

HOUSE BILL No. 2083

By Committee on Taxation

1-18

1 AN ACT concerning motor vehicles; relating to registration, proof of
2 payment of real and personal property taxes; amending K.S.A. 2016
3 Supp. 8-173 and repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 8-173 is hereby amended to read as
7 follows: 8-173. (a) An application for registration of a vehicle as provided
8 in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments
9 thereto, shall not be accepted unless the person making such application
10 shall exhibit:

11 (1) A receipt showing that such person has paid all personal property
12 taxes levied against such person for the preceding year, including taxes
13 upon such vehicle, except that if such application is made before May 11,
14 such receipt need show payment of only one-half the preceding year's tax;
15 or

16 (2) evidence that such vehicle was assessed for taxation purposes by a
17 state agency, or was assessed as stock in trade of a merchant or
18 manufacturer or was exempt from taxation under the laws of this state.

19 (b) (1) An application for registration of a vehicle as provided in
20 article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments
21 thereto, shall not be accepted if the records of the county treasurer show
22 that the applicant is delinquent and owes personal property taxes levied
23 against the applicant for any preceding year.

24 (2) (A) *At the election of a participating county, beginning January 1,*
25 *2018, an application for registration of a vehicle provided in article 1 of*
26 *chapter 8 of the Kansas Statutes Annotated, and amendments thereto, shall*
27 *not be accepted if the records of the county treasurer show that the*
28 *applicant is delinquent and owes property taxes levied against the*
29 *applicant or the applicant's real property that is not the applicant's*
30 *homestead, for any preceding years when the total delinquent amount*
31 *exceeds the average real property tax imposed in the county multiplied by*
32 *two. If a motor vehicle is titled in the name of a business with delinquent*
33 *real property taxes and the applicant verifies by affidavit that they have no*
34 *access to any other motor vehicle for their personal, non-business use,*
35 *renewal shall be allowed on one motor vehicle titled in the name of the*
36 *business.*

1 (B) *The board of county commissioners of any county electing to*
2 *participate in the provisions of subsection (b)(2)(A) may do so by adoption*
3 *of a resolution. Such election may be rescinded by adoption of a*
4 *subsequent resolution.*

5 (c) An original application for registration of a motor vehicle shall
6 not be accepted until the applicant signs a certification, provided by the
7 director of motor vehicles, certifying that the applicant has and will
8 maintain, during the period of registration, the required insurance, self-
9 insurance or other financial security required pursuant to K.S.A. 40-3104,
10 and amendments thereto.

11 (d) An application for registration or renewal of registration of a
12 vehicle shall not be accepted if the applicant is unable to provide proof of
13 the insurance, self-insurance or other financial security required by article
14 31 of chapter 40 of the Kansas Statutes Annotated, and amendments
15 thereto. Proof of insurance shall be verified by examination of the
16 insurance card or other documentation issued by an insurance company, a
17 certificate of self-insurance issued by the commissioner, a binder of
18 insurance, a certificate of insurance, a motor carrier identification number
19 issued by the state corporation commission, proof of insurance for vehicles
20 covered under a fleet policy, a commercial policy covering more than one
21 vehicle or a policy of insurance required by K.S.A. 40-3104, and
22 amendments thereto, and for vehicles used as part of a drivers education
23 program, a dealership contract and a copy of a motor vehicle liability
24 insurance policy issued to a school district or accredited nonpublic school.
25 Examination of a photocopy, facsimile or an image displayed on a cellular
26 phone or any other type of portable electronic device of any of these
27 documents shall suffice for verification of registration or renewal. Any
28 person to whom such image of proof of insurance, self-insurance or other
29 financial security required by article 31 of chapter 40 of the Kansas
30 Statutes Annotated, and amendments thereto, is displayed, shall view only
31 such image displayed on such cellular phone or other portable electronic
32 device. Such person shall be prohibited from viewing any other content or
33 information stored on such cellular phone or other portable electronic
34 device. Proof of insurance may also be verified on-line or electronically
35 and the commissioner of insurance may require, by duly adopted rules and
36 regulations, any motor vehicle liability insurance company authorized to
37 do business in this state to provide verification of insurance in that manner.
38 Any motor vehicle liability insurance company which is providing
39 verification of insurance on-line or electronically on the day preceding the
40 effective date of this act may continue to do so in the same manner and
41 shall be deemed to be in compliance with this section.

42 (e) On and after January 1, 2018, an application for registration or
43 renewal of registration of a vehicle shall not be accepted, if the records of

1 the division show that after three attempts by the Kansas turnpike authority
2 to contact the registered owner, including at least one registered letter, the
3 registered owner of such vehicle has unpaid tolls and that the director of
4 the Kansas turnpike authority or the director's designee has instructed the
5 division to refuse to accept the registration or renewal of registration,
6 pursuant to K.S.A. 2016 Supp. 68-2020a, and amendments thereto, unless
7 the owner or registered owner makes payment to the county treasurer at
8 the time of registration or renewal of registration. Of such moneys
9 collected, 15% shall be retained by the county treasurer and the remainder
10 shall be remitted to the Kansas turnpike authority.

11 Sec. 2. K.S.A. 2016 Supp. 8-173 is hereby repealed.

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