts and*
30 *reports shall transfer \$7,000,000 from the state highway fund to the rail*
31 *service improvement fund.*

32 (g) "Qualified entity" means any interstate commerce commission
33 certificated railroad, a port authority established in accordance with Kan-
34 sas laws, or any entity meeting the rules and regulations established by
35 K.S.A. 75-5050, and amendments thereto.

36 Sec. 10. K.S.A. 2008 Supp. 75-5061 is hereby amended to read as
37 follows: 75-5061. (a) The secretary of transportation is hereby authorized
38 and empowered to: (1) Solicit and receive moneys from any public or
39 private sources; and (2) establish and administer a grant program for
40 public use general aviation airports for the purpose of planning, con-
41 structing, reconstructing or rehabilitating the facilities of such public use
42 general aviation airports.

43 (b) Such grants shall be made upon such terms and conditions as the

1 secretary of transportation deems appropriate, and such grants shall be
2 made from funds credited to the public use general aviation airport de-
3 velopment fund.

4 (c) The public use general aviation airport development fund is
5 hereby established in the state treasury which shall be for the purpose of
6 planning, constructing, reconstructing or rehabilitating the facilities of
7 public use general aviation airports pursuant to subsection (a) of this sec-
8 tion. All moneys received pursuant to subsection (a) shall be remitted to
9 the state treasurer at least monthly and deposited in the state treasury to
10 the credit of the public use general aviation airport development fund.
11 The secretary of transportation shall administer the public use general
12 aviation airport development fund. All expenditures from the public use
13 general aviation airport development fund shall be made in accordance
14 with appropriation acts upon warrants of the director of accounts and
15 reports issued pursuant to vouchers approved by the secretary of trans-
16 portation or by a person or persons designated by the secretary.

17 (d) (1) On July 1, 1999, ~~and each July 1 thereafter~~ *until June 30,*
18 *2010*, the director of accounts and reports shall transfer \$3,000,000 from
19 the state highway fund to the public use general aviation airport devel-
20 opment fund.

21 (2) *On July 1, 2010, and each July 1 thereafter, the director of ac-*
22 *counts and reports shall transfer \$8,000,000 from the state highway fund*
23 *to the public use general aviation airport development fund.*

24 (e) As used in this section “public use general aviation airport” means
25 any airport available for use by the general public for the landing and
26 taking off of aircraft, but shall not include any airport classified as a pri-
27 mary airport by the federal aviation administration.

28 (f) The secretary of transportation may adopt rules and regulations
29 for the purpose of implementing the provisions of this section.

30 Sec. 11. On and after January 1, 2010, K.S.A. 2008 Supp. 8-142 is
31 hereby amended to read as follows: 8-142. It shall be unlawful for any
32 person to commit any of the following acts and except as otherwise pro-
33 vided, violation is subject to penalties provided in K.S.A. 8-149, and
34 amendments thereto:

35 *First:* To operate, or for the owner thereof knowingly to permit the
36 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and
37 amendments thereto, which is not registered, or for which a certificate
38 of title has not been issued or which does not have attached thereto and
39 displayed thereon the license plate or plates assigned thereto by the di-
40 vision for the current registration year, including any registration decal
41 required to be affixed to any such license plate pursuant to K.S.A. 8-134,
42 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-
43 135, 8-198 and 8-1751a, and amendments thereto. A violation of this *First*

1 by a person unlawfully claiming that a motor vehicle is exempt from reg-
2 istration as a self-propelled crane under subsection (b) of K.S.A. 8-128,
3 and amendments thereto, shall constitute an unclassified misdemeanor
4 punishable by a fine of not less than \$500.

5 *Second:* To display or cause or permit to be displayed, or to have in
6 possession, any registration receipt, certificate of title, registration license
7 plate, registration decal, accessible parking placard or accessible parking
8 identification card knowing the same to be fictitious or to have been
9 canceled, revoked, suspended or altered. A violation of this part *Second*
10 shall constitute an unclassified misdemeanor punishable by a fine of not
11 less than \$100 and forfeiture of the item. A mandatory court appearance
12 shall be required of any person violating this part *Second*. This part *Sec-*
13 *ond* shall not apply to the possession of: (a) Model year license plates
14 displayed on antique vehicles as allowed under K.S.A. 8-172, and amend-
15 ments thereto; or (b) distinctive license plates allowed under K.S.A. 8-
16 1,147, and amendments thereto.

17 *Third:* To lend to or knowingly permit the use by one not entitled
18 thereto any registration receipt, certificate of title, registration license
19 plate or registration decal issued to the person so lending or permitting
20 the use thereof.

21 *Fourth:* To fail or refuse to surrender to the division, upon demand,
22 any registration receipt, certificate of title, registration license plate or
23 registration decal which has been suspended, canceled or revoked.

24 *Fifth:* To use a false or fictitious name or address in any application for
25 a certificate of title, the registration of any vehicle or for any renewal or
26 duplicate thereof, or knowingly to make a false statement or knowingly
27 to conceal a material fact or otherwise commit a fraud in any such
28 application.

29 *Sixth:* For the owner of a motor vehicle to file application for the reg-
30 istration thereof, in any county other than the county in which the owner
31 of the vehicle resides or has a bona fide place of business, which place is
32 not an office or facility established or maintained solely for the purpose
33 of obtaining registration.

34 *Seventh:* To operate on the highways of this state a vehicle or combi-
35 nation of vehicles whose weight with cargo is in excess of the gross weight
36 for which the truck or truck tractor propelling the same is registered,
37 except as provided by K.S.A. 8-143, and amendments thereto, and sub-
38 sections (a) to (f), inclusive, of K.S.A. 8-1911, and amendments thereto.
39 Such gross weight shall not be required to be in excess of the limitations
40 described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for
41 such vehicle or combination of vehicles of which it is a part. Any person
42 or owner who operates a vehicle in this state with a registration in violation
43 of subsection ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, shall be

1 required to pay the additional fee equal to the fee required by the appli-
2 cable registration fee schedule, less the amount of the fee required for
3 the gross weight for which the vehicle is registered to obtain the proper
4 registration therewith. A fine of \$75 shall be assessed for all such gross
5 weight registration violations.

6 *Eighth:* To operate a local truck or truck tractor which is registered for
7 a gross weight of more than 12,000 pounds as a common carrier outside
8 a radius of three miles beyond the corporate limits of the city in which
9 such vehicle was based when registered and licensed or to operate any
10 other local truck or truck tractor licensed for a gross weight of more than
11 12,000 pounds outside a radius of 25 miles beyond the corporate limits
12 of the city in which such vehicle was based when registered and licensed,
13 except as provided in subsection ~~(2)~~ (b) of K.S.A. 8-143 or 8-143i, and
14 amendments thereto.

15 *Ninth:* To operate on the highways of this state a farm truck or farm
16 trailer other than to transport: (a) Agricultural products produced by such
17 owner; (b) commodities purchased by the owner for use on the farm
18 owned or rented by the owner of such vehicles; (c) commodities for re-
19 ligious or educational institutions being transported by the owner of such
20 vehicles for charity and without compensation of any kind, except as pro-
21 vided in subsection (c) of K.S.A. 66-1,109, and amendments thereto; or
22 (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top,
23 dirt or fill material to a township road maintenance or construction site
24 of the township in which the owner of such truck resides.

25 *Tenth:* To operate a farm truck or truck tractor used in combination
26 with a trailer or semitrailer for a gross weight which does not include the
27 empty weight of the truck or truck tractor or of the combination of any
28 truck or truck tractor and any type of trailer or semitrailer, plus the max-
29 imum weight of cargo which will be transported on or with the same; and
30 such farm truck or farm truck tractor used to transport a gross weight of
31 more than 54,000 pounds shall have durably lettered on the side of the
32 motor vehicle the words “farm vehicle—not for hire.”

33 *Eleventh:* To operate on the highways of this state any truck or truck
34 tractor without the current quarter of license fees being paid thereon.

35 *Twelfth:* To operate on the highways of this state a truck or truck tractor
36 without carrying in the cab a copy of the registration receipt for such
37 vehicle or without having painted or otherwise durably marked on said
38 vehicle on both sides thereof, the gross weight for which said vehicle is
39 licensed and the name and address of the owner thereof, except as pro-
40 vided in K.S.A. 8-143e, and amendments thereto.

41 *Thirteenth:* To operate on the highways of this state a farm trailer car-
42 rying more than 6,000 pounds without being registered and the registra-
43 tion fees paid thereon.

1 *Fourteenth:* To operate more than 6,000 miles in any calendar year any
 2 truck or truck tractor which has been registered and licensed to operate
 3 not more than 6,000 miles in such calendar year, as provided in subsection
 4 ~~(2)~~ (b) of K.S.A. 8-143, and amendments thereto, unless the additional
 5 fee required by ~~said such~~ subsection ~~(2)~~ (b) has been paid.

6 *Fifteenth:* For any owner who has registered a truck or truck tractor
 7 on the basis of operating not more than 6,000 miles to fail to keep the
 8 records required by the director of vehicles, or to fail to comply with rules
 9 and regulations of the secretary of revenue relating to such registration.

10 *Sixteenth:* To operate a vehicle or combination of vehicles on the national
 11 system of interstate and defense highways with a gross weight
 12 greater than permitted by the laws of the United States Congress.

13 Sec. 12. On and after January 1, 2010, K.S.A. 2008 Supp. 8-143 is
 14 hereby amended to read as follows: 8-143. ~~(1)~~ (a) All applications for the
 15 registration of motorcycles, motorized bicycles and passenger vehicles
 16 other than trucks and truck tractors, except as otherwise provided, shall
 17 be accompanied by an annual license fee as follows: ~~For motorized bi-~~
 18 ~~cycles, \$11, for motorcycles, \$16, for passenger vehicles, other than mo-~~
 19 ~~torcycles, used solely for the carrying of persons for pleasure or business,~~
 20 ~~and for hearses and ambulances a fee of (i) \$30 for those having a gross~~
 21 ~~weight of 4,500 pounds or less; (ii) \$40 for those having a gross weight of~~
 22 ~~more than 4,500 pounds;~~

23 (1) *For motorized bicycles, on January 1, 2010, \$16, on January 1,*
 24 *2011, \$21, on January 1, 2012, \$26, on January 1, 2013, \$31;*

25 (2) *for motorcycles, on January 1, 2010, \$21, on January 1, 2011,*
 26 *\$26, on January 1, 2012, \$31, on January 1, 2013, \$36;*

27 (3) *for passenger vehicles, other than motorcycles, used solely for the*
 28 *carrying of persons for pleasure or business, and for hearses and ambu-*
 29 *lances a fee of:*

30 (A) *For those having a gross weight of 4,500 pounds or less, on Jan-*
 31 *uary 1, 2010, \$35, on January 1, 2011, \$40, on January 1, 2012, \$45, on*
 32 *January 1, 2013, \$50; and*

33 (B) *for those having a gross weight of more than 4,500 pounds, on*
 34 *January 1, 2010, \$45, on January 1, 2011, \$50, on January 1, 2012, \$55,*
 35 *on January 1, 2013, \$60;*

36 (4) *for each electrically propelled motor vehicle, except electrically*
 37 *propelled vehicles intended for the purpose of transporting any com-*
 38 *modity, goods, merchandise, produce or freight, or passengers for hire,*
 39 *a fee of ~~\$14~~ on January 1, 2010, \$19, on January 1, 2011, \$24, on January*
 40 *1, 2012, \$29, on January 1, 2013, \$34.*

41 (5) *Except for motor vehicles, trailers or semitrailers registered under*
 42 *the provisions of K.S.A. 8-1,134, and amendments thereto, the annual*
 43 *registration fee for each motor vehicle, trailer or semitrailer owned by*

1 any political or taxing subdivision of this state or by any agency or instru-
 2 mentality of any one or more political or taxing subdivisions of this state
 3 and used exclusively for governmental purposes and not for any private
 4 or utility purposes, which is not otherwise exempt from registration, shall
 5 be \$2.

6 ~~(2)~~ (b) As used in this subsection, the term “gross weight” shall mean
 7 and include the empty weight of the truck, or combination of the truck
 8 or truck tractor and any type trailer or semitrailer, plus the maximum
 9 weight of cargo which will be transported on or with the same, except
 10 when the empty weight of a truck plus the maximum weight of cargo
 11 which will be transported thereon is 12,000 pounds or less. The term
 12 gross weight shall not include: The weight of any travel trailer propelled
 13 thereby which is being used for private recreational purposes; or the
 14 weight of any vehicle or combination of vehicles for which wrecker or
 15 towing service, as defined in K.S.A. 66-1329, and amendments thereto,
 16 is to be provided by a wrecker or tow truck, as defined in K.S.A. 66-1329,
 17 and amendments thereto. Such wrecker or tow truck shall be registered
 18 for the empty weight of such vehicle fully equipped for the recovery or
 19 towing of vehicles. The gross weight license fees hereinafter prescribed
 20 shall only apply to the truck or truck tractor used as the propelling unit
 21 for the cargo and vehicle propelled, either as a single vehicle or combi-
 22 nation of vehicles. On application for the registration of a truck or truck
 23 tractor, the owner thereof shall declare as a part of such application the
 24 maximum gross weight the owner desires to be applicable to such vehicle,
 25 which declared gross weight in no event shall be in excess of the limita-
 26 tions described by K.S.A. 8-1908 and 8-1909, and amendments thereto,
 27 for such vehicle or combination of vehicles of which it will be a part. All
 28 applications for the registration of trucks or truck tractors, except as oth-
 29 erwise provided herein, shall be accompanied by an annual license fee as
 30 follows:

31 (A) *On January 1, 2010, until January 1, 2011:*

32 For a gross weight of 12,000 lbs. or less	\$40 \$45
33 For a gross weight of more than 12,000 lbs. and not more than 16,000	
34 lbs.	102 127
35 For a gross weight of more than 16,000 lbs. and not more than 20,000	
36 lbs.	132 157
37 For a gross weight of more than 20,000 lbs. and not more than 24,000	
38 lbs.	197 222
39 For a gross weight of more than 24,000 lbs. and not more than 26,000	
40 lbs.	312 337
41 For a gross weight of more than 26,000 lbs. and not more than 30,000	
42 lbs.	312 337

43

1	For a gross weight of more than 30,000 lbs. and not more than 36,000	
2	lbs.	375 400
3	For a gross weight of more than 36,000 lbs. and not more than 42,000	
4	lbs.	475 500
5	For a gross weight of more than 42,000 lbs. and not more than 48,000	
6	lbs.	605 630
7	For a gross weight of more than 48,000 lbs. and not more than 54,000	
8	lbs.	805 830
9	For a gross weight of more than 54,000 lbs. and not more than 60,000	
10	lbs.	1,010 1,035
11	For a gross weight of more than 60,000 lbs. and not more than 66,000	
12	lbs.	1,210 1,235
13	For a gross weight of more than 66,000 lbs. and not more than 74,000	
14	lbs.	1,535 1,560
15	For a gross weight of more than 74,000 lbs. and not more than 80,000	
16	lbs.	1,735 1,760
17	For a gross weight of more than 80,000 lbs. and not more than 85,500	
18	lbs.	1,935 1,960
19	<i>(B) On January 1, 2011, until January 1, 2012:</i>	
20	For a gross weight of 12,000 lbs. or less	\$50
21	For a gross weight of more than 12,000 lbs. and not more than 16,000	
22	lbs.	152
23	For a gross weight of more than 16,000 lbs. and not more than 20,000	
24	lbs.	182
25	For a gross weight of more than 20,000 lbs. and not more than 24,000	
26	lbs.	247
27	For a gross weight of more than 24,000 lbs. and not more than 26,000	
28	lbs.	362
29	For a gross weight of more than 26,000 lbs. and not more than 30,000	
30	lbs.	362
31	For a gross weight of more than 30,000 lbs. and not more than 36,000	
32	lbs.	425
33	For a gross weight of more than 36,000 lbs. and not more than 42,000	
34	lbs.	525
35	For a gross weight of more than 42,000 lbs. and not more than 48,000	
36	lbs.	655
37	For a gross weight of more than 48,000 lbs. and not more than 54,000	
38	lbs.	855
39	For a gross weight of more than 54,000 lbs. and not more than 60,000	
40	lbs.	1,060
41	For a gross weight of more than 60,000 lbs. and not more than 66,000	
42	lbs.	1,260
43		

