

## HOUSE BILL No. 2578

By Committee on Transportation

Requested by Claudia Hissong on behalf of the Kansas Farm Bureau

1-28

AN ACT concerning motor vehicles; relating to antique vehicles; creating a definition for antique farm vehicle; permitting such vehicles to register as an antique vehicle; directing the division of vehicles to design a decal for such vehicles; exempting such registered vehicles from the Kansas uniform commercial drivers' license act; amending K.S.A. 8-166, 8-172 and 8-2,127 and repealing the existing sections.

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

Section 1. K.S.A. 8-166 is hereby amended to read as follows: 8-166. ~~The following words and phrases when used in this act shall for the purpose of this act have the following meaning:~~

(a) "Antique" means any vehicle, including an antique military vehicle *and an antique farm vehicle*, more than 35 years old, propelled by a motor using petroleum fuel, steam or electricity, or any combination thereof, regardless of the age or type of the components or equipment installed on the vehicle.

(b) "Person" means every natural person, firm, copartnership, association, corporation, club or organization.

(c) "Antique military vehicle" means a vehicle, regardless of the vehicle's size or weight, that was manufactured for use in any country's military forces and is maintained to represent its military design, except that an "antique military vehicle" ~~shall~~ *does not* include a fully tracked vehicle.

(d) *"Antique farm vehicle" means a farm truck or truck tractor that:*

*(1) Is operated by the owner or operator of a farm or ranch, an employee of such farm or ranch or a family member of such owner or operator of a farm or ranch;*

*(2) transports agricultural commodities, livestock, agricultural machinery or agricultural supplies to or from a farm or ranch;*

*(3) is not used in the operations of a common motor carrier; and*

*(4) has a gross vehicle weight rating or gross combination weight rating that is:*

*(A) 26,001 pounds or less; or*

*(B) greater than 26,001 pounds if such vehicle is used in:*

*(i) Intrastate commerce; or*

1       (ii) *interstate commerce within 150 air miles of any farm or ranch*  
2 *owned or leased by the registered owner of such vehicle.*

3       (e) *"Gross vehicle weight rating" means the same as defined in*  
4 *K.S.A. 8-2,128, and amendments thereto.*

5       (f) The words and phrases defined in K.S.A. 8-126 and 8-126a, and  
6 amendments thereto, when used in this act, shall mean the same as defined  
7 by such sections.

8       Sec. 2. K.S.A. 8-172 is hereby amended to read as follows: 8-172. (a)  
9 Except as provided in subsection (c), license plates issued for antique  
10 vehicles shall be distinctive ~~and shall~~, contain the words "Kansas" and  
11 "antique" and ~~there shall be~~ have no year date thereon. The numbering  
12 system shall consist of combinations of not more than seven letters of the  
13 alphabet or numerals or a combination of such letters and numerals. The  
14 combinations of such letters and numerals shall be at the direction of the  
15 director of vehicles, except that any person owning an antique vehicle,  
16 other than an antique motorcycle, may make application for a special  
17 combination of letters and numerals not exceeding seven. Antique  
18 motorcycle license plates shall be the same as other antique vehicle license  
19 plates, except the numbering system shall consist of not more than five  
20 letters of the alphabet or numerals or a combination of letters and  
21 numerals. Such application shall be made in a manner prescribed by the  
22 director of vehicles and shall be accompanied by a special combination fee  
23 of \$40. Unless the combination of letters or numerals designated by the  
24 applicant have been assigned to another antique vehicle registered in this  
25 state, or unless the combination of letters or numerals designated by the  
26 applicant have a profane, vulgar, lewd or indecent meaning or connotation,  
27 as determined by the director, the division shall assign such combination  
28 of letters to the applicant's vehicle.

29       (b) In addition to the fees required under ~~subsection (b) of~~ K.S.A. 8-  
30 167(b), and amendments thereto, and subsection (a) or (c) ~~of this section~~,  
31 the registration fee for any antique vehicle shall be \$40 and, once paid,  
32 shall not be required to be renewed.

33       (c) In lieu of the license plate issued under subsection (a), a person  
34 who owns an antique vehicle who wants to display a model year license  
35 plate on the vehicle shall make application in a manner prescribed by the  
36 director of vehicles, including the execution of an affidavit setting forth  
37 that the model year license plate the person wants to display on the  
38 person's antique vehicle is a legible and serviceable license plate that  
39 originally was issued by this state or a license plate originally issued by a  
40 Kansas city or a reproduction of such city issued license plate. Except for  
41 license plates issued prior to 1921, such license plate shall be inscribed  
42 with the date of the year corresponding to the model year when the vehicle  
43 was manufactured. For license plates issued prior to 1921, such license

1 plate shall be the license plate issued by the state or a Kansas city or a  
2 reproduction of such city issued license plate corresponding to the model  
3 year when the vehicle was manufactured. Duplicate numbers for any year  
4 shall not be allowed for any model year license plate under the provisions  
5 of this subsection. Upon application to display a reproduction of a city  
6 issued license plate, the division of vehicles shall issue a number to be  
7 used for such reproduction license plate. The model year license plate fee  
8 shall be \$40.

