

Approved: April 29, 1994  
Date

## MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on February 1, 1994 in Room 519-S of the Capitol.

All members were present except: Rep. Lloyd, Excused  
Rep. Shore, Excused  
Rep. Shallenburger, Excused  
Rep. Hendrix, Excused

Committee staff present: Hank Avila, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: Pam Somerville, KADA  
Betty McBride, Director of Vehicles

Others attending: See attached list

Chairman Crowell recognized Pam Somerville who requested a bill be introduced regarding the Sunday closing of car dealerships and other issues in the Vehicle Dealers' and Manufacturers' Licensing Act. See Attachment 1. Rep. Dillon made the motion to introduce the legislation. It was seconded by Rep. Lawrence. The motion carried.

The Chairman opened the hearing on HB 2694 relating to payment of fees under proportional fleet registration.

Betty McBride was recognized by the Chairman to testify as a proponent of the bill. Ms. McBride testified that this bill would expand the scope of the International Registration Plan (IRP) clearing fund. See Attachment 2.

No other conferees were present to testify on the bill and the Chairman closed the hearing on HB 2694.

Chairman Crowell opened the hearing on HB 2695 concerning increasing certain fees under proportional fleet registration.

Betty McBride was recognized by Chairman Crowell as a proponent of the bill. Ms. McBride testified that this bill would increase the cost of replacement cab cards to motor carriers from \$1.00 to \$3.00. See Attachment 3.

Chairman Crowell closed the hearing on HB 2695.

The Chairman called the Committee's attention to the minutes from January 12 & 18. No deletions, additions or corrections were made and the minutes were approved.

Chairman Crowell adjourned the meeting at 1:47 p.m. The next meeting is scheduled for February 2, 1994, at 1:30 p.m. in Room 519-S of the Capitol.

February 1, 1994

## Representing

RAM SOMERVILLE	TOPEKA	Ks Auto Wlrs Assn
Don McNeely	TOPEKA	Ks Auto Wlrs Assn
Tom Whitaker	TOPEKA	Ks Motor Carriers Assn.
Glenn Cogswell	TOPEKA	Ks - No Assoc of 7th Day Adventists
Rick Scheibe	TOPEKA	K DOR
Al Gerstner	TOPEKA	K DOR
Leo Lutz, Jr.	TOPEKA	K DOR
Betty McBride	TOPEKA	K DOR
Ken Bahr	TOPEKA	Beech Aircraft
Mary E. Tarington	TOPEKA	Kansas Motor Carriers Assn
Nancy Bogina	TOPEKA	KDOT



Kansas Automobile Dealers Association

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February 1, 1994

To: The Honorable Rex Crowell  
Chairman, House Transportation Committee

From: Pam Somerville  
Director of Government Affairs

Re: Bill Request - Amending the Vehicle Dealers' and  
Manufacturers' Licensing Act

Good afternoon, Mr. Chairman and members of the committee. Thank you for the opportunity to appear before you today to request a bill amending the dealer licensing act. The areas include:

First, to clarify the current definition for "supplemental place of business" and add new definitions for "storage facility", "motor vehicle show", and "recreational vehicle".

The second area, K.S.A. 8-2404, is to add language to clarify requirements for obtaining supplemental places of business as well as the previous mentioned definitions. One requirement would be to tie the relevant market area language (K.S.A. 8-2430) to dealers seeking to establish a supplemental location and, dealers seeking a temporary location would require 50% of the dealers in the city or county to either participate or consent to the temporary location. The 50% language is a modification of Missouri law.

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February 1, 1994  
Attachment 1-1

The Honorable Rex Crowell  
Chairman, House Transportation Committee  
Bill Request  
February 1, 1994

The third area to be amended, K.S.A. 8-2415, adds a provision to require the manufacturer or distributor to pay authorized promotional allowances and incentive payments in a timely fashion. In addition, the manufacturer would retain the right to audit such claims, including warranty claims, for a period of one year after the date the claim was paid.