1	For a gross weight of more than 66,000 lbs. and not more than 74,000	
2	lbs.	1,585
3	For a gross weight of more than 74,000 lbs. and not more than 80,000	
4	lbs.	1,785
5	For a gross weight of more than 80,000 lbs. and not more than 85,500	
6	lbs.	1,985
7	(C) On January 1, 2012, until January 1, 2013:	
8	For a gross weight of 12,000 lbs. or less	\$55
9	For a gross weight of more than 12,000 lbs. and not more than 16,000	
10	lbs.	177
11	For a gross weight of more than 16,000 lbs. and not more than 20,000	
12	lbs.	207
13	For a gross weight of more than 20,000 lbs. and not more than 24,000	
14	lbs.	272
15	For a gross weight of more than 24,000 lbs. and not more than 26,000	
16	lbs.	387
17	For a gross weight of more than 26,000 lbs. and not more than 30,000	
18	lbs.	387
19	For a gross weight of more than 30,000 lbs. and not more than 36,000	
20	lbs.	450
21	For a gross weight of more than 36,000 lbs. and not more than 42,000	
22	lbs.	550
23	For a gross weight of more than 42,000 lbs. and not more than 48,000	
24	lbs.	680
25	For a gross weight of more than 48,000 lbs. and not more than 54,000	
26	lbs.	880
27	For a gross weight of more than 54,000 lbs. and not more than 60,000	
28	lbs.	1,085
29	For a gross weight of more than 60,000 lbs. and not more than 66,000	
30	lbs.	1,285
31	For a gross weight of more than 66,000 lbs. and not more than 74,000	
32	lbs.	1,610
33	For a gross weight of more than 74,000 lbs. and not more than 80,000	
34	lbs.	1,810
35	For a gross weight of more than 80,000 lbs. and not more than 85,500	
36	lbs.	2,010
37	(D) On January 1, 2013:	
38	For a gross weight of 12,000 lbs. or less	\$60
39	For a gross weight of more than 12,000 lbs. and not more than 16,000	
40	lbs.	202
41	For a gross weight of more than 16,000 lbs. and not more than 20,000	
42	lbs.	232
43		

1	For a gross weight of more than 20,000 lbs. and not more than 24,000	
2	lbs.	297
3	For a gross weight of more than 24,000 lbs. and not more than 26,000	
4	lbs.	418
5	For a gross weight of more than 26,000 lbs. and not more than 30,000	
6	lbs.	418
7	For a gross weight of more than 30,000 lbs. and not more than 36,000	
8	lbs.	475
9	For a gross weight of more than 36,000 lbs. and not more than 42,000	
10	lbs.	575
11	For a gross weight of more than 42,000 lbs. and not more than 48,000	
12	lbs.	705
13	For a gross weight of more than 48,000 lbs. and not more than 54,000	
14	lbs.	905
15	For a gross weight of more than 54,000 lbs. and not more than 60,000	
16	lbs.	1,110
17	For a gross weight of more than 60,000 lbs. and not more than 66,000	
18	lbs.	1,310
19	For a gross weight of more than 66,000 lbs. and not more than 74,000	
20	lbs.	1,635
21	For a gross weight of more than 74,000 lbs. and not more than 80,000	
22	lbs.	1,835
23	For a gross weight of more than 80,000 lbs. and not more than 85,500	
24	lbs.	2,035

25 (2) If the applicant for registration of any truck or truck tractor for a
 26 gross weight of more than 12,000 pounds is the state of Kansas or any
 27 political or taxing subdivision or agency of the state, except a city or
 28 county, whose truck or truck tractor is not otherwise entitled to the \$2
 29 license fee or otherwise exempt from all fees, such vehicle may be li-
 30 censed for a fee in accordance with the schedule hereinafter prescribed
 31 for local trucks or truck tractors.

32 (3) If the applicant for registration of any truck or truck tractor for a
 33 gross weight of more than 12,000 pounds shall under oath state in writing
 34 on a form prescribed and furnished by the director of vehicles that the
 35 applicant does not expect to operate it more than 6,000 miles in the
 36 calendar year for which the applicant seeks registration, and that if the
 37 applicant shall operate it more than 6,000 miles during such registration
 38 year such applicant will pay an additional fee equal to the fee required
 39 by the preceding schedule *under paragraph (1)*, less the amount of the
 40 fee paid at time of registration, such vehicle may be licensed for a fee in
 41 accordance with the schedule ~~hereinafter~~ prescribed for local trucks or
 42 truck tractors, ~~and whenever the same.~~ *Whenever a truck or truck tractor*
 43 *is registered on a local truck or truck tractor fee basis a tab or marker*

1 shall be issued in connection with the regular license plate, which tab or
 2 marker shall be attached or affixed to and displayed with the regular
 3 license plate and the failure to have the same attached, affixed or dis-
 4 played shall be subject to the same penalties as provided by law for the
 5 failure to display the regular license plate; and the secretary of revenue
 6 may adopt rules and regulations requiring the owners of trucks and truck
 7 tractors so registered on a local truck or truck tractor fee basis to keep
 8 such records and make such reports of mileage of such vehicles as the
 9 secretary of revenue shall deem proper.

10 (4) A transporter delivering vehicles not the transporter's own by the
 11 driveaway method where such vehicles are being driven, towed, or trans-
 12 ported singly, or by the saddlemount, towbar, or fullmount methods, or
 13 by any lawful combination thereof, may apply for license plates which
 14 may be transferred from one such vehicle or combination to another for
 15 each delivery without further registration, and the annual license fee for
 16 such license plate shall be as follows:

17 (A) *On January 1, 2010, until January 1, 2011:*

18	For the first such set of license plates	\$44 \$49
19	For each additional such set of license plates	+8 23

20 (B) *On January 1, 2011, until January 1, 2012:*

21	For the first such set of license plates	\$54
22	For each additional such set of license plates	28

23 (C) *On January 1, 2012, until January 1, 2013:*

24	For the first such set of license plates	\$59
25	For each additional such set of license plates	33

26 (D) *On January 1, 2013:*

27	For the first such set of license plates	\$64
28	For each additional such set of license plates	38

29 (5) A truck or truck tractor registered for a gross weight of more than
 30 12,000 pounds, which is operated wholly within the corporate limits of a
 31 city or village or within a radius of 25 miles beyond the corporate limits,
 32 shall be classified as a local truck except that in no event shall such vehicles
 33 operated as contract or common carriers outside a radius of three miles
 34 beyond the corporate limits of the city or village in which such vehicles
 35 were based when registered and licensed be considered local trucks or
 36 truck tractors. The secretary of revenue is hereby authorized and directed
 37 to adopt rules and regulations prescribing a procedure for the issuance
 38 of permits by the division of vehicles whereby owners of local trucks or
 39 truck tractors may operate any such vehicle, empty, beyond the radius
 40 hereinbefore prescribed, when such operation is solely for the purpose
 41 of having such vehicle repaired, painted or serviced or for adding addi-
 42 tional equipment thereto. The annual license fee for a local truck or truck
 43 tractor, except as otherwise provided herein, shall be as follows:

1	(A) <i>On January 1, 2010, until January 1, 2011:</i>	
2	For a gross weight of more than 12,000 lbs. and not more than 16,000	
3	lbs.	\$62 \$87
4	For a gross weight of more than 16,000 lbs. and not more than 20,000	
5	lbs.	102 127
6	For a gross weight of more than 20,000 lbs. and not more than 24,000	
7	lbs.	132 157
8	For a gross weight of more than 24,000 lbs. and not more than 26,000	
9	lbs.	177 202
10	For a gross weight of more than 26,000 lbs. and not more than 30,000	
11	lbs.	177 202
12	For a gross weight of more than 30,000 lbs. and not more than 36,000	
13	lbs.	215 240
14	For a gross weight of more than 36,000 lbs. and not more than 42,000	
15	lbs.	245 270
16	For a gross weight of more than 42,000 lbs. and not more than 48,000	
17	lbs.	315 340
18	For a gross weight of more than 48,000 lbs. and not more than 54,000	
19	lbs.	415 440
20	For a gross weight of more than 54,000 lbs. and not more than 60,000	
21	lbs.	480 505
22	For a gross weight of more than 60,000 lbs. and not more than 66,000	
23	lbs.	580 605
24	For a gross weight of more than 66,000 lbs. and not more than 74,000	
25	lbs.	760 785
26	For a gross weight of more than 74,000 lbs. and not more than 80,000	
27	lbs.	890 915
28	For a gross weight of more than 80,000 lbs. and not more than 85,500	
29	lbs.	1,010 1,035
30	(B) <i>January 1, 2011, until January 1, 2012:</i>	
31	For a gross weight of more than 12,000 lbs. and not more than 16,000	
32	lbs.	\$112
33	For a gross weight of more than 16,000 lbs. and not more than 20,000	
34	lbs.	152
35	For a gross weight of more than 20,000 lbs. and not more than 24,000	
36	lbs.	182
37	For a gross weight of more than 24,000 lbs. and not more than 26,000	
38	lbs.	227
39	For a gross weight of more than 26,000 lbs. and not more than 30,000	
40	lbs.	227
41	For a gross weight of more than 30,000 lbs. and not more than 36,000	
42	lbs.	265
43		

1	For a gross weight of more than 36,000 lbs. and not more than 42,000	
2	lbs.	295
3	For a gross weight of more than 42,000 lbs. and not more than 48,000	
4	lbs.	365
5	For a gross weight of more than 48,000 lbs. and not more than 54,000	
6	lbs.	465
7	For a gross weight of more than 54,000 lbs. and not more than 60,000	
8	lbs.	530
9	For a gross weight of more than 60,000 lbs. and not more than 66,000	
10	lbs.	630
11	For a gross weight of more than 66,000 lbs. and not more than 74,000	
12	lbs.	810
13	For a gross weight of more than 74,000 lbs. and not more than 80,000	
14	lbs.	940
15	For a gross weight of more than 80,000 lbs. and not more than 85,500	
16	lbs.	1,060
17	(C) On January 1, 2012, until January 1, 2013:	
18	For a gross weight of more than 12,000 lbs. and not more than 16,000	
19	lbs.	\$137
20	For a gross weight of more than 16,000 lbs. and not more than 20,000	
21	lbs.	177
22	For a gross weight of more than 20,000 lbs. and not more than 24,000	
23	lbs.	207
24	For a gross weight of more than 24,000 lbs. and not more than 26,000	
25	lbs.	252
26	For a gross weight of more than 26,000 lbs. and not more than 30,000	
27	lbs.	252
28	For a gross weight of more than 30,000 lbs. and not more than 36,000	
29	lbs.	290
30	For a gross weight of more than 36,000 lbs. and not more than 42,000	
31	lbs.	320
32	For a gross weight of more than 42,000 lbs. and not more than 48,000	
33	lbs.	390
34	For a gross weight of more than 48,000 lbs. and not more than 54,000	
35	lbs.	490
36	For a gross weight of more than 54,000 lbs. and not more than 60,000	
37	lbs.	555
38	For a gross weight of more than 60,000 lbs. and not more than 66,000	
39	lbs.	655
40	For a gross weight of more than 66,000 lbs. and not more than 74,000	
41	lbs.	835
42	For a gross weight of more than 74,000 lbs. and not more than 80,000	
43	lbs.	965

1	For a gross weight of more than 80,000 lbs. and not more than 85,500	
2	lbs.	1,085
3	(D) On January 1, 2013:	
4	For a gross weight of more than 12,000 lbs. and not more than 16,000	
5	lbs.	\$162
6	For a gross weight of more than 16,000 lbs. and not more than 20,000	
7	lbs.	202
8	For a gross weight of more than 20,000 lbs. and not more than 24,000	
9	lbs.	232
10	For a gross weight of more than 24,000 lbs. and not more than 26,000	
11	lbs.	277
12	For a gross weight of more than 26,000 lbs. and not more than 30,000	
13	lbs.	277
14	For a gross weight of more than 30,000 lbs. and not more than 36,000	
15	lbs.	315
16	For a gross weight of more than 36,000 lbs. and not more than 42,000	
17	lbs.	345
18	For a gross weight of more than 42,000 lbs. and not more than 48,000	
19	lbs.	415
20	For a gross weight of more than 48,000 lbs. and not more than 54,000	
21	lbs.	515
22	For a gross weight of more than 54,000 lbs. and not more than 60,000	
23	lbs.	580
24	For a gross weight of more than 60,000 lbs. and not more than 66,000	
25	lbs.	680
26	For a gross weight of more than 66,000 lbs. and not more than 74,000	
27	lbs.	860
28	For a gross weight of more than 74,000 lbs. and not more than 80,000	
29	lbs.	990
30	For a gross weight of more than 80,000 lbs. and not more than 85,500	
31	lbs.	1,110
32	(6) A truck or truck tractor registered for a gross weight of more than	
33	12,000 pounds, which is owned by a person engaged in farming and which	
34	truck or truck tractor is used by such owner to transport agricultural	
35	products produced by such owner or commodities purchased by such	
36	owner for use on the farm owned or rented by the owner of such farm	
37	truck or truck tractor, shall be classified as a farm truck or truck tractor	
38	and the annual license fee for such farm truck shall be as follows:	
39	(A) On January 1, 2010, until January 1, 2011:	
40	For a gross weight of more than 12,000 lbs. and not more than 16,000	
41	lbs.	\$37 \$42
42	For a gross weight of more than 16,000 lbs. and not more than 20,000	
43	lbs.	42 67

1	For a gross weight of more than 20,000 lbs. and not more than 24,000	
2	lbs.	52 77
3	For a gross weight of more than 24,000 lbs. and not more than 26,000	
4	lbs.	72 97
5	For a gross weight of more than 26,000 lbs. and not more than 36,000	
6	lbs.	72 97
7	For a gross weight of more than 36,000 lbs. and not more than 54,000	
8	lbs.	75 100
9	For a gross weight of more than 54,000 lbs. and not more than 60,000	
10	lbs.	190 215
11	For a gross weight of more than 60,000 lbs. and not more than 66,000	
12	lbs.	370 395
13	For a gross weight of more than 66,000 lbs.	610 635
14	<i>(B) On January 1, 2011, until January 1, 2012:</i>	
15	For a gross weight of more than 12,000 lbs. and not more than 16,000	
16	lbs.	\$47
17	For a gross weight of more than 16,000 lbs. and not more than 20,000	
18	lbs.	92
19	For a gross weight of more than 20,000 lbs. and not more than 24,000	
20	lbs.	102
21	For a gross weight of more than 24,000 lbs. and not more than 26,000	
22	lbs.	122
23	For a gross weight of more than 26,000 lbs. and not more than 36,000	
24	lbs.	122
25	For a gross weight of more than 36,000 lbs. and not more than 54,000	
26	lbs.	125
27	For a gross weight of more than 54,000 lbs. and not more than 60,000	
28	lbs.	240
29	For a gross weight of more than 60,000 lbs. and not more than 66,000	
30	lbs.	420
31	For a gross weight of more than 66,000 lbs.	660
32	<i>(C) On January 1, 2012, until January 1, 2013,</i>	
33	For a gross weight of more than 12,000 lbs. and not more than 16,000	
34	lbs.	\$53
35	For a gross weight of more than 16,000 lbs. and not more than 20,000	
36	lbs.	117
37	For a gross weight of more than 20,000 lbs. and not more than 24,000	
38	lbs.	127
39	For a gross weight of more than 24,000 lbs. and not more than 26,000	
40	lbs.	147
41	For a gross weight of more than 26,000 lbs. and not more than 36,000	
42	lbs.	147
43		

1 For a gross weight of more than 36,000 lbs. and not more than 54,000
2 lbs. 150
3 For a gross weight of more than 54,000 lbs. and not more than 60,000
4 lbs. 265
5 For a gross weight of more than 60,000 lbs. and not more than 66,000
6 lbs. 445
7 For a gross weight of more than 66,000 lbs. 685
8 (D) On January 1, 2013:
9 For a gross weight of more than 12,000 lbs. and not more than 16,000
10 lbs. \$58
11 For a gross weight of more than 16,000 lbs. and not more than 20,000
12 lbs. 142
13 For a gross weight of more than 20,000 lbs. and not more than 24,000
14 lbs. 152
15 For a gross weight of more than 24,000 lbs. and not more than 26,000
16 lbs. 172
17 For a gross weight of more than 26,000 lbs. and not more than 36,000
18 lbs. 172
19 For a gross weight of more than 36,000 lbs. and not more than 54,000
20 lbs. 175
21 For a gross weight of more than 54,000 lbs. and not more than 60,000
22 lbs. 290
23 For a gross weight of more than 60,000 lbs. and not more than 66,000
24 lbs. 470
25 For a gross weight of more than 66,000 lbs. 710

26 A vehicle licensed as a farm truck or truck tractor may be used by the
27 owner thereof to transport, for charity and without compensation of any
28 kind, commodities for religious or educational institutions. A truck which
29 is licensed as a farm truck may also be used for the transportation of sand,
30 gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill
31 material to a township road maintenance or construction site of the town-
32 ship in which the owner of such truck resides. Any applicant for registra-
33 tion of any farm truck or farm truck tractor used in combination with a
34 trailer or semitrailer shall register the farm truck or farm truck tractor for
35 a gross weight which shall include the empty weight of the truck or truck
36 tractor or of the combination of any truck or truck tractor and any type
37 of trailer or semitrailer, plus the maximum weight of cargo which will be
38 transported on or with the same. The applicant for registration of any
39 farm truck or farm truck tractor used to transport a gross weight of more
40 than 54,000 pounds shall durably letter on the side of the motor vehicle
41 the words “farm vehicle—not for hire.” If an applicant for registration of
42 any farm truck or farm truck tractor operates such vehicle for any use or
43 purpose not authorized for a farm truck or farm truck tractor, such ap-

1 plicant shall pay an additional fee equal to the fee required for the reg-
 2 istration of all trucks or truck tractors not registered as local, 6,000-mile
 3 or farm truck or farm truck tractor motor vehicles, less the amount of the
 4 fee paid at time of registration. Nothing in this or the preceding paragraph
 5 shall authorize a gross weight of a vehicle or combination of vehicles on
 6 the national system of interstate and defense highways greater than per-
 7 mitted by laws of the United States congress.