9 (d) In addition to the license plates authorized under subsection (a) or  
10 (c), a person who owns an antique vehicle may display a model year  
11 license plate originally issued by the state of Kansas or a Kansas city or a  
12 reproduction of such city issued license plate on the front of an antique  
13 vehicle. Except for license plates issued prior to 1921, such license plate  
14 shall be inscribed with the date of the year corresponding to the model  
15 year when the vehicle was manufactured. For license plates issued prior to  
16 1921, such license plate shall be the license plate issued by the state or a  
17 Kansas city or a reproduction of such city issued license plate  
18 corresponding to the model year when the vehicle was manufactured.

19 (e) For a model year license plate issued during calendar year 1976 or  
20 thereafter, ~~and which~~ that is displayed on an antique vehicle pursuant to  
21 subsection (c), the owner may display a decal of the type described in  
22 K.S.A. 8-132, and amendments thereto, for the year of the vehicle so long  
23 as such decal is legible. Otherwise, on and after January 1, 2013, the  
24 owner may obtain *from the county treasurer* a replacement decal ~~from the~~  
25 ~~county treasurer which~~ that displays the year of the vehicle.

26 (f) *The division of vehicles shall design a decal to issue to the owner*  
27 *of an antique farm vehicle that registers such vehicle under the provisions*  
28 *of K.S.A. 8-166 et seq., and amendments thereto. Such decal shall be*  
29 *designed to allow law enforcement officers to properly identify the vehicle*  
30 *as an antique farm vehicle. The owner of an antique farm vehicle shall*  
31 *affix such decal to a license plate issued for antique vehicles pursuant to*  
32 *this section.*

33 Sec. 3. K.S.A. 8-2,127 is hereby amended to read as follows: 8-2,127.  
34 Vehicles that are exempt from this act include:

35 (a) Farm vehicles, ~~defined as follows that are:~~

36 (1) Registered as a farm truck or truck tractor under K.S.A. 8-143 *or*  
37 *8-166 et seq.*, and amendments thereto;

38 (2) used to transport ~~either~~ agricultural ~~products~~ commodities,  
39 livestock, ~~farm~~ agricultural machinery, ~~farm~~ or agricultural supplies, ~~or~~  
40 ~~both~~ to or from a farm *or ranch*;

41 (3) not used in the operations of a common motor carrier; and

42 (4) used either in:

43 (A) Intrastate commerce; or

1 (B) interstate commerce within 150 air miles of any farm or farms  
2 owned or leased by the registered owner of such farm vehicle;

3 (b) vehicles operated by firefighters and other persons that are  
4 necessary to the preservation of life or property or the execution of  
5 emergency governmental functions, are equipped with audible and visual  
6 signals and are not subject to normal traffic regulation. These vehicles  
7 include fire trucks, hook and ladder trucks, foam or water transport trucks,  
8 police SWAT team vehicles, ambulances or other vehicles that are used in  
9 response to emergencies;

10 (c) military vehicles that are operated by military personnel in pursuit  
11 of military purposes and all noncivilian operators of equipment owned or  
12 operated by the United States department of defense. This applies to any  
13 active duty military personnel and members of the reserves and national  
14 guard on active duty, including personnel on full-time national guard duty,  
15 personnel on part-time training and national guard military technicians,  
16 civilians who are required to wear military uniforms and are subject to the  
17 uniform code of military justice or the Kansas code of military justice;

18 (d) motor vehicles that would otherwise be considered commercial  
19 motor vehicles, if such vehicles are used solely and exclusively for private  
20 noncommercial use and any operator of such vehicles;

21 (e) farm tractors operated by an implement dealer, or employee  
22 thereof, when moved or transported in accordance with K.S.A. 8-1918,  
23 and amendments thereto; and

24 (f) motor grader vehicles operated by an employee of a municipality,  
25 as defined in K.S.A. 75-6102, and amendments thereto, if such employee  
26 is operating the motor grader vehicle within the boundaries of such  
27 municipality.

28 Sec. 4. K.S.A. 8-166, 8-172 and 8-2,127 are hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after its  
30 publication in the statute book.