

As Amended by House Committee

Session of 2022

HOUSE BILL No. 2594

By Committee on Transportation

2-3

1 AN ACT concerning motor vehicles; relating to vehicle identification  
2 numbers; exempting certain modifications on antique vehicles from  
3 vehicle identification number offense seizures and dispositions;  
4 amending K.S.A. 2021 Supp. 8-116 and repealing the existing section.  
5

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

7 Section 1. K.S.A. 2021 Supp. 8-116 is hereby amended to read as  
8 follows: 8-116. (a) It is unlawful to sell, barter or exchange any motor  
9 vehicle, trailer or semitrailer, the original vehicle identification number of  
10 which has been destroyed, removed, altered or defaced, except as  
11 contemplated by K.S.A. 8-116a, and amendments thereto, when no part of  
12 the motor vehicle, trailer or semitrailer has been stolen and a vehicle  
13 identification number has been assigned to the motor vehicle according to  
14 law. Violation of this subsection~~(a)~~ is a severity level 10, nonperson  
15 felony.

16 (b) It is unlawful to knowingly own or have the custody or possession  
17 of a motor vehicle, trailer or semitrailer, the original vehicle identification  
18 number of which has been destroyed, removed, altered or defaced, except  
19 as contemplated by K.S.A. 8-116a, and amendments thereto, when no part  
20 of the motor vehicle, trailer or semitrailer has been stolen and a vehicle  
21 identification number has been assigned to the motor vehicle according to  
22 law. Violation of this subsection~~(b)~~ is a class C *nonperson* misdemeanor.

23 (c) Any person who shall destroy, remove, alter or deface any vehicle  
24 identification number, except as contemplated by K.S.A. 8-116a, and  
25 amendments thereto, when no part of the motor vehicle, trailer or  
26 semitrailer has been stolen, is guilty of a severity level 10, nonperson  
27 felony.

28 (d) Every law enforcement officer in this state having knowledge of a  
29 motor vehicle, trailer or semitrailer, the vehicle identification number of  
30 which has been destroyed, removed, altered or defaced, shall seize and  
31 take possession of such motor vehicle, trailer or semitrailer.

32 (e) Every motor vehicle, trailer or semitrailer, the vehicle  
33 identification number of which has been destroyed, removed, altered or  
34 defaced, ~~which~~ *and that* has been seized under this section is an article of  
35 contraband and the provisions of K.S.A. 22-2512, and amendments  
36 thereto, shall apply.

1 (f) No law enforcement agency or employee of such agency acting  
2 within the scope of employment shall be liable for damages resulting from  
3 the adoption or enforcement of any policy adopted under this section.

4 (g) *The provisions of this section shall not apply to when a person*  
5 *who removes and reinstalls a manufacturer's serial number or a vehicle*  
6 *identification number on an antique vehicle, as defined in K.S.A. 2021*  
7 *Supp. 8-166, and amendments thereto, if the removal and reinstallation*  
8 *are reasonably necessary for repair or restoration unless the person*  
9 *knows or has reason to know that the antique vehicle is stolen:*

10 **(1) The removal and reinstallation are reasonably necessary for**  
11 **the repair or restoration of the antique vehicle;**

12 **(2) the person completing the repair or restoration of the antique**  
13 **vehicle reinstalls the manufacturer's serial number or vehicle**  
14 **identification number immediately after the repair or restoration is**  
15 **complete; and**

16 **(3) the person does not know and has no reason to know that the**  
17 **antique vehicle is stolen.**

18 Sec. 2. K.S.A. 2021 Supp. 8-116 is hereby repealed.

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