8 (7) Except as hereinafter provided, the annual license fee for each
 9 local urban transit bus used in local urban transit operations exempted
 10 under the provisions of subsection (a) of K.S.A. 66-1,109, and amend-
 11 ments thereto, shall be based on the passenger seating capacity of the bus
 12 and shall be as follows:

13 (A) *On January 1, 2010, until January 1, 2011:*

14 8 or more, but less than 31 passengers	\$15 \$20
15 31 or more, but less than 40 passengers	30 35
16 More than 39 passengers	60 65

17 (B) *On January 1, 2011, until January 1, 2012:*

18 8 or more, but less than 31 passengers	\$25
19 31 or more, but less than 40 passengers	40
20 More than 39 passengers	70

21 (C) *On January 1, 2012, until January 1, 2013:*

22 8 or more, but less than 31 passengers	\$30
23 31 or more, but less than 40 passengers	45
24 More than 39 passengers	75

25 (D) *On January 1, 2013:*

26 8 or more, but less than 31 passengers	\$35
27 31 or more, but less than 40 passengers	50
28 More than 39 passengers	80

29 ~~except that~~ The annual license fee for each local urban transit bus
 30 which is owned by a metropolitan transit authority established pursuant
 31 to articles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13
 32 of the Kansas Statutes Annotated shall be \$2.

33 (8) For licensing purposes, station wagons with a carrying capacity of
 34 less than 10 passengers shall be subject to registration fees based on the
 35 weight of the vehicles, as provided in subsection ~~(1)~~ (a). Station wagons
 36 with a carrying capacity of 10 or more passengers shall be subject to the
 37 truck classifications and license fees ~~therefor shall be as herein provided.~~

38 ~~(a)~~ (9) For any trailer, semitrailer, travel trailer or pole trailer the
 39 annual license fee shall be as follows:

40 (A) For any such vehicle with a gross weight of more than 12,000
 41 pounds the annual fee shall be ~~\$35~~ *on January 1, 2010, \$40, on January*
 42 *1, 2011, \$45, on January 1, 2012, \$50, on January 1, 2013, \$55;*

43 (B) any such vehicle grossing more than 8,000 pounds but not over

1 12,000 pounds, the annual fee shall be ~~\$25~~ on January 1, 2010, \$30, on
2 January 1, 2011, \$35, on January 1, 2012, \$40, on January 1, 2013, \$45;
3 (C) for any such vehicle grossing more than 2,000 pounds but not
4 over 8,000 pounds, the annual fee shall be ~~\$15~~ on January 1, 2010, \$20,
5 on January 1, 2011, \$25, on January 1, 2012, \$30, on January 1, 2013,
6 \$35.

7 Any such vehicle having a gross weight of 2,000 pounds or less may, at
8 the owner's option, be registered and the fee for such registration shall
9 be ~~\$15~~ as provided in paragraph (C).

10 Any trailer, semitrailer or travel trailer owned by a nonresident of this
11 state and based in another state, which is properly registered and licensed
12 in the state of residence of the owner or in the state where based, may
13 be operated in this state without being registered or licensed in this state
14 if the truck or truck tractor propelling the same is properly registered and
15 licensed in this state, or is registered and licensed in some other state and
16 is entitled to reciprocal privileges of operation in this state, but this pro-
17 vision shall not apply to any trailer or semitrailer owned by a nonresident
18 of this state when such trailer or semitrailer is owned by a person who
19 has proportionately registered and licensed a fleet of vehicles under the
20 provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments
21 thereto, or under the terms of any reciprocal or proration agreement
22 made pursuant thereto.

23 At the option of the owner, any trailer, semitrailer or pole trailer, with
24 a gross weight of more than 12,000 pounds, may be issued a multi-year
25 registration for a five-year period upon payment of the appropriate reg-
26 istration fee. The fee for a five-year registration of such trailer shall be
27 five times the annual fee for such trailer. If the annual registration fee is
28 increased during the multi-year registration period, the owner of the
29 trailer with such multi-year registration shall be subject to the amount of
30 the increase of the annual registration fee for the remaining calendar
31 years of such multi-year registration. When the owner of any trailer, sem-
32 itrailer or pole trailer registered under this multi-year provision transfers
33 or assigns the title, or interest thereto, the registration of such trailer shall
34 expire. The owner shall remove the license plate from such trailer and
35 forward the license plate to the division of vehicles or may have such
36 license plate assigned to another trailer, semitrailer or pole trailer upon
37 the payment of fees required by law. Any owner of a trailer, semitrailer
38 or pole trailer where the multi-year registration fee has been paid and
39 the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or
40 title transferred by operation of law, and the registration thereon is not
41 going to be transferred to another trailer, may secure a refund for the
42 registration fee for the remaining calendar years by making application
43 to the division of vehicles on a form and in the manner prescribed by the

1 director of vehicles. The secretary of revenue may adopt such rules and
2 regulations necessary to implement the multi-year registration of such
3 trailers, semitrailers and pole trailers.

4 ~~(b)~~ (c) Any truck or truck tractor having a gross weight of 4,000
5 pounds or over, using solid tires, shall pay a license fee of double the
6 amount herein charged. The annual fees herein provided for trucks, truck
7 tractors and trailers not subject to K.S.A. 8-134a, and amendments
8 thereto, shall be due January 1 of each year and payable on or before the
9 last day of February in each year. If the fee is not paid by such date a
10 penalty of \$1 shall be added to the fee charged herein for each month or
11 fraction thereof and until December 31 of each registration year. The
12 annual registration fee for all passenger vehicles and vehicles subject to
13 K.S.A. 8-134a, and amendments thereto, shall be due on or before the
14 last day of the month in which the registration plate expires and shall be
15 due for other vehicles as provided by K.S.A. 8-134, and amendments
16 thereto. If the registration fee is not paid by such date a penalty of \$1
17 shall be added to the fee charged herein for each month or fraction
18 thereof until such registration fee is paid. Members of the armed forces
19 of the United States shall be permitted to apply for registration at any
20 time and be subject to registration fee, less penalties, applicable at the
21 time the application is made. If any motorcycle, motorized bicycle, trailer,
22 semitrailer, travel trailer, or pole trailer is either purchased or acquired
23 after the anniversary or renewal date in any registration year there shall
24 immediately become due and payable a registration fee as follows: If
25 purchased or acquired between the anniversary or renewal date of any
26 registration year and the first six months of such registration year, the
27 annual fee hereinbefore provided; if purchased or acquired during the
28 last six months of any registration year, 50% of such annual fee. If any
29 truck or truck tractor, except trucks subject to K.S.A. 8-134a, and amend-
30 ments thereto, is purchased or acquired prior to April 1 of any year the
31 fee shall be the annual fee hereinbefore provided, but if such truck or
32 truck tractor is purchased or acquired after the end of March of any year,
33 the license fee for such year shall be reduced $\frac{1}{12}$ for each calendar month
34 which has elapsed since the beginning of the year. If any truck registered
35 for a gross weight of 12,000 pounds or less or passenger vehicle is pur-
36 chased or acquired and less than 12 months remain in the registration
37 period, the fee shall be $\frac{1}{12}$ of the annual fee for each calendar month
38 remaining in the registration period.

39 ~~(e)~~ (d) The owner of any motorcycle, motorized bicycle, passenger
40 vehicle, truck, truck tractor, trailer, semitrailer, or electrically propelled
41 vehicle who fails to pay the registration fee or fees herein provided on
42 the date when the same become due and payable shall be guilty of a
43 misdemeanor, and upon conviction thereof shall be subject to a penalty

1 in the sum of \$1 for each month or fraction thereof during which such
2 fee has remained unpaid after it became due and payable; and in addition
3 thereto shall be subject to such other punishment as is provided in this
4 act. Upon the transfer of motorcycles, motorized bicycles, passenger ve-
5 hicles, trailers, semitrailers, trucks or truck tractors, on which registration
6 fees have been paid for the year in which the transfer is made, either ~~(A)~~
7 *(1)* to a corporation by one or more persons, solely in exchange for stock
8 or securities in such corporation, or ~~(B)~~ *(2)* by one corporation to another
9 corporation when all of the assets of such corporation are transferred to
10 the other corporation, then in either case ~~(A)~~ *(1)* or case ~~(B)~~ *(2)* the
11 corporation shall be exempt from the payment of registration fees on such
12 vehicles for the year in which such transfer is made. Applications for
13 transfer or registration shall be accompanied by a fee of \$1.50. When the
14 registration of a vehicle has expired at midnight on the last day of any
15 registration year, and such vehicle is not thereafter operated upon the
16 highways, any application for renewal of registration made subsequent to
17 the anniversary or renewal date of any registration year following the
18 expiration of such registration and for succeeding registration years in
19 which such vehicle has not been registered shall be accompanied by an
20 affidavit of nonoperation and nonuse, and such application for renewal
21 or registration shall be received by the division of vehicles upon payment
22 of the proper fees for the current registration year and without penalty.

23 ~~(3)~~ *(e)* Any nonresident of Kansas purchasing a vehicle from a Kansas
24 resident and desiring to secure registration on the vehicle in the state of
25 such person's residence may make application in the office of any county
26 treasurer for a thirty-day temporary registration. The county treasurer
27 upon presentation of evidence of ownership in the applicant and evidence
28 the sales tax has been paid, if due, shall charge and collect a fee of ~~\$3~~ \$10
29 for each thirty-day temporary license and issue a sticker or paper regis-
30 tration as may be determined by the director of vehicles, and the regis-
31 tration so issued shall be valid for a period of 30 days from the date of
32 issuance.

33 ~~(4)~~ *(f)* Any owner of any motor vehicle which is subject to taxation
34 under the provisions of article 51 of chapter 79 of the Kansas Statutes
35 Annotated or any other truck or truck tractor where the annual registra-
36 tion fee has been paid and the vehicle is sold, junked, repossessed, fore-
37 closed by a mechanic's lien or title transferred by operation of law, and
38 the registration thereon is not going to be transferred to another vehicle
39 may secure a refund for the registration fee for the remaining portion of
40 the year by making application to the division of vehicles on a form and
41 in the manner prescribed by the director of vehicles, accompanied by all
42 license plates and attachments issued in connection therewith. If the
43 owner of the registration becomes deceased and the vehicle is not going

1 to be used on the highway, and title is not being currently transferred,
2 the proper representative of the estate shall be entitled to the refund.
3 The refund shall be made only for the period of time remaining in the
4 registration year from the date of completion and filing of the application
5 with and delivery of the license plate and attachments to the division of
6 vehicles. Where the registration is secured under a quarterly payment
7 annual registration fee, as provided for in K.S.A. 8-143a, and amendments
8 thereto, such refund shall be made on the quarterly fee paid and unused
9 and all remaining quarterly payments shall be canceled. Any truck or truck
10 tractor having the registration fee paid on quarterly payment basis, all
11 quarterly payments due or a fraction of quarterly payment due shall be
12 paid before title may be transferred, except that in case of death, the
13 filing of the application and returning of the license plate and attachment
14 shall cancel the remaining annual payments due. Whenever a truck or
15 truck tractor, where the registration is secured on a quarterly payment of
16 the annual registration, the one repossessing the truck or truck tractor,
17 or foreclosing by a mechanic's lien, or securing title by court order, the
18 mortgagor or the assigns of the mortgagor, or the one securing title may
19 pay the balance due on date of application for title, but the payments for
20 the remaining portion of the year shall not be canceled unless application
21 is made and the license plate and attachments are surrendered. Nothing
22 in this subsection shall apply when registration is secured under the pro-
23 visions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto.
24 Notwithstanding any of the foregoing provisions of this section, no refund
25 shall be made under the provisions of this section where the amount
26 thereof does not exceed \$5. The division of vehicles shall furnish such
27 blank forms as may be required under the provisions of this subsection
28 as it deems necessary to be completed by the applicant. Whenever a
29 registration which has been secured on a quarterly basis shall be canceled
30 as provided in this subsection, the division of vehicles shall notify the
31 county treasurer issuing the original registration of such cancellation so
32 that the county treasurer may, and the county treasurer shall cancel the
33 registration of such vehicle in the county treasurer's office and release
34 any lien issued in connection with such registration.

35 ~~(5)~~ (g) Every owner of a travel trailer designed for or intended to be
36 moved upon any highway in this state shall, before the same is so moved,
37 apply for and obtain the proper registration thereof as provided in this
38 act, except when such unit is permitted to be moved under the special
39 provisions relating to secured parties, manufacturers, dealers and non-
40 residents contained in this act. At the time of registering any travel trailer
41 for the purpose of moving any such vehicle upon any highway in this
42 state, the owner thereof shall indicate on the registration form whether
43 or not such vehicle is being moved permanently to a location outside of

1 the county in which such vehicle is being registered. No such vehicle
2 which the owner thereof intends to move to a permanent location outside
3 the boundaries of such county shall be registered for movement on the
4 highways of this state until all taxes levied against such vehicle have been
5 paid. A copy of such registration form shall be sent to the county clerk
6 or assessor of the county to which such vehicle is being moved. When
7 such travel trailer is used for living quarters and not operated on the
8 highways, the owner shall be exempt from the license fees as provided in
9 ~~paragraph (a) of subsection (2)~~ subsection (b)(9) so long as such travel
10 trailer is not operated on the highway.

11 Sec. 13. On and after January 1, 2010, K.S.A. 8-143b is hereby
12 amended to read as follows: 8-143b. (a) Except as provided in K.S.A. 8-
13 143k, and amendments thereto, and subsection (b), the owner of any
14 truck or truck tractor which is duly registered and licensed in some other
15 state, desiring to operate in intrastate commerce in this state for a tem-
16 porary period only, in lieu of payment of the annual license fee, may
17 register such truck or truck tractor and obtain either: (1) A ~~seventy-two-~~
18 ~~hour~~ 72-hour temporary registration; or (2) a thirty-day license author-
19 izing operation on the highways of this state for a period not to exceed
20 30 days from the date of issuance of such license. The fee for: The ~~sev-~~
21 ~~enty-two-hour~~ 72-hour temporary registration shall be ~~\$26~~ on January 1,
22 2010, \$31, on January 1, 2011, \$36, on January 1, 2012, \$41, on January
23 1, 2013, \$46 and the fee for the thirty-day license shall be ~~\$26~~ on January
24 1, 2010, \$31, on January 1, 2011, \$36, on January 1, 2012, \$41, on Jan-
25 uary 1, 2013, \$46 or $\frac{1}{8}$ of the annual license fee for such vehicle, which-
26 ever sum is the larger. Where either fee is paid on a truck or truck tractor
27 no registration or fee shall be required for a trailer or semitrailer duly
28 registered in this or another state and propelled by such truck or truck
29 tractor. Application for such temporary registration or license shall be
30 made to the division in the manner and form prescribed by the director
31 and shall be accompanied by the required fee, which shall be deposited
32 by the director as provided by K.S.A. 8-146, and amendments thereto.

