

STATE OF KANSAS

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Chairman Mike Peterson
Senate Committee on Transportation
Kansas State Capitol
300 SW 10th Ave.
Topeka, KS 66612

February 4, 2025

RE: Testimony in **SUPPORT** of SB 97 – Eliminating the Titling requirement for Non-Highway Titles

Chairman Peters & Members of the Committee:

FULL DISCLOSURE: I own and operate a powersports business that sells highway and non-highway vehicles.

- Kansas law does **not** require the registration of non-highway vehicles. As a result, many individuals choose not to title their non highway vehicle either.
- Kansas law **requires** individuals to obtain a non-highway title, but rarely does this occur because there is no enforcement.
- As a dealer, I called KDOR dealer licensing to ask if as a retailer, I was required to provide a non-highway title to purchasers when I sell a used non-highway vehicle. Each time I have called, I have received different answers. Some agents say yes, others (as recent as two weeks ago) say no. The law is not clear.
- When researching this topic, I met with the revisor's and KDOR officials and they all acknowledged, the law is ambiguous at best for licensed dealers.
- **Kansas dealerships are losing business** (and thus, the state, county and cities are losing sales tax dollars):
 - Our company has required a non-highway title, or we won't take the unit in on trade or purchase the unit.
 - Customers then either sell them personally with no title or sales tax collected
 - Customers go to Nebraska or Missouri where the titles aren't required for non-highway vehicles
- As I have researched, I have learned the primary purpose behind requiring titling of non-highway vehicles is to ensure these units are on the personal property tax rolls. As you are aware, we are on the cusp of eliminating property tax on all non-highway vehicles

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- Nothing prohibits an individual from choosing to obtain a non-highway title.

I would ask for your support as we clarify Kansas law and make it easier for Kansas dealers to do business in Kansas.

Thank you for your consideration.

Stephen Owens
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