Finally, Mr. Chairman, the last amendment to the act would be adding a new section for the Sunday Closing language contained in 1993 HB 2123, including the amendment made in this committee to allow the sale of 5 or less vehicles in any calendar month.

I would be happy to answer any questions. Thank you for the opportunity to present our request.

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February 1, 1994  
Attachment 1-2

STATE OF KANSAS

Betty McBride, Director  
Robert B. Docking State Office Building  
915 S.W. Harrison St.  
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(913) 296-3601  
FAX (913) 296-3852

Department of Revenue  
*Division of Vehicles*

To: The Honorable Rex Crowell, Chairman  
House Committee on Transportation

From: Betty McBride, Director, Division of Vehicles  
Kansas Department of Revenue

Date: January 31, 1994

Subject: House Bill 2694

Mr. Chairman, members of the committee,

My name is Betty McBride. I am the Director of the Kansas Division of Vehicles and I appear before you on behalf of the Kansas Department of Revenue regarding House Bill 2694.

As introduced, this bill would expand the scope of the International Registration Plan (IRP) clearing fund.

The current statute requires that all monies intended for disbursement to other jurisdictions be deposited into the IRP clearing fund. Other monies including title fees, Kansas registration fees, and quarterly pay fees are deposited into the state highway fund.

The proposed amendments in K.S.A. 8-1,101 (c) would place all receipts in the IRP clearing fund. This would eliminate adjustments, save time and errors, and require the reconciliation of only one fund rather than two.

Changing the deposit procedure will create a one time, one month delay of deposits to the highway fund of \$2 million. This is not a loss of funds only a delay in making the deposit. Also, the highway fund will begin to collect interest on this money for a longer period of time than under the current deposit system. The Department of Revenue has discussed this issue with the Kansas Department of Transportation, and KDOT is not opposed to this proposal.

Thank you for allowing me to appear before you and present my testimony on this proposed legislation. I would stand for your questions.

HOUSE TRANSPORTATION  
February 1, 1994  
Attachment 2-1

STATE OF KANSAS

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Department of Revenue  
*Division of Vehicles*

To: The Honorable Rex Crowell, Chairman  
House Committee on Transportation

From: Betty McBride, Director, Division of Vehicles  
Kansas Department of Revenue

Date: February 1, 1994

Subject: House Bill 2695

Mr. Chairman, Members of the committee,

My name is Betty McBride. I am the Director of the Kansas Division of Vehicles, and I appear before you on behalf of the Department of Revenue regarding House Bill 2695.

Due to the elimination of quarterly registration stickers issued to motor carriers and affixed to cab cards as proof of payment of their quarterly registration fees, the Division of Vehicles requests in this bill an increase in the cost of a replacement cab cards from \$1.00 to \$3.00. Replacement cab cards are now issued in place of a cab card and quarterly sticker. This represents a savings of \$1.00 for each replacement cab card issued over the prior fee of \$1.00 for the cab card and \$3.00 for the quarterly sticker. This bill also requests authorization to issue a modified or re-issued cab card in instances where the carrier is requesting a change in their registration status, such as a weight increase, change of jurisdiction, etc.. A fee of \$1.00 is requested for each modified cab card issued. These fees are requested to cover only the cost to issue replacement and modified cab cards.

We request that the language in line 18 requiring a "sworn statement", be replaced with language requiring a "statement signed by an officer of the company or corporation."

We also request replacing the word "proration" in line 14 with "apportioned". We request that this change be made wherever it appears in the Act.

Although this bill will become effective from and after its publication in the statute book, we request to delay the implementation of this bill until January 1, 1995. By delaying implementation we would have time to design the necessary forms and inform carriers of the changes at a less hectic time for both motor carriers, and the motor carrier services bureau. If we are required to implement this bill prior to January 1, it would mean that we would have to make the necessary changes during the registration season, which could be disrupting and confusing for the customer.

Thank you for allowing me to appear before you and present my testimony on this proposed legislation. I would stand for your questions.

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February 1, 1994  
Attachment 3-1