33 (b) Whenever any natural catastrophe or disaster, civil riot or disorder
34 or any other condition exists in this state that requires or necessitates
35 emergency assistance or aid from persons owning ambulances, rescue
36 vehicles or utility vehicles which are subject to the provisions of this sec-
37 tion, such persons shall be exempt from the payment of the fee required
38 in subsection (a) for any such ambulance, rescue vehicle or utility vehicle
39 that is operated in this state for the purpose of or in connection with
40 rendering such emergency assistance or aid.

41 Sec. 14. On and after January 1, 2010, K.S.A. 8-143c is hereby
42 amended to read as follows: 8-143c. The owner of any truck or truck
43 tractor, which is registered and licensed in some other state, not entitled

1 to reciprocal privileges while being operated in interstate commerce on
2 the highways of this state, and which truck or truck tractor has a gross
3 weight, as defined in subsection ~~(2)~~ (b) of K.S.A. 8-143, and amendments
4 thereto, in excess of 12,000 pounds, in lieu of payment of the annual
5 license fee for such vehicle pursuant to the provisions of K.S.A. 8-143,
6 and amendments thereto, or K.S.A. 8-1,101 to 8-1,123, inclusive, and
7 amendments thereto, may register such vehicle and obtain temporary
8 registration from the division of vehicles authorizing operation of such
9 vehicle on the highways of this state in interstate commerce for a period
10 of not to exceed 72 hours. The fee for such temporary registration is ~~\$26~~
11 *on January 1, 2010, \$31, on January 1, 2011, \$36, on January 1, 2012,*
12 *\$41, on January 1, 2013, \$46*, which shall be deposited by the division as
13 provided by K.S.A. 8-146, and amendments thereto. Where such fee is
14 paid on a truck or truck tractor no registration or fee shall be required
15 for a trailer or semitrailer duly registered in this or another state and
16 propelled by such truck or truck tractor. The secretary of revenue shall
17 adopt rules and regulations to effectuate the purpose of this section. A
18 temporary registration as provided in this section is not required for a
19 truck or truck tractor which is registered and licensed in some other state
20 and which operates between cities and villages in this state and cities and
21 villages in another state which are within territory designated as a com-
22 mercial zone by the interstate commerce commission.

23 Sec. 15. On and after January 1, 2010, K.S.A. 8-143g is hereby
24 amended to read as follows: 8-143g. A motor vehicle dealer licensed in
25 this state or in a state contiguous to this state, who is the owner of a truck
26 or truck tractor which the owner desires to demonstrate under actual
27 working conditions by having it operated by the prospective purchaser in
28 interstate or intrastate commerce on the highways of this state, in lieu of
29 obtaining a regular registration for such vehicle, may obtain from the
30 division, or an agent designated by director of vehicles, a trip permit
31 authorizing such demonstration and operation for a period of: (a) Seventy-
32 two hours upon making proper application and the payment of a fee of
33 ~~\$26~~ *on January 1, 2010, \$31, on January 1, 2011, \$36, on January 1,*
34 *2012, \$41, on January 1, 2013, \$46*; or (b) fifteen days upon making
35 proper application and the payment of a fee of ~~\$100~~ *on January 1, 2010,*
36 *\$105, on January 1, 2011, \$110, on January 1, 2012, \$115, on January 1,*
37 *2013, \$120*. A dealer may purchase such demonstration permits in mul-
38 tiples of three upon making proper application and the payment of re-
39 quired fees. The application shall be to the division on a form prescribed
40 and furnished by the director of vehicles. The name of the prospective
41 purchaser must be shown on the application. A dealer purchasing permits
42 in multiples, shall complete the application and permit as required by the
43 division and mail a copy of such application to the division within 24 hours

1 from the date of issuance of such permit. Only one such permit may be
2 used by the same prospective purchaser on the same truck or truck tractor.
3 Whenever a truck or truck tractor is operated under the authority of
4 a trip permit issued hereunder it also shall have displayed thereon a
5 dealer's registration plate which has been issued by this state or a state
6 contiguous to this state to the dealer who is the owner of such truck or
7 truck tractor. The provision of K.S.A. 8-136, and amendments thereto,
8 prohibiting the hauling of commodities in excess of two tons by a vehicle
9 displaying a dealer plate shall not apply to a truck or truck tractor being
10 operated under a trip permit as authorized by this section. This section
11 shall be construed as a part of and supplementary to the motor vehicle
12 registration law of this state. The division shall remit all fees collected
13 under this section to the state treasurer in accordance with the provisions
14 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
15 remittance, the state treasurer shall deposit the entire amount in the state
16 treasury to the credit of the state highway fund.

17 Sec. 16. On and after July 1, 2010, K.S.A. 8-143h is hereby amended
18 to read as follows: 8-143h. Except as provided in K.S.A. 8-143k, the owner
19 of any duly registered and licensed farm truck in this state, engaged in
20 the hauling of grain as provided by subsection (h) of K.S.A. 66-1,109, and
21 amendments thereto, or chopped forage, and desiring to operate in in-
22 trastate commerce in this state for a temporary period only, in lieu of
23 payment of the annual license fee, may register such farm truck and
24 obtain a thirty-day license authorizing operation on the highways of this
25 state for a period of only 30 days from the date of issuance of such license.
26 The fee for such license shall be ~~\$26~~ *on January 1, 2010, \$31, on January*
27 *1, 2011, \$36, on January 1, 2012, \$41, on January 1, 2013, \$46.* Where
28 such fee is paid on a farm truck no registration or fee shall be required
29 for a trailer duly registered in this or another state and propelled by such
30 farm truck. Application for such license shall be made to the division of
31 vehicles on such form as the director of vehicles shall prescribe and shall
32 be accompanied by the required fee, which shall be deposited by the
33 division as provided by K.S.A. 8-146, and amendments thereto. The di-
34 rector of vehicles may designate agents to issue the licenses authorized
35 by this act so that such licenses will be obtainable at convenient locations.
36 This section shall be construed as supplemental to and a part of the motor
37 vehicle registration laws of this state.

38 Sec. 17. On and after January 1, 2010, K.S.A. 8-143i is hereby
39 amended to read as follows: 8-143i. The owner of any truck or truck
40 tractor which is properly registered and licensed in this state as a local
41 truck or truck tractor as provided in K.S.A. 8-143, and amendments
42 thereto, may secure a temporary permit authorizing operation of such
43 vehicle on the highways of this state beyond the local radius authorized

1 by such annual registration for a period only of 72 hours from the time
 2 of issuance of such permit. The fee for such permit shall be ~~\$26~~ *on Jan-*
 3 *uary 1, 2010, \$31, on January 1, 2011, \$36, on January 1, 2012, \$41, on*
 4 *January 1, 2013, \$46.* Application for such permit shall be made to the
 5 division of vehicles on such form as the director of vehicles shall prescribe
 6 and shall be accompanied by the required fee, except that such owner
 7 shall not be entitled to more than 10 such permits in any calendar year.
 8 All such fees shall be deposited by the division as provided by K.S.A. 8-
 9 146, and amendments thereto. The division shall issue appropriate iden-
 10 tification for such vehicle to authorize its operation under provisions of
 11 this act and to specify the expiration time of such permit. No truck or
 12 truck tractor shall be authorized to leave the territory of this state under
 13 any such 72-hour permit, nor shall any permit issued under authority of
 14 this act entitle any truck or truck tractor or the owner to reciprocity in
 15 any other state. Nothing in this act shall be construed to authorize the
 16 movement of any truck or truck tractor on the highways of this state in
 17 violation of any size, weight, safety or insurance requirement of the laws
 18 of this state applicable to such truck or truck tractor. Nothing in this act
 19 shall be construed to authorize the operation of any motor vehicle in
 20 violation of K.S.A. 66-1,111, and amendments thereto.

21 Sec. 18. On and after January 1, 2010, K.S.A. 2008 Supp. 8-143j is
 22 hereby amended to read as follows: 8-143j. (a) On and after January 1,
 23 1991, any truck or truck tractor registered for a gross weight of more than
 24 12,000 pounds which is engaged in farm custom harvesting operations
 25 may be registered in accordance with the schedule for such farm custom
 26 harvesting vehicles, but shall not be registered as a farm truck or farm
 27 truck tractor. The annual license fee for a farm custom harvesting truck
 28 or truck tractor shall be as follows:

29 (1) *On January 1, 2010, until January 1, 2011:*

30 For a gross weight of more than 12,000 lbs. and not more than 16,000	
31 lbs.	\$62 \$67
32 For a gross weight of more than 16,000 lbs. and not more than 20,000	
33 lbs.	102 127
34 For a gross weight of more than 20,000 lbs. and not more than 24,000	
35 lbs.	132 157
36 For a gross weight of more than 24,000 lbs. and not more than 26,000	
37 lbs.	177 202
38 For a gross weight of more than 26,000 lbs. and not more than 30,000	
39 lbs.	177 202
40 For a gross weight of more than 30,000 lbs. and not more than 36,000	
41 lbs.	215 240
42 For a gross weight of more than 36,000 lbs. and not more than 42,000	
43 lbs.	245 270

1	For a gross weight of more than 42,000 lbs. and not more than 48,000	
2	lbs.	315 340
3	For a gross weight of more than 48,000 lbs. and not more than 54,000	
4	lbs.	415 440
5	For a gross weight of more than 54,000 lbs. and not more than 60,000	
6	lbs.	480 505
7	For a gross weight of more than 60,000 lbs. and not more than 66,000	
8	lbs.	580 605
9	For a gross weight of more than 66,000 lbs. and not more than 74,000	
10	lbs.	760 785
11	For a gross weight of more than 74,000 lbs. and not more than 80,000	
12	lbs.	890 915
13	For a gross weight of more than 80,000 lbs. and not more than 85,500	
14	lbs.	1,010 1,035
15	<i>(2) On January 1, 2011, until January 1, 2012:</i>	
16	For a gross weight of more than 12,000 lbs. and not more than 16,000	
17	lbs.	\$72
18	For a gross weight of more than 16,000 lbs. and not more than 20,000	
19	lbs.	152
20	For a gross weight of more than 20,000 lbs. and not more than 24,000	
21	lbs.	182
22	For a gross weight of more than 24,000 lbs. and not more than 26,000	
23	lbs.	227
24	For a gross weight of more than 26,000 lbs. and not more than 30,000	
25	lbs.	227
26	For a gross weight of more than 30,000 lbs. and not more than 36,000	
27	lbs.	265
28	For a gross weight of more than 36,000 lbs. and not more than 42,000	
29	lbs.	295
30	For a gross weight of more than 42,000 lbs. and not more than 48,000	
31	lbs.	365
32	For a gross weight of more than 48,000 lbs. and not more than 54,000	
33	lbs.	465
34	For a gross weight of more than 54,000 lbs. and not more than 60,000	
35	lbs.	530
36	For a gross weight of more than 60,000 lbs. and not more than 66,000	
37	lbs.	630
38	For a gross weight of more than 66,000 lbs. and not more than 74,000	
39	lbs.	810
40	For a gross weight of more than 74,000 lbs. and not more than 80,000	
41	lbs.	840
42	For a gross weight of more than 80,000 lbs. and not more than 85,500	
43	lbs.	1,060

1	(3) On January 1, 2012, until January 1, 2013:	
2	For a gross weight of more than 12,000 lbs. and not more than 16,000	
3	lbs.	\$77
4	For a gross weight of more than 16,000 lbs. and not more than 20,000	
5	lbs.	177
6	For a gross weight of more than 20,000 lbs. and not more than 24,000	
7	lbs.	207
8	For a gross weight of more than 24,000 lbs. and not more than 26,000	
9	lbs.	252
10	For a gross weight of more than 26,000 lbs. and not more than 30,000	
11	lbs.	252
12	For a gross weight of more than 30,000 lbs. and not more than 36,000	
13	lbs.	290
14	For a gross weight of more than 36,000 lbs. and not more than 42,000	
15	lbs.	320
16	For a gross weight of more than 42,000 lbs. and not more than 48,000	
17	lbs.	390
18	For a gross weight of more than 48,000 lbs. and not more than 54,000	
19	lbs.	490
20	For a gross weight of more than 54,000 lbs. and not more than 60,000	
21	lbs.	555
22	For a gross weight of more than 60,000 lbs. and not more than 66,000	
23	lbs.	655
24	For a gross weight of more than 66,000 lbs. and not more than 74,000	
25	lbs.	835
26	For a gross weight of more than 74,000 lbs. and not more than 80,000	
27	lbs.	965
28	For a gross weight of more than 80,000 lbs. and not more than 85,500	
29	lbs.	1,085
30	(4) On January 1, 2013:	
31	For a gross weight of more than 12,000 lbs. and not more than 16,000	
32	lbs.	\$82
33	For a gross weight of more than 16,000 lbs. and not more than 20,000	
34	lbs.	202
35	For a gross weight of more than 20,000 lbs. and not more than 24,000	
36	lbs.	232
37	For a gross weight of more than 24,000 lbs. and not more than 26,000	
38	lbs.	277
39	For a gross weight of more than 26,000 lbs. and not more than 30,000	
40	lbs.	277
41	For a gross weight of more than 30,000 lbs. and not more than 36,000	
42	lbs.	315
43		

1	For a gross weight of more than 36,000 lbs. and not more than 42,000	
2	lbs.	345
3	For a gross weight of more than 42,000 lbs. and not more than 48,000	
4	lbs.	415
5	For a gross weight of more than 48,000 lbs. and not more than 54,000	
6	lbs.	515
7	For a gross weight of more than 54,000 lbs. and not more than 60,000	
8	lbs.	580
9	For a gross weight of more than 60,000 lbs. and not more than 66,000	
10	lbs.	680
11	For a gross weight of more than 66,000 lbs. and not more than 74,000	
12	lbs.	860
13	For a gross weight of more than 74,000 lbs. and not more than 80,000	
14	lbs.	990
15	For a gross weight of more than 80,000 lbs. and not more than 85,500	
16	lbs.	1,110

17 (b) A tab or marker shall be issued and displayed in connection with
18 the regular license plate for a truck or truck tractor registered as a farm
19 custom harvesting truck or truck tractor.

20 (c) Trucks or truck tractors registered under this section shall be el-
21 igible for apportioned registration under the provisions of K.S.A. 8-1,100
22 et seq., and amendments thereto.

23 (d) As used in this section, “farm custom harvesting operations”
24 means a person, firm, partnership, association or corporation engaged in
25 farm custom harvesting operations if a truck or truck tractor is used to:

- 26 (1) Transport farm machinery, supplies, or both, to or from a farm,
27 for custom harvesting operations on a farm;
- 28 (2) transport custom harvested crops only from a harvested field to
29 initial storage or to initial market locations; or
- 30 (3) transport agricultural products produced by such owner or com-
31 modities purchased by such owner for use on the farm owned or rented
32 by the owner of such vehicle.

33 Sec. 19. On and after January 1, 2010, K.S.A. 8-143k is hereby
34 amended to read as follows: 8-143k. (a) The owner of any truck or truck
35 tractor which is duly registered and licensed in some other state and is
36 engaged in farm custom harvesting operations and desiring to operate in
37 intrastate commerce in this state for a temporary period only, may obtain
38 a harvest permit, in lieu of the thirty-day license in K.S.A. 8-143b or 8-
39 143h, and amendments thereto, authorizing the operation of such truck
40 or truck tractor on the highways of this state for a period of not to exceed
41 60 days from the date of issuance of such permit. For a foreign-based
42 truck or truck tractor, the fee for each permit shall be ~~\$26~~ *on January 1,*
43 *2010, \$31, on January 1, 2011, \$36, on January 1, 2012, \$41, on January*

1 I, 2013, \$46 or $\frac{1}{6}$ of the annual license fee for such vehicle, whichever
2 sum is the larger. Where such fee is paid on a truck or truck tractor, no
3 registration or fee shall be required for a trailer or semitrailer duly reg-
4 istered in this or another state and propelled by such truck or truck trac-
5 tor. Application for such harvest permit shall be made to the division of
6 vehicles of the department of revenue. The secretary of revenue may
7 adopt rules and regulations to implement the provisions of this section.

8 (b) For the purpose of this section, “farm custom harvesting opera-
9 tions” means a person, firm, partnership, association or corporation en-
10 gaged in farm custom harvesting operations if the truck or truck tractor
11 is used to:

12 (1) Transport farm machinery, supplies, or both, to or from a farm,
13 for custom harvesting operations on a farm;

14 (2) transport custom harvested crops only from a harvested field to
15 initial storage or to initial market locations; or

16 (3) transport agricultural products produced by such owner or com-
17 modities purchased by such owner for use on the farm owned or rented
18 by the owner of such vehicle.

19 Sec. 20. On and after January 1, 2010, K.S.A. 2008 Supp. 8-143l is
20 hereby amended to read as follows: 8-143l. (a) Any auctioneer conducting
21 auctions under subparagraphs (D) or (E) of paragraph (2) of subsection
22 (a) of K.S.A. 8-2401, and amendments thereto, may obtain from the di-
23 vision, or an agent designated by the director of vehicles, a 72-hour trans-
24 port permit authorizing the purchaser of a vehicle at an auction conducted
25 by such auctioneer, to operate such vehicle for a period of 72 hours. In
26 addition to the 72-hour transport permit, the purchaser shall have the bill
27 of sale. The fee for each 72-hour transport permit shall be ~~\$3~~ \$10.

28 (b) An auctioneer under subsection (a) who is a Kansas resident,
29 whose primary place of business is in Kansas and only for the purpose of
30 conducting auctions in Kansas, may purchase such 72-hour transport per-
31 mits in multiples of three upon making proper application and the pay-
32 ment of required fees. The application shall be to the division on a form
33 prescribed and furnished by the director of vehicles. The name of the
34 purchaser of the vehicle at the auction shall be shown on the 72-hour
35 permit issued. An auctioneer purchasing permits shall complete the ap-
36 plication and permit as required by the division and mail a copy of such
37 application to the division within 24 hours from the date of issuance of
38 such permit. Only one such permit may be used by the same purchaser
39 on the same vehicle. The division of vehicles may deny any auctioneer
40 the authority to purchase 72-hour transport permits if the auctioneer is
41 found to have issued more than one 72-hour transport permit to the
42 purchaser of a vehicle. This section shall be construed as a part of and
43 supplementary to the motor vehicle registration law of this state. The

1 division shall remit all fees collected under this section to the state trea-
2 surer in accordance with the provisions of K.S.A. 75-4215, and amend-
3 ments thereto. Upon receipt of each such remittance, the state treasurer
4 shall deposit the entire amount in the state treasury to the credit of the
5 state highway fund.

6 Sec. 21. K.S.A. 2008 Supp. 8-145 is hereby amended to read as fol-
7 lows: 8-145. (a) All registration and certificates of title fees shall be paid
8 to the county treasurer of the county in which the applicant for registra-
9 tion resides or has an office or principal place of business within this state,
10 and the county treasurer shall issue a receipt in triplicate, on blanks fur-
11 nished by the division of vehicles, one copy of which shall be filed in the
12 county treasurer's office, one copy shall be delivered to the applicant and
13 the original copy shall be forwarded to the director of vehicles.

14 (b) The county treasurer shall deposit \$.75 of each license applica-
15 tion, \$.75 out of each application for transfer of license plate and \$2 out
16 of each application for a certificate of title, collected by such treasurer
17 under this act, in a special fund, which fund is hereby appropriated for
18 the use of the county treasurer in paying for necessary help and expenses
19 incidental to the administration of duties in accordance with the provi-
20 sions of this law and extra compensation to the county treasurer for the
21 services performed in administering the provisions of this act, which com-
22 pensation shall be in addition to any other compensation provided by any
23 other law, except that the county treasurer shall receive as additional
24 compensation for administering the motor vehicle title and registration
25 laws and fees, a sum computed as follows: The county treasurer, during
26 the month of December, shall determine the amount to be retained for
27 extra compensation not to exceed the following amounts each year for
28 calendar year 2006 or any calendar year thereafter: The sum of \$110 per
29 hundred registrations for the first 5,000 registrations; the sum of \$90 per
30 hundred registrations for the second 5,000 registrations; the sum of \$5
31 per hundred for the third 5,000 registrations; and the sum of \$2 per
32 hundred registrations for all registrations thereafter. In no event, how-
33 ever, shall any county treasurer be entitled to receive more than \$15,000
34 additional annual compensation.

35 If more than one person shall hold the office of county treasurer during
36 any one calendar year, such compensation shall be prorated among such
37 persons in proportion to the number of weeks served. The total amount
38 of compensation paid the treasurer together with the amounts expended
39 in paying for other necessary help and expenses incidental to the admin-
40 istration of the duties of the county treasurer in accordance with the
41 provisions of this act, shall not exceed the amount deposited in such spe-
42 cial fund. Any balance remaining in such fund at the close of any calendar
43 year shall be withdrawn and credited to the general fund of the county

1 prior to June 1 of the following calendar year.

2 (c) The county treasurer shall remit the remainder of all such fees
3 collected, together with the original copy of all applications, to the sec-
4 retary of revenue. The secretary of revenue shall remit all such fees re-
5 mitted to the state treasurer in accordance with the provisions of K.S.A.
6 75-4215, and amendments thereto. Upon receipt of each such remittance,
7 the state treasurer shall deposit the entire amount in the state treasury
8 to the credit of the state highway fund, except as provided in subsection
9 (d).

10 (d) (1) Three dollars and fifty cents of each certificate of title fee
11 collected and remitted to the secretary of revenue, shall be remitted to
12 the state treasurer who shall credit such \$3.50 to the Kansas highway
13 patrol motor vehicle fund. Three dollars of each certificate of title fee
14 collected and remitted to the secretary of revenue, shall be remitted to
15 the state treasurer who shall credit such \$3 to the VIPS/CAMA technology
16 hardware fund.

17 (2) For repossessed vehicles, \$3 of each certificate of title fee col-
18 lected and remitted to the secretary of revenue, shall be remitted to the
19 state treasurer who shall credit such \$3 to the repossessed certificates of
20 title fee fund.

21 (3) Three dollars and fifty cents of each reassignment form fee col-
22 lected and remitted to the secretary of revenue, shall be remitted to the
23 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
24 motor vehicle fund. Three dollars of each reassignment form fee collected
25 and remitted to the secretary of revenue, shall be remitted to the state
26 treasurer who shall credit such \$3 to the VIPS/CAMA technology hard-
27 ware fund.

28 (4) ~~Four dollars~~ *Until January 1, 2013, \$4* of each division of vehicles
29 modernization surcharge collected and remitted to the secretary of rev-
30 enue, shall be remitted to the state treasurer who shall credit such \$4 to
31 the division of vehicles modernization fund, *on and after January 1, 2013,*
32 *the state treasurer shall credit such \$4 to the state highway fund.*

33 Sec. 22. On and after January 1, 2010, K.S.A. 2008 Supp. 8-172 is
34 hereby amended to read as follows: 8-172. (a) Except as provided in sub-
35 section (c), license plates issued for antique vehicles shall be distinctive
36 and shall contain the words “Kansas” and “antique” and there shall be no
37 year date thereon. The numbering system shall consist of combinations
38 of not more than seven letters of the alphabet or numerals or a combi-
39 nation of such letters and numerals. The combinations of such letters and
40 numerals shall be at the direction of the director of vehicles, except that
41 any person owning an antique vehicle, other than an antique motorcycle,
42 may make application for a special combination of letters and numerals
43 not exceeding seven. Antique motorcycle license plates shall be the same

1 as other antique vehicle license plates, except the numbering system shall
2 consist of not more than five letters of the alphabet or numerals or a
3 combination of letters and numerals. Such application shall be made in a
4 manner prescribed by the director of vehicles and shall be accompanied
5 by a special combination fee of \$40. Unless the combination of letters or
6 numerals designated by the applicant have been assigned to another an-
7 tique vehicle registered in this state, or unless the combination of letters
8 or numerals designated by the applicant have a profane, vulgar, lewd or
9 indecent meaning or connotation, as determined by the director, the di-
10 vision shall assign such combination of letters to the applicant's vehicle.

11 (b) In addition to the fees required under subsection (b) of K.S.A. 8-
12 167, and amendments thereto, and subsection (a) or (c) of this section,
13 the registration fee for any antique vehicle shall be ~~\$40~~ *on January 1,*
14 *2010, \$45, on January 1, 2011, \$50, on January 1, 2012, \$55, on January*
15 *1, 2013, \$60* and once paid shall not be required to be renewed.

16 (c) In lieu of the license plate issued under subsection (a), a person
17 who owns an antique vehicle who wants to display a model year license
18 plate on the vehicle shall make application in a manner prescribed by the
19 director of vehicles, including the execution of an affidavit setting forth
20 that the model year license plate the person wants to display on the per-
21 son's antique vehicle is a legible and serviceable license plate that origi-
22 nally was issued by this state. Except for license plates issued prior to
23 1921, such license plate shall be inscribed with the date of the year cor-
24 responding to the model year when the vehicle was manufactured. For
25 license plates issued prior to 1921, such license plate shall be the license
26 plate issued by the state corresponding to the model year when the ve-
27 hicle was manufactured. Duplicate numbers for any year shall not be
28 allowed for any model year license plate under the provisions of this
29 subsection. The model year license plate fee shall be \$40.

30 (d) In addition to the license plates authorized under subsection (a)
31 or (c), a person who owns an antique vehicle may display a model year
32 license plate originally issued by the state of Kansas on the front of an
33 antique vehicle. Except for license plates issued prior to 1921, such li-
34 cense plate shall be inscribed with the date of the year corresponding to
35 the model year when the vehicle was manufactured. For license plates
36 issued prior to 1921, such license plate shall be the license plate issued
37 by the state corresponding to the model year when the vehicle was man-
38 ufactured.

39 Sec. 23. On and after January 1, 2010, K.S.A. 8-195 is hereby
40 amended to read as follows: 8-195. (a) Any person who is the owner of a
41 special interest vehicle or street rod vehicle at the time of making appli-
42 cation for registration or transfer of title of the vehicle may upon appli-
43 cation register the same as a special interest vehicle or street rod vehicle

1 upon payment of an annual fee of ~~\$26~~ *on January 1, 2010, \$31, on January*
2 *1, 2011, \$36, on January 1, 2012, \$41, on January 1, 2013, \$46* and be
3 furnished each year upon the payment of such fee license plates of a
4 distinctive design in lieu of the usual license plates which shall show in
5 addition to the identification number, that the vehicle is a special interest
6 vehicle or that the vehicle is a special interest vehicle and it meets the
7 qualifications of a street rod, as the case may be, owned by a Kansas
8 collector. The registration shall be valid for one year and may be renewed
9 by payment of such annual fee. Special interest vehicles including street
10 rod vehicles may be used as are other vehicles of the same type, except
11 that special interest vehicles including street rod vehicles may not trans-
12 port passengers for hire, nor haul material weighing more than 500
13 pounds.

14 (b) Each collector applying for special interest vehicle or street rod
15 vehicle license plates will be issued a collector's identification number
16 which will appear on each license plate. Second and all subsequent reg-
17 istrations under this section by the same collector will bear the same
18 collector's identification number followed by a suffix letter for vehicle
19 identification.

20 (c) A collector must own and have registered one or more vehicles
21 with regular license plates which are used for regular transportation.

22 Sec. 24. On and after January 1, 2010, K.S.A. 8-234b is hereby
23 amended to read as follows: 8-234b. (a) Every original driver's license
24 issued by the division shall indicate the class or classes of motor vehicles
25 which the licensee is entitled to drive. For this purpose the following
26 classes are established:

27 (1) Commercial class A motor vehicles include any combination of
28 vehicles with a gross combination weight rating of 26,001 pounds or more,
29 providing the gross vehicle weight rating of the vehicle or vehicles being
30 towed is in excess of 10,000 pounds;

31 (2) commercial class B motor vehicles include any single vehicle with
32 a gross vehicle weight rating of 26,001 pounds or more, or any such ve-
33 hicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight
34 rating;

35 (3) commercial class C motor vehicles include any single vehicle less
36 than 26,001 pounds gross vehicle weight rating, or any such vehicle towing
37 a vehicle not in excess of 10,000 pounds, or any vehicle less than 26,001
38 pounds gross vehicle weight rating towing a vehicle in excess of 10,000
39 pounds gross vehicle weight rating, provided the gross combination
40 weight rating of the combination is less than 26,001 pounds comprising:

41 (A) Vehicles designed to transport 16 or more passengers, including
42 the driver; or

43 (B) vehicles used in the transportation of hazardous materials which

1 requires the vehicle to be placarded;

2 (4) class A motor vehicles include any combination of vehicles with a
3 gross combination weight rating of 26,001 pounds or more, provided the
4 gross combination weight rating of the vehicle or vehicles being towed is
5 in excess of 10,000 pounds, and all other lawful combinations of vehicles
6 with a gross combination weight rating of 26,001 pounds, or more; except
7 that, class A does not include a combination of vehicles that has a truck
8 registered as a farm truck under ~~subsection (2) of~~ K.S.A. 8-143, and
9 amendments thereto;

10 (5) class B motor vehicles include any single vehicle with a gross ve-
11 hicle weight rating of 26,001 pounds or more, or any such vehicle towing
12 a vehicle not in excess of 10,000 pounds gross vehicle weight rating. Class
13 B motor vehicles do not include a single vehicle registered as a farm truck
14 under ~~subsection (2) of~~ K.S.A. 8-143, and amendments thereto, when
15 such farm truck has a gross vehicle weight rating of 26,001 pounds, or
16 more; or any fire truck operated by a volunteer fire department;

17 (6) class C motor vehicles include any single vehicle with a gross
18 vehicle weight rating less than 26,001 pounds, or any such vehicle towing
19 a vehicle not in excess of 10,000 pounds gross vehicle weight rating, or
20 any vehicle with a less than 26,001 gross vehicle weight rating towing a
21 vehicle in excess of 10,000 pounds gross vehicle weight rating, provided
22 the gross combination weight rating of the combination is less than 26,001
23 pounds, or any single vehicle registered as a farm truck under ~~subsection~~
24 ~~(2) of~~ K.S.A. 8-143, and amendments thereto, when such farm truck has
25 a gross vehicle weight rating of 26,001 pounds, or more, or any fire truck
26 operated by a volunteer fire department; and

27 (7) class M motor vehicles includes motorcycles.

28 As used in this subsection, “gross vehicle weight rating” means the
29 value specified by the manufacturer as the maximum loaded weight of a
30 single or a combination (articulated) vehicle. The gross vehicle weight
31 rating of a combination (articulated) vehicle, commonly referred to as the
32 gross combination weight rating, is the gross vehicle weight rating of the
33 power unit plus the gross vehicle weight rating of the towed unit or units.

34 (b) Every applicant for an original driver’s license shall indicate on
35 such person’s application the class or classes of motor vehicles for which
36 the applicant desires a license to drive, and the division shall not issue a
37 driver’s license to any person unless such person has demonstrated sat-
38 isfactorily ability to exercise ordinary and reasonable control in the op-
39 eration of motor vehicles in the class or classes for which the applicant
40 desires a license to drive. The division shall administer an appropriate
41 examination of each applicant’s ability to drive such motor vehicles. Ex-
42 cept as provided in K.S.A. 8-2,125 through 8-2,142, and amendments
43 thereto, the director of vehicles may accept a copy of the certificate of a

1 person's road test issued to an individual under the regulatory require-
2 ments of the United States department of transportation, in lieu of re-
3 quiring the person to demonstrate ability to operate any motor vehicle or
4 combination of vehicles, if such certificate was issued not more than three
5 years prior to the person's application for a driver's license.

6 (c) Any person who is the holder of a valid driver's license which
7 entitles the person to drive class A motor vehicles may also drive class B
8 and C motor vehicles. Any person who is the holder of a valid driver's
9 license which entitles the person to drive class B motor vehicles may also
10 drive class C motor vehicles.

11 (d) The secretary of revenue shall adopt rules and regulations estab-
12 lishing qualifications for the safe operation of the various types, sizes and
13 combinations of vehicles in each class of motor vehicles established in
14 subsection (a). Such rules and regulations shall include the adoption of
15 at least the minimum qualifications for commercial drivers' licenses con-
16 tained in the commercial motor vehicle safety act of 1986.

17 (e) Any reference in the motor vehicle drivers' license act to a class
18 or classes of motor vehicles is a reference to the classes of motor vehicles
19 established in subsection (a), and any reference in the motor vehicle driv-
20 ers' license act to a classified driver's license or a class of driver's license
21 means a driver's license which restricts the holder thereof to driving one
22 or more of such classes of motor vehicles.

23 (f) The secretary of revenue may enter into a contract with any per-
24 son, who meets the qualifications imposed on persons regularly employed
25 by the division as drivers' license examiners, to accept applications for
26 drivers' licenses and to administer the examinations required for the is-
27 suance of drivers' licenses.

28 (g) Notwithstanding the provisions of subsection (a), any person em-
29 ployed as an automotive mechanic who possesses a valid class C driver's
30 license may drive any class A or class B motor vehicle on the highways
31 for the purpose of determining the proper performance of the vehicle,
32 except that this does not include commercial class A, B or C vehicles.

33 Sec. 25. On and after January 1, 2010, K.S.A. 8-2406 is hereby
34 amended to read as follows: 8-2406. (a) The annual fee for the first dealer
35 license plate is ~~\$275~~ *on January 1, 2010, \$280, on January 1, 2011, \$285,*
36 *on January 1, 2012, \$290, on January 1, 2013, \$295,* and the annual fee
37 for additional dealer license plates shall be an amount equal to the amount
38 required to register a passenger vehicle having a gross weight of less than
39 4,500 pounds, except that the annual fee for dealer license plates used
40 by trailer dealers on trailers which they have purchased or own and are
41 holding for resale shall be ~~\$25~~ *on January 1, 2010, \$30, on January 1,*
42 *2011, \$35, on January 1, 2012, \$40, on January 1, 2013, \$45* for each
43 plate. To determine the number of dealer license plates the dealer needs,

1 the director may base the decision on the dealer's past sales, inventory
2 and any other pertinent factors as the director may determine. After the
3 end of the first year of licensure as a dealer, not more than one dealer
4 license plate shall be issued to any dealer who has not reported to the
5 division the sale of at least five motor vehicles in the preceding year. There
6 shall be no refund of fees for dealer license plates in the event of sus-
7 pension, revocation or voluntary cancellation of a license. The director is
8 hereby authorized to designate by identifying symbols on a dealer's li-
9 cense plate the type of dealer's license that the person has been issued.
10 If a dealer has an established place of business in more than one county,
11 such dealer shall secure a separate and distinct dealer's license and dealer
12 license plates for each established place of business.

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

- 16 (1) The licensed motor vehicle dealer and such dealer's spouse;
- 17 (2) the sales manager and all other sales personnel when such man-
18 ager and sales personnel are properly licensed in Kansas, except that no
19 dealer license plate shall be assigned to sales personnel who are working
20 at the established place of business of the dealer less than 20 hours per
21 week;
- 22 (3) any employee of such motor vehicle dealer when the use thereof
23 is directly connected to a particular business transaction of such motor
24 vehicle dealer;
- 25 (4) the customer when operating a motor vehicle in connection with
26 negotiations to purchase such motor vehicle or during a demonstration
27 of such motor vehicle;
- 28 (5) any school district and any accredited nonpublic school which has
29 entered into an agreement with a dealer to use a motor vehicle as a driver
30 training motor vehicle, as defined in K.S.A. 72-5015, and amendments
31 thereto, in an approved driver training course.

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

- 35 (1) To transport or operate a vehicle to or from a licensed retail or
36 wholesale vehicle dealer for the purpose of buying, selling, or offering or
37 attempting to negotiate a sale of the vehicle to a licensed vehicle dealer;
- 38 (2) to deliver a vehicle purchased from the wholesale vehicle dealer
39 to a purchasing vehicle dealer.
- 40 (d) Salvage vehicle dealers may use dealer license plates only on ve-
41 hicles which they have purchased for salvage, including dismantling, dis-
42 assembling or recycling.
- 43 (e) Insurance companies may use dealer license plates only on vehi-

1 cles purchased or acquired for salvage in the course of business of the
2 insurance company.

3 (f) Lending agencies may use dealer license plates only on vehicles
4 which they have repossessed or are holding for disposition due to repos-
5 session.

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

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

10 (i) Except as provided above, dealer license plates shall be used only
11 in accordance with the provisions of K.S.A. 8-136, and amendments
12 thereto. This subsection (i) does not apply to K.S.A. 8-2425, and amend-
13 ments thereto, or full-privilege license plates issued thereunder.

14 Sec. 26. On and after January 1, 2010, K.S.A. 8-2409 is hereby
15 amended to read as follows: 8-2409. (a) Any dealer may purchase from
16 the division of vehicles thirty-day temporary registration permits, in mul-
17 tiple of five permits valid for 30 days at a cost of ~~\$3~~ \$10 each. Such dealer
18 shall have completed the application and permit as required by the di-
19 vision and mail a copy of such application to the division within 24 hours
20 from the date of issuance. Such registration shall not extend the date
21 when registration fees are due, but shall be valid registration for a period
22 of 30 days from date of issuance. The dealer upon presentation of evi-
23 dence of ownership in the applicant and evidence that the sales tax has
24 been paid, if due, shall issue a sticker or paper registration as determined
25 by the division. No dealer, or county treasurer, as authorized by K.S.A.
26 8-143, and amendments thereto, shall issue more than one thirty-day
27 temporary registration permit to the purchaser of a vehicle.

28 (b) The division of vehicles may deny any dealer the authority to
29 purchase thirty-day temporary permits if the vehicle dealer is delinquent
30 in monthly sales reports to the division for two months or more or if the
31 vehicle dealer is found to have issued more than one thirty-day permit to
32 the purchaser of a vehicle.

33 (c) The temporary registration authorized by this section shall not
34 entitle a truck, truck tractor or any combination of truck or truck tractor
35 and any type of trailer or semitrailer to be operated under laden condi-
36 tions, except that such temporary registration shall authorize any such
37 vehicle or combination of vehicles to be operated under laden conditions
38 for 48 hours after the time of issuance of the temporary permit.

39 Sec. 27. On and after January 1, 2010, K.S.A. 8-2425 is hereby
40 amended to read as follows: 8-2425. (a) When a first dealer license plate
41 has been issued under K.S.A. 8-2406, and amendments thereto, the sec-
42 retary of revenue may issue full-privilege license plates to a licensed man-
43 ufacturer of or licensed dealer in vehicles. In no calendar year shall the

1 secretary issue in excess of 10 such license plates to any licensed manu-
2 facturer or dealer.

3 (b) The annual fee for each full-privilege license plate shall be ~~\$350~~
4 *on January 1, 2010, \$355, on January 1, 2011, \$360, on January 1, 2012,*
5 *\$365, on January 1, 2013, \$370.*

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

11 (d) Subject to subsection (e), a full-privilege license plate may be used
12 in lieu of regular vehicle registration and license plate. 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) A full-privilege license plate shall not be used on a lease or rental
23 vehicle. A full-privilege license plate shall not permit any vehicle to be
24 operated or moved upon a highway to haul commodities weighing in
25 excess of two tons. A full-privilege license plate shall not be used on a
26 wrecker or tow truck when providing wrecker or towing service as defined
27 by K.S.A. 66-1329, and amendments thereto.

28 (f) Fees received under this section shall be divided equally between
29 the county treasurer in which the licensed manufacturer or dealer has its
30 established place of business and the secretary of revenue. Amounts al-
31 lotted to the secretary of revenue shall be remitted to the state treasurer
32 in accordance with the provisions of K.S.A. 75-4215, and amendments
33 thereto. Upon receipt of each such remittance, the state treasurer shall
34 deposit the entire amount in the state treasury to the credit of the vehicle
35 dealers and manufacturers fee fund which fund is hereby created in the
36 state treasury. Expenditures from the vehicle dealers and manufacturers
37 fee fund shall be made on vouchers approved by the secretary of revenue,
38 or a person designated by the secretary, for enforcement of the vehicle
39 dealers and manufacturers licensing act in accordance with appropriations
40 therefor. Amounts allotted to the county treasurers shall be credited to
41 the county treasurers' vehicle licensing fee fund which fund is hereby
42 created in the state treasury. Amounts due each county treasurer shall be
43 paid quarterly from such fund upon vouchers approved by the secretary

1 of revenue or a person designated by the secretary. Amounts received by
2 each county treasurer shall be deposited, appropriated and used as pro-
3 vided by K.S.A. 8-145, and amendments thereto.

4 (g) The provisions of K.S.A. 8-136 and 8-2406, and amendments
5 thereto, shall not apply to full-privilege license plates or the use thereof.

6 ~~(h) This section shall take effect and be in force from and after Jan-~~
7 ~~uary 1, 1986.~~

8 Sec. 28. K.S.A. 2008 Supp. 75-5160 is hereby amended to read as
9 follows: 75-5160. (a) In addition to any registration fee prescribed under
10 article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments
11 thereto, all applicants for vehicle registration shall pay at the time of
12 registration a nonrefundable division of vehicles modernization surcharge
13 in the amount of \$4 for each vehicle being registered.

14 (b) *Until January 1, 2013*, the provisions of this section shall not apply
15 to vehicles registered under K.S.A. 8-1,100 through 8-1,123 and K.S.A.
16 2008 Supp. 8-1,123a, and amendments thereto. *On and after January 1,*
17 *2013, the provisions of this section shall apply to such vehicles.*

18 ~~(c) The provisions of this section shall expire on January 1, 2013.~~

19 Sec. 29. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3408c
20 is hereby amended to read as follows: 79-3408c. (a) A tax is hereby im-
21 posed on the use, sale or delivery of all motor-vehicle fuel or special fuel
22 owned at 12:01 a.m. ~~July 1, 1999~~ *January 1, 2010*, and on ~~July~~ *January* 1
23 of each year thereafter, by any licensed distributor or licensed retailer at
24 a rate per gallon, or fraction thereof, equal to the amount, if any, by which
25 the tax per gallon, or fraction thereof, in effect on such date as prescribed
26 by K.S.A. 79-3408, and amendments thereto, exceeds the rate of tax upon
27 such motor-vehicle fuel or special fuel which was in effect on the pre-
28 ceding day. Such tax shall be paid by the licensed distributor or licensed
29 retailer owning such motor-vehicle fuel or special fuel at such time and
30 date. On or before the 25th day of the month in which a tax is imposed
31 under this section, every such distributor and retail dealer shall make a
32 report to the director on a form prescribed and furnished by the director
33 showing the total number of gallons, or fraction thereof, of such motor-
34 vehicle fuel or special fuel owned at the time the tax is imposed under
35 this section and such report shall be accompanied by a remittance of the
36 tax due.

37 Any licensed distributor or licensed retailer who shall fail to make such
38 report or pay such tax, within the time prescribed, shall be subject to the
39 same penalties and interest charges prescribed by the motor-vehicle fuel
40 or special fuel tax law for failure of a licensed distributor to make monthly
41 reports and payments of motor-vehicle fuel or special fuel tax. The pro-
42 visions of the motor-fuel tax law relating to remedies for the collection of
43 delinquent motor-fuel taxes from distributors shall apply to the collection

1 of taxes imposed by this section which have become delinquent from
2 licensed distributors and licensed retailers. All taxes, penalties and inter-
3 est collected by the director under the tax imposed by this section shall
4 be remitted by the director to the state treasurer in accordance with the
5 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
6 each such remittance, the state treasurer shall deposit the entire amount
7 in the state treasury to the credit of the funds and in the amounts specified
8 in K.S.A. 79-34,142, and amendments thereto.

9 (b) Whenever the rate of tax upon motor-vehicle fuels or special fuels
10 fixed pursuant to K.S.A. 79-3408, and amendments thereto, which be-
11 come effective on ~~July 1, 1999~~ *January 1, 2010*, or on ~~July~~ *January 1* in
12 any year thereafter is less than the rate of tax upon such fuel in effect on
13 the preceding day, the licensed distributor or licensed retailer owning
14 such fuel at 12:01 a.m. on the date such reduction in taxes becomes
15 effective shall be entitled to a refund of taxes paid upon such fuel in an
16 amount equal to the amount by which taxes were reduced from the
17 amount of motor-vehicle fuels or special fuels taxes per gallon, or fraction
18 thereof, actually paid upon each gallon, or fraction thereof, of motor-
19 vehicle fuels or special fuels multiplied by the number of gallons of motor-
20 vehicle fuels or special fuels owned by the distributor or dealer on such
21 date. On or before the 25th day of the month in which such tax is reduced,
22 every such distributor and retailer shall make a report to the director on
23 a form prescribed and furnished by the director showing the total number
24 of gallons of such motor-vehicle fuel or special fuel owned by such dis-
25 tributor or retailer at 12:01 a.m. on the date upon which such tax was
26 reduced. It shall be the duty of the director of taxation to examine all
27 such claims and determine the amount to which each claimant is entitled.
28 In the event any distributor or retailer entitled to such refund shall owe
29 the state any motor-vehicle fuel or special fuel tax, penalties, or interest,
30 the refund authorized by this section shall upon being determined by the
31 director be credited upon the amount of such taxes, penalties and interest.
32 Whenever the director shall determine that any distributor or retailer
33 shall be entitled to a refund under any of the provisions of this section,
34 and such refund cannot be effected by giving credit therefor, as herein-
35 before provided, or against the future motor-vehicle fuel or special fuel
36 tax liability of such taxpayer the director shall certify the amount of the
37 refund to the state director of accounts and reports, who shall draw a
38 warrant for the amount so certified on the state treasurer in favor of the
39 distributor or retailer entitled to such refund, and mail, or otherwise de-
40 liver, the same to the distributor entitled thereto. Such warrant shall be
41 paid by the state treasurer to such distributor or retailer from the motor-
42 vehicle fuel or special fuel tax refund fund.

43 (c) The provisions of this section shall not apply to any licensed re-

1 tailer who is a native American whose licensed place of business or busi-
2 nesses are located on such retailer's reservation, nor to any native Amer-
3 ican tribes having licensed places of business or businesses located on
4 such tribe's reservation.

5 Sec. 30. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3491a
6 is hereby amended to read as follows: 79-3491a. (a) A tax is hereby im-
7 posed on all LP-gas motor fuels owned at 12:01 a.m. ~~July 1, 1999~~ *January*
8 *1, 2010*, and on ~~July~~ *January* 1 of each year thereafter, by any LP-gas
9 motor fuels user or LP-gas motor fuels dealer at a rate per gallon, or
10 fraction thereof, equal to the amount, if any, by which the tax per gallon,
11 or fraction thereof, in effect on such date as prescribed by K.S.A. 79-
12 3492, and amendments thereto, exceeds the rate of tax per gallon actually
13 paid upon such fuel. Such tax shall be paid by the LP-gas motor fuel user
14 or LP-gas motor fuel dealer owning such LP-gas motor fuels at such time
15 and date. On or before the 25th day of the month in which such tax is
16 imposed under this section, every such LP-gas motor fuel user and LP-
17 gas motor fuel dealer shall make a report to the director on a form pre-
18 scribed and furnished by the director showing the total number of gallons,
19 or fraction thereof, of such LP-gas motor fuels owned by the user or
20 dealer at the time the tax is imposed under this section, and such report
21 shall be accompanied by a remittance of the tax due.

22 Any LP-gas motor fuels user or LP-gas motor fuels dealer who shall
23 fail to make such report or pay such tax, within the time prescribed, shall
24 be subject to the same penalties and interest charges prescribed by the
25 liquefied petroleum motor fuel tax law for failure of a licensed distributor
26 to make monthly reports and payments of LP-gas motor fuel tax. The
27 provisions of the liquefied petroleum motor fuel tax law relating to rem-
28 edies for the collection of delinquent LP-motor fuel taxes from distrib-
29 utors shall apply to the collection of taxes imposed by this section which
30 have become delinquent from LP-gas motor fuels users and LP-gas motor
31 fuels dealers. All taxes, penalties and interest collected by the director
32 under the tax imposed by this section shall be remitted by the director
33 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
34 and amendments thereto. Upon receipt of each such remittance, the state
35 treasurer shall deposit the entire amount in the state treasury to the credit
36 of the funds and in the amounts specified in K.S.A. 79-34,142, and
37 amendments thereto.

38 The words and phrases used in this section shall have the meanings
39 ascribed to them in K.S.A. 79-3490, and amendments thereto.

40 (b) Whenever the rate of tax upon LP-gas motor fuels fixed pursuant
41 to K.S.A. 79-3492, and amendments thereto, which becomes effective on
42 ~~July 1, 1999~~ *January 1, 2010*, or on ~~July~~ *January* 1 in any year thereafter,
43 is less than the rate of tax upon such fuels in effect on the preceding day,

1 the user or dealer owning such fuels at 12:01 a.m. on the date such re-
2 duction in taxes becomes effective shall be entitled to a refund of taxes
3 paid upon such fuels in an amount equal to the amount by which taxes
4 were reduced from the amount of tax per gallon, or fraction thereof,
5 actually paid upon each gallon, or fraction thereof, of LP-gas motor fuels
6 multiplied by the number of gallons of fuel owned by the user or dealer
7 on such date. On or before the 25th day of the month in which such tax
8 is reduced, every such user or dealer shall make a report to the director
9 on a form prescribed and furnished by the director showing the total
10 number of gallons of such LP-gas motor fuels owned by such user or
11 dealer at 12:01 a.m. on the date upon which such tax was reduced. It shall
12 be the duty of the director of taxation to examine all such claims and
13 determine the amount to which any claimant is entitled. In the event any
14 user or dealer entitled to such refund shall owe the state any LP-gas motor
15 fuels tax, penalties or interest, the refund authorized by this section shall
16 upon being determined by the director be credited upon the amount of
17 such taxes, penalties and interest. Whenever the director shall determine
18 that any user or dealer shall be entitled to a refund under any of the
19 provisions of this section, and such refund cannot be effected by giving
20 credit therefor, as hereinbefore provided, or against the future LP-gas
21 motor fuel tax liability of such taxpayer the director shall certify the
22 amount of the refund to the state director of accounts and reports, who
23 shall draw a warrant for the amount so certified on the state treasurer in
24 favor of the user or dealer entitled to such refund, and mail, or otherwise
25 deliver, the same to the user or dealer entitled thereto. Such warrant shall
26 be paid by the state treasurer to such user or dealer from the LP-gas
27 motor fuels tax refund fund which is hereby established in the state treas-
28 ury.

29 (c) A fund designated as the LP-gas motor fuels tax refund fund not
30 to exceed \$1,000,000 shall be set apart and maintained by the director of
31 taxation from the LP-gas motor fuels tax collected under the provisions
32 of article 34 of chapter 79 of Kansas Statutes Annotated, and amendments
33 thereto, and held by the state treasurer for the payment of all refunds
34 authorized by this section.

35 Sec. 31. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3492b
36 is hereby amended to read as follows: 79-3492b. Alternatively to the
37 methods otherwise set forth in this act, special LP-gas permit users op-
38 erating motor vehicles on the public highways of this state may upon
39 application to the director on forms prescribed by the director elect to
40 pay taxes in advance on LP-gas for each and every motor vehicle owned
41 or operated by them and propelled in whole or in part with LP-gas during
42 the calendar year and thereafter to purchase LP-gas tax free in lieu of
43 securing a bonded user's permit and filing monthly reports and tax pay-

1 ments and keeping the records otherwise provided for in this act. The
2 amount of such tax for each motor vehicle shall, except as otherwise pro-
3 vided, be based upon the gross weight of the motor vehicle and the num-
4 ber of miles it was operated on the public highways of this state during
5 the previous year pursuant to the following schedules:
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1 In the event any additional motor vehicles equipped to use LP-gas as a
 2 fuel are placed in operation by a special LP-gas permit user after the first
 3 month of any calendar year, a tax shall become due and payable to this
 4 state and is hereby imposed at the tax rate prescribed herein prorated on
 5 the basis of the weight and mileage for the months operated in the cal-
 6 endar year. The director shall issue special permit decals for each motor
 7 vehicle on which taxes have been paid in advance as provided herein,
 8 which shall be affixed on each such vehicle in the manner prescribed by
 9 the director.

10 Sec. 32. On and after January 1, 2010, K.S.A. 2008 Supp. 79-34,118
 11 is hereby amended to read as follows: 79-34,118. Upon application to the
 12 director of taxation and payment of the fee prescribed under this section
 13 any interstate motor fuel user may obtain a 24-hour motor fuel permit or
 14 a 72-hour motor fuel permit which shall authorize one commercial motor
 15 vehicle to be operated for a period of 24-hours or 72-hours, respectively,
 16 without compliance with the other provisions of the interstate motor fuel
 17 use act and in lieu of the tax imposed by K.S.A. 79-34,109 and amend-
 18 ments thereto. The fee for each 24-hour motor fuel permit issued under
 19 this section shall be ~~\$13~~ \$14 until January 1, 2012, \$15 until January 1,
 20 2014, and \$16 thereafter. The fee for each 72-hour motor fuel permit
 21 issued under this section shall be ~~\$25~~ \$26 until January 1, 2012, \$27 until
 22 January 1, 2014, and \$28 thereafter. Motor fuel permits may be pur-
 23 chased in multiples of three upon making proper application and payment
 24 of the required fees. The secretary of revenue shall adopt rules and reg-
 25 ulations specifying the conditions under which motor fuel permits will be
 26 issued and providing for the issuance thereof. The secretary may desig-
 27 nate agents or contract with private individuals, firms or corporations to
 28 issue such motor fuel permits so that such permits will be obtainable at
 29 convenient locations.

30 Sec. 33. On and after January 1, 2010, K.S.A. 2008 Supp. 79-34,141
 31 is hereby amended to read as follows: 79-34,141. (a) On and after Jan-
 32 uary 1, ~~2007~~ 2010, until ~~July 1, 2020~~ January 1, 2012, the tax imposed
 33 under this act shall be not less than:

- 34 (1) On motor-vehicle fuels other than E85 fuels, ~~\$.24~~ \$.26 per gallon,
 35 or fraction thereof;
 36 (2) on special fuels, ~~\$.26~~ \$.28 per gallon, or fraction thereof;
 37 (3) on LP-gas, ~~\$.23~~ \$.25 per gallon, or fraction thereof; and
 38 (4) on E85 fuels, ~~\$.17~~ \$.19 per gallon, or fraction thereof.

39 (b) On and after ~~July 1, 2020~~ January 1, 2012, until January 1, 2014,
 40 the tax rates imposed under this act shall be not less than:

- 41 (1) On motor-vehicle fuels other than E85 fuels, ~~\$.18~~ \$.28 per gallon,
 42 or fraction thereof;
 43 (2) on special fuels, ~~\$.20~~ \$.30 per gallon, or fraction thereof;

- 1 (3) on LP-gas, ~~\$.17~~ \$.27 per gallon, or fraction thereof; and
 2 (4) on E85 fuels, ~~\$.11~~ \$.21 per gallon, or fraction thereof.
 3 (c) *On and after January 1, 2014, the tax rates imposed under this*
 4 *act shall not be less than:*
 5 (1) *On motor-vehicle fuels other than E85 fuels, \$.30 per gallon, or*
 6 *fraction thereof;*
 7 (2) *on special fuels, \$.32 per gallon, or fraction thereof;*
 8 (3) *on LP-gas, \$.29 per gallon, or fraction thereof; and*
 9 (4) *on E85 fuels, \$.23 per gallon, or fraction thereof.*
- 10 Sec. 34. On and after January 1, 2010, K.S.A. 2008 Supp. 79-34,142
 11 is hereby amended to read as follows: 79-34,142. ~~(a) On and after July~~
 12 ~~1, 2002, until July 1, 2003, the state treasurer shall credit amounts re-~~
 13 ~~ceived pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and 79-~~
 14 ~~34,118 and amendments thereto as follows: To the state highway fund~~
 15 ~~64.6% and to the special city and county highway fund 35.4%.~~
 16 ~~(b) On and after July 1, 2003, until July 1, 2020, The state treasurer~~
 17 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~
 18 ~~3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To~~
 19 ~~the state highway fund 66.37% and to the special city and county highway~~
 20 ~~fund 33.63%.~~
 21 ~~(c) On and after July 1, 2020, the state treasurer shall credit amounts~~
 22 ~~received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and~~
 23 ~~79-34,118 and amendments thereto as follows: To the state highway fund~~
 24 ~~55.3% and to the special city and county highway fund 44.7%.~~
- 25 Sec. 35. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3603 is
 26 hereby amended to read as follows: 79-3603. For the privilege of engaging
 27 in the business of selling tangible personal property at retail in this state
 28 or rendering or furnishing any of the services taxable under this act, there
 29 is hereby levied and there shall be collected and paid a tax at the rate of
 30 ~~5.3%~~ 5.55%. Within a redevelopment district established pursuant to
 31 K.S.A. 74-8921, and amendments thereto, there is hereby levied and
 32 there shall be collected and paid an additional tax at the rate of 2% until
 33 the earlier of the date the bonds issued to finance or refinance the re-
 34 development project have been paid in full or the final scheduled maturity
 35 of the first series of bonds issued to finance any part of the project upon:
 36 (a) The gross receipts received from the sale of tangible personal
 37 property at retail within this state;
 38 (b) the gross receipts from intrastate, interstate or international tel-
 39 ecommunications services and any ancillary services sourced to this state
 40 in accordance with K.S.A. 2008 Supp. 79-3673, and amendments thereto,
 41 except that telecommunications service does not include: (1) Any inter-
 42 state or international 800 or 900 service; (2) any interstate or international
 43 private communications service as defined in K.S.A. 2008 Supp. 79-3673,

1 and amendments thereto; (3) any value-added nonvoice data service; (4)
2 any telecommunication service to a provider of telecommunication serv-
3 ices which will be used to render telecommunications services, including
4 carrier access services; or (5) any service or transaction defined in this
5 section among entities classified as members of an affiliated group as
6 provided by section 1504 of the federal internal revenue code of 1986, as
7 in effect on January 1, 2001;

8 (c) the gross receipts from the sale or furnishing of gas, water, elec-
9 tricity and heat, which sale is not otherwise exempt from taxation under
10 the provisions of this act, and whether furnished by municipally or pri-
11 vately owned utilities, except that, on and after January 1, 2006, for sales
12 of gas, electricity and heat delivered through mains, lines or pipes to
13 residential premises for noncommercial use by the occupant of such
14 premises, and for agricultural use and also, for such use, all sales of pro-
15 pane gas, the state rate shall be 0%; and for all sales of propane gas, LP
16 gas, coal, wood and other fuel sources for the production of heat or light-
17 ing for noncommercial use of an occupant of residential premises, the
18 state rate shall be 0%, but such tax shall not be levied and collected upon
19 the gross receipts from: (1) The sale of a rural water district benefit unit;
20 (2) a water system impact fee, system enhancement fee or similar fee
21 collected by a water supplier as a condition for establishing service; or (3)
22 connection or reconnection fees collected by a water supplier;

23 (d) the gross receipts from the sale of meals or drinks furnished at
24 any private club, drinking establishment, catered event, restaurant, eating
25 house, dining car, hotel, drugstore or other place where meals or drinks
26 are regularly sold to the public;

27 (e) the gross receipts from the sale of admissions to any place pro-
28 viding amusement, entertainment or recreation services including admis-
29 sions to state, county, district and local fairs, but such tax shall not be
30 levied and collected upon the gross receipts received from sales of ad-
31 missions to any cultural and historical event which occurs triennially;

32 (f) the gross receipts from the operation of any coin-operated device
33 dispensing or providing tangible personal property, amusement or other
34 services except laundry services, whether automatic or manually operated;

35 (g) the gross receipts from the service of renting of rooms by hotels,
36 as defined by K.S.A. 36-501 and amendments thereto, or by accommo-
37 dation brokers, as defined by K.S.A. 12-1692, and amendments thereto
38 but such tax shall not be levied and collected upon the gross receipts
39 received from sales of such service to the federal government and any
40 agency, officer or employee thereof in association with the performance
41 of official government duties;

42 (h) the gross receipts from the service of renting or leasing of tangible
43 personal property except such tax shall not apply to the renting or leasing

- 1 of machinery, equipment or other personal property owned by a city and
2 purchased from the proceeds of industrial revenue bonds issued prior to
3 July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through
4 12-1749, and amendments thereto, and any city or lessee renting or leas-
5 ing such machinery, equipment or other personal property purchased
6 with the proceeds of such bonds who shall have paid a tax under the
7 provisions of this section upon sales made prior to July 1, 1973, shall be
8 entitled to a refund from the sales tax refund fund of all taxes paid
9 thereon;
- 10 (i) the gross receipts from the rendering of dry cleaning, pressing,
11 dyeing and laundry services except laundry services rendered through a
12 coin-operated device whether automatic or manually operated;
- 13 (j) the gross receipts from the rendering of the services of washing
14 and washing and waxing of vehicles;
- 15 (k) the gross receipts from cable, community antennae and other sub-
16 scriber radio and television services;
- 17 (l) (1) except as otherwise provided by paragraph (2), the gross re-
18 cepts received from the sales of tangible personal property to all con-
19 tractors, subcontractors or repairmen for use by them in erecting struc-
20 tures, or building on, or otherwise improving, altering, or repairing real
21 or personal property.
- 22 (2) Any such contractor, subcontractor or repairman who maintains
23 an inventory of such property both for sale at retail and for use by them
24 for the purposes described by paragraph (1) shall be deemed a retailer
25 with respect to purchases for and sales from such inventory, except that
26 the gross receipts received from any such sale, other than a sale at retail,
27 shall be equal to the total purchase price paid for such property and the
28 tax imposed thereon shall be paid by the deemed retailer;
- 29 (m) the gross receipts received from fees and charges by public and
30 private clubs, drinking establishments, organizations and businesses for
31 participation in sports, games and other recreational activities, but such
32 tax shall not be levied and collected upon the gross receipts received from:
- 33 (1) Fees and charges by any political subdivision, by any organization
34 exempt from property taxation pursuant to paragraph *Ninth* of K.S.A. 79-
35 201, and amendments thereto, or by any youth recreation organization
36 exclusively providing services to persons 18 years of age or younger which
37 is exempt from federal income taxation pursuant to section 501(c)(3) of
38 the federal internal revenue code of 1986, for participation in sports,
39 games and other recreational activities; and (2) entry fees and charges for
40 participation in a special event or tournament sanctioned by a national
41 sporting association to which spectators are charged an admission which
42 is taxable pursuant to subsection (e);
- 43 (n) the gross receipts received from dues charged by public and pri-

1 vate clubs, drinking establishments, organizations and businesses, pay-
2 ment of which entitles a member to the use of facilities for recreation or
3 entertainment, but such tax shall not be levied and collected upon the
4 gross receipts received from: (1) Dues charged by any organization ex-
5 empt from property taxation pursuant to paragraphs *Eighth* and *Ninth* of
6 K.S.A. 79-201, and amendments thereto; and (2) sales of memberships
7 in a nonprofit organization which is exempt from federal income taxation
8 pursuant to section 501 (c)(3) of the federal internal revenue code of
9 1986, and whose purpose is to support the operation of a nonprofit zoo;
10 (o) the gross receipts received from the isolated or occasional sale of
11 motor vehicles or trailers but not including: (1) The transfer of motor
12 vehicles or trailers by a person to a corporation or limited liability com-
13 pany solely in exchange for stock securities or membership interest in
14 such corporation or limited liability company; or (2) the transfer of motor
15 vehicles or trailers by one corporation or limited liability company to
16 another when all of the assets of such corporation or limited liability
17 company are transferred to such other corporation or limited liability
18 company; or (3) the sale of motor vehicles or trailers which are subject
19 to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and
20 amendments thereto, by an immediate family member to another im-
21 mediate family member. For the purposes of clause (3), immediate family
22 member means lineal ascendants or descendants, and their spouses. Any
23 amount of sales tax paid pursuant to the Kansas retailers sales tax act on
24 the isolated or occasional sale of motor vehicles or trailers on and after
25 July 1, 2004, which the base for computing the tax was the value pursuant
26 to subsections (a), (b)(1) and (b)(2) of K.S.A. 79-5105, and amendments
27 thereto, when such amount was higher than the amount of sales tax which
28 would have been paid under the law as it existed on June 30, 2004, shall
29 be refunded to the taxpayer pursuant to the procedure prescribed by this
30 section. Such refund shall be in an amount equal to the difference be-
31 tween the amount of sales tax paid by the taxpayer and the amount of
32 sales tax which would have been paid by the taxpayer under the law as it
33 existed on June 30, 2004. Each claim for a sales tax refund shall be verified
34 and submitted not later than six months from the effective date of this
35 act to the director of taxation upon forms furnished by the director and
36 shall be accompanied by any additional documentation required by the
37 director. The director shall review each claim and shall refund that
38 amount of tax paid as provided by this act. All such refunds shall be paid
39 from the sales tax refund fund, upon warrants of the director of accounts
40 and reports pursuant to vouchers approved by the director of taxation or
41 the director's designee. No refund for an amount less than \$10 shall be
42 paid pursuant to this act. In determining the base for computing the tax
43 on such isolated or occasional sale, the fair market value of any motor

1 vehicle or trailer traded in by the purchaser to the seller may be deducted
2 from the selling price;

3 (p) the gross receipts received for the service of installing or applying
4 tangible personal property which when installed or applied is not being
5 held for sale in the regular course of business, and whether or not such
6 tangible personal property when installed or applied remains tangible
7 personal property or becomes a part of real estate, except that no tax shall
8 be imposed upon the service of installing or applying tangible personal
9 property in connection with the original construction of a building or
10 facility, the original construction, reconstruction, restoration, remodeling,
11 renovation, repair or replacement of a residence or the construction, re-
12 construction, restoration, replacement or repair of a bridge or highway.

13 For the purposes of this subsection:

14 (1) "Original construction" shall mean the first or initial construction
15 of a new building or facility. The term "original construction" shall include
16 the addition of an entire room or floor to any existing building or facility,
17 the completion of any unfinished portion of any existing building or fa-
18 cility and the restoration, reconstruction or replacement of a building,
19 facility or utility structure damaged or destroyed by fire, flood, tornado,
20 lightning, explosion, windstorm, ice loading and attendant winds, terror-
21 ism or earthquake, but such term, except with regard to a residence, shall
22 not include replacement, remodeling, restoration, renovation or recon-
23 struction under any other circumstances;

24 (2) "building" shall mean only those enclosures within which individ-
25 uals customarily are employed, or which are customarily used to house
26 machinery, equipment or other property, and including the land improve-
27 ments immediately surrounding such building;

28 (3) "facility" shall mean a mill, plant, refinery, oil or gas well, water
29 well, feedlot or any conveyance, transmission or distribution line of any
30 cooperative, nonprofit, membership corporation organized under or sub-
31 ject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto,
32 or municipal or quasi-municipal corporation, including the land improve-
33 ments immediately surrounding such facility;

34 (4) "residence" shall mean only those enclosures within which indi-
35 viduals customarily live;

36 (5) "utility structure" shall mean transmission and distribution lines
37 owned by an independent transmission company or cooperative, the Kan-
38 sas electric transmission authority or natural gas or electric public utility;
39 and

40 (6) "windstorm" shall mean straight line winds of at least 80 miles
41 per hour as determined by a recognized meteorological reporting agency
42 or organization;

43 (q) the gross receipts received for the service of repairing, servicing,

1 altering or maintaining tangible personal property which when such serv-
2 ices are rendered is not being held for sale in the regular course of busi-
3 ness, and whether or not any tangible personal property is transferred in
4 connection therewith. The tax imposed by this subsection shall be appli-
5 cable to the services of repairing, servicing, altering or maintaining an
6 item of tangible personal property which has been and is fastened to,
7 connected with or built into real property;

8 (r) the gross receipts from fees or charges made under service or
9 maintenance agreement contracts for services, charges for the providing
10 of which are taxable under the provisions of subsection (p) or (q);

11 (s) on and after January 1, 2005, the gross receipts received from the
12 sale of prewritten computer software and the sale of the services of mod-
13 ifying, altering, updating or maintaining prewritten computer software,
14 whether the prewritten computer software is installed or delivered elec-
15 tronically by tangible storage media physically transferred to the pur-
16 chaser or by load and leave;

17 (t) the gross receipts received for telephone answering services;

18 (u) the gross receipts received from the sale of prepaid calling service
19 and prepaid wireless calling service as defined in K.S.A. 2008 Supp. 79-
20 3673, and amendments thereto; and

21 (v) the gross receipts received from the sales of bingo cards, bingo
22 faces and instant bingo tickets by licensees under K.S.A. 79-4701, et seq.,
23 and amendments thereto, shall be taxed at a rate of: (1) 4.9% on July 1,
24 2000, and before July 1, 2001; and (2) 2.5% on July 1, 2001, and before
25 July 1, 2002. From and after July 1, 2002, all sales of bingo cards, bingo
26 faces and instant bingo tickets by licensees under K.S.A. 79-4701 et seq.,
27 and amendments thereto, shall be exempt from taxes imposed pursuant
28 to this section.

29 Sec. 36. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3620 is
30 hereby amended to read as follows: 79-3620. (a) All revenue collected or
31 received by the director of taxation from the taxes imposed by this act
32 shall be remitted to the state treasurer in accordance with the provisions
33 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
34 remittance, the state treasurer shall deposit the entire amount in the state
35 treasury, less amounts withheld as provided in subsection (b) and amounts
36 credited as provided in subsection (c) and (d), to the credit of the state
37 general fund.

38 (b) A refund fund, designated as "sales tax refund fund" not to exceed
39 \$100,000 shall be set apart and maintained by the director from sales tax
40 collections and estimated tax collections and held by the state treasurer
41 for prompt payment of all sales tax refunds including refunds authorized
42 under the provisions of K.S.A. 79-3635, and amendments thereto. Such
43 fund shall be in such amount, within the limit set by this section, as the

1 director shall determine is necessary to meet current refunding require-
2 ments under this act. In the event such fund as established by this section
3 is, at any time, insufficient to provide for the payment of refunds due
4 claimants thereof, the director shall certify the amount of additional funds
5 required to the director of accounts and reports who shall promptly trans-
6 fer the required amount from the state general fund to the sales tax refund
7 fund, and notify the state treasurer, who shall make proper entry in the
8 records.

9 (c) (1) The state treasurer shall credit $\frac{5}{98}$ of the revenue collected
10 or received from the tax imposed by K.S.A. 79-3603, and amendments
11 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
12 exclusive of amounts credited pursuant to subsection (d), in the state
13 highway fund.

14 (2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or
15 received from the tax imposed by K.S.A. 79-3603, and amendments
16 thereto, at the rate of 5.3%, and deposited as provided in subsection (a),
17 exclusive of amounts credited pursuant to subsection (d), in the state
18 highway fund.

19 (3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the rev-
20 enue collected and received from the tax imposed by K.S.A. 79-3603, and
21 amendments thereto, at the rate of 5.3%, and deposited as provided by
22 subsection (a), exclusive of amounts credited pursuant to subsection (d),
23 in the state highway fund.

24 (4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the rev-
25 enue collected and received from the tax imposed by K.S.A. 79-3603, and
26 amendments thereto, at the rate of 5.3%, and deposited as provided by
27 subsection (a), exclusive of amounts credited pursuant to subsection (d),
28 in the state highway fund.

29 (5) *On January 1, 2010, the state treasurer shall credit $\frac{18}{111}$ of the*
30 *revenue collected and received from the tax imposed by K.S.A. 79-3603,*
31 *and amendments thereto, at the rate of 5.55%, and deposited as provided*
32 *by subsection (a), exclusive of amounts credited pursuant to subsection*
33 *(d), in the state highway fund.*

34 (d) The state treasurer shall credit all revenue collected or received
35 from the tax imposed by K.S.A. 79-3603, and amendments thereto, as
36 certified by the director, from taxpayers doing business within that por-
37 tion of a redevelopment district occupied by a redevelopment project or
38 taxpayers doing business with such entity financed by a special bond pro-
39 ject as defined in K.S.A. 12-1770a, and amendments thereto, that was
40 determined by the secretary of commerce to be of statewide as well as
41 local importance or will create a major tourism area for the state or the
42 project was designated as a special bond project as defined in K.S.A. 12-
43 1770a, and amendments thereto, to the city bond finance fund, which

1 fund is hereby created. The provisions of this subsection shall expire when
2 the total of all amounts credited hereunder and under subsection (d) of
3 K.S.A. 79-3710, and amendments thereto, is sufficient to retire the special
4 obligation bonds issued for the purpose of financing all or a portion of
5 the costs of such redevelopment or special bond project.

6 Sec. 37. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3703 is
7 hereby amended to read as follows: 79-3703. There is hereby levied and
8 there shall be collected from every person in this state a tax or excise for
9 the privilege of using, storing, or consuming within this state any article
10 of tangible personal property. Such tax shall be levied and collected in an
11 amount equal to the consideration paid by the taxpayer multiplied by the
12 rate of ~~5.3%~~ 5.55%. Within a redevelopment district established pursuant
13 to K.S.A. 74-8921, and amendments thereto, there is hereby levied and
14 there shall be collected and paid an additional tax of 2% until the earlier
15 of: (1) The date the bonds issued to finance or refinance the redevelop-
16 ment project undertaken in the district have been paid in full; or (2) the
17 final scheduled maturity of the first series of bonds issued to finance the
18 redevelopment project. All property purchased or leased within or with-
19 out this state and subsequently used, stored or consumed in this state
20 shall be subject to the compensating tax if the same property or trans-
21 action would have been subject to the Kansas retailers' sales tax had the
22 transaction been wholly within this state.

23 Sec. 38. On and after January 1, 2010, K.S.A. 2008 Supp. 79-3710 is
24 hereby amended to read as follows: 79-3710. (a) All revenue collected or
25 received by the director under the provisions of this act shall be remitted
26 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
27 and amendments thereto. Upon receipt of each such remittance, the state
28 treasurer shall deposit the entire amount in the state treasury, less
29 amounts set apart as provided in subsection (b) and amounts credited as
30 provided in subsection (c) and (d), to the credit of the state general fund.

31 (b) A revolving fund, designated as "compensating tax refund fund"
32 not to exceed \$10,000 shall be set apart and maintained by the director
33 from compensating tax collections and estimated tax collections and held
34 by the state treasurer for prompt payment of all compensating tax refunds.
35 Such fund shall be in such amount, within the limit set by this section,
36 as the director shall determine is necessary to meet current refunding
37 requirements under this act.

38 (c) (1) The state treasurer shall credit $\frac{5}{98}$ s of the revenue collected
39 or received from the tax imposed by K.S.A. 79-3703, and amendments
40 thereto, at the rate of 4.9%, and deposited as provided in subsection (a),
41 exclusive of amounts credited pursuant to subsection (d), in the state
42 highway fund.

43 (2) The state treasurer shall credit $\frac{5}{106}$ of the revenue collected or

1 received from the tax imposed by K.S.A. 79-3703, and amendments
2 thereto, at the rate of 5.3%, and deposited as provided in subsection (a),
3 exclusive of amounts credited pursuant to subsection (d), in the state
4 highway fund.

5 (3) On July 1, 2006, the state treasurer shall credit $\frac{19}{265}$ of the rev-
6 enue collected or received from the tax imposed by K.S.A. 79-3703, and
7 amendments thereto, at the rate of 5.3%, and deposited as provided by
8 subsection (a), exclusive of amounts credited pursuant to subsection (d),
9 in the state highway fund.

10 (4) On July 1, 2007, the state treasurer shall credit $\frac{13}{106}$ of the rev-
11 enue collected or received from the tax imposed by K.S.A. 79-3703, and
12 amendments thereto, at the rate of 5.3%, and deposited as provided by
13 subsection (a), exclusive of amounts credited pursuant to subsection (d),
14 in the state highway fund.

15 (5) *On January 1, 2010, the state treasurer shall credit $\frac{18}{111}$ of the*
16 *revenue collected or received from the tax imposed by K.S.A. 79-3703,*
17 *and amendments thereto, at the rate of 5.55%, and deposited as provided*
18 *by subsection (a), exclusive of amounts credited pursuant to subsection*
19 *(d), in the state highway fund.*

20 (d) The state treasurer shall credit all revenue collected or received
21 from the tax imposed by K.S.A. 79-3703, and amendments thereto, as
22 certified by the director, from taxpayers doing business within that por-
23 tion of a redevelopment district occupied by a redevelopment project that
24 was determined by the secretary of commerce to be of statewide as well
25 as local importance or will create a major tourism area for the state as
26 defined in K.S.A. 12-1770a, and amendments thereto, to the city bond
27 finance fund created by subsection (d) of K.S.A. 79-3620, and amend-
28 ments thereto. The provisions of this subsection shall expire when the
29 total of all amounts credited hereunder and under subsection (d) of K.S.A.
30 79-3620, and amendments thereto, is sufficient to retire the special ob-
31 ligation bonds issued for the purpose of financing all or a portion of the
32 costs of such redevelopment project.

33 This subsection shall not apply to a project designated as a special bond
34 project as defined in subsection (z) of K.S.A. 12-1770a, and amendments
35 thereto.

36 New Sec. 39. (a) There is hereby created the joint committee on
37 multimodal transportation which shall be within the legislative branch of
38 state government and which shall be composed of five members of the
39 senate and five members of the house of representatives. The five senate
40 members shall be the chairperson of the committee on transportation of
41 the senate, or a member of the committee on transportation of the senate
42 appointed by the chairperson, two senators appointed by the president
43 and two senators appointed by the minority leader. The five representa-

1 tive members shall be the chairperson of the committee on transportation
2 of the house of representatives, or a member of the committee on trans-
3 portation of the house of representatives appointed by the chairperson,
4 two representatives appointed by the speaker and two representatives
5 appointed by the minority leader.

6 (b) All members of the joint committee on multimodal transportation
7 shall serve for terms ending on the first day of the regular legislative
8 session in odd-numbered years. The joint committee shall organize an-
9 nually and elect a chairperson and vice-chairperson in accordance with
10 this subsection. On and after the first day of the regular legislative session
11 in odd-numbered years, the chairperson shall be one of the representative
12 members of the joint committee elected by the members of the joint
13 committee and the vice-chairperson shall be one of the senate members
14 elected by the members of the joint committee and on and after the first
15 day of the regular legislative session in even-numbered years, the chair-
16 person shall be one of the senate members of the joint committee elected
17 by the members of the joint committee and the vice-chairperson shall be
18 one of the representative members of the joint committee elected by the
19 members of the joint committee. The chairperson and vice-chairperson
20 of the joint committee shall serve in such capacities until the first day of
21 the regular legislative session in the ensuing year. The vice-chairperson
22 shall exercise all of the powers of the chairperson in the absence of the
23 chairperson. If a vacancy occurs in the office of chairperson or vice-chair-
24 person, a member of the joint committee, who is a member of the same
25 house as the member who vacated the office, shall be elected by the
26 members of the joint committee to fill such vacancy.

27 (c) A quorum of the joint committee on multimodal transportation
28 shall be six. All actions of the joint committee shall be taken by a majority
29 of all of the members of the joint committee.

30 (d) The joint committee on multimodal transportation may meet at
31 any time and at any place within the state on the call of the chairperson.

32 (e) The provisions of the acts contained in article 12 of chapter 46 of
33 the Kansas Statutes Annotated, and amendments thereto, applicable to
34 special committees shall apply to the joint committee on multimodal
35 transportation to the extent that the same do not conflict with the specific
36 provisions of this act applicable to the joint committee.

37 (f) In accordance with K.S.A. 46-1204, and amendments thereto, the
38 legislative coordinating council may provide for such professional services
39 as may be requested by the joint committee on multimodal transportation.

40 (g) The joint committee on multimodal transportation may introduce
41 such legislation as it deems necessary in performing its functions.

42 New Sec. 40. In addition to other powers and duties authorized or
43 prescribed by law or by the legislative coordinating council, the joint com-

- 1 mittee on multimodal transportation shall:
- 2 (a) Study, monitor and review the 2010 transportation plan;
- 3 (b) study the progress and results of construction projects under the
- 4 2010 transportation plan;
- 5 (c) make recommendations on the 2010 transportation plan; and
- 6 (d) make an annual report to the legislative coordinating council as
- 7 provided in K.S.A. 46-1207, and amendments thereto, and such special
- 8 reports to committees of the house of representatives and senate as are
- 9 deemed appropriate by the joint committee.
- 10 Sec. 41. K.S.A. 68-416, 68-2314a, 68-2316, 68-2320 and 68-2321 and
- 11 K.S.A. 2008 Supp. 8-145, 68-2315, 68-2331, 75-5035, 75-5048, 75-5061
- 12 and 75-5160 are hereby repealed.
- 13 Sec. 42. On and after January 1, 2010, K.S.A. 8-143b, 8-143c, 8-143g,
- 14 8-143h, 8-143i, 8-143k, 8-195, 8-234b, 8-2406, 8-2409 and 8-2425 and
- 15 K.S.A. 2008 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-172, 79-3408c, 79-
- 16 3491a, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3603, 79-3620, 79-
- 17 3703 and 79-3710 are hereby repealed.
- 18 Sec. 43. This act shall take effect and be in force from and after its
- 19 publication in the statute book.