

As Amended by House Committee

As Amended by Senate Committee

Session of 2015

SENATE BILL No. 215

By Committee on Transportation

2-12

1 AN ACT concerning motor vehicles; relating to registration of vehicles;
2 penalties, evidence of renewal; amending **K.S.A. 8-143e and K.S.A.**
3 **2014 Supp. 8-142** and repealing the existing ~~section~~ **sections.**
4

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

6 Section 1. K.S.A. 2014 Supp. 8-142 is hereby amended to read as
7 follows: 8-142. It shall be unlawful for any person to commit any of the
8 following acts and except as otherwise provided, violation is subject to
9 penalties provided in K.S.A. 8-149, and amendments thereto:

10 *First:* To operate, or for the owner thereof knowingly to permit the
11 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and
12 amendments thereto, which is not registered, or for which a certificate of
13 title has not been issued or which does not have attached thereto and
14 displayed thereon the license plate or plates assigned thereto by the
15 division for the current registration year, including any registration decal
16 required to be affixed to any such license plate pursuant to K.S.A. 8-134,
17 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-
18 135, 8-198 and 8-1751a, and amendments thereto. A violation of this ~~First~~
19 *subsection* by a person unlawfully claiming that a motor vehicle is exempt
20 from registration as a self-propelled crane under ~~subsection (b)~~ of K.S.A.
21 8-128(b), and amendments thereto, shall constitute an unclassified
22 misdemeanor punishable by a fine of not less than \$500. *A person shall*
23 *not be charged with a violation of this subsection for failing to display a*
24 *registration decal on a passenger vehicle any vehicle except those*
25 *included under K.S.A. 8-1,101 and K.S.A. 2014 Supp. 8-143m and 8-*
26 *1,152, and amendments thereto, up to and including the 10th day*
27 *following the expiration of the registration if the person is able to produce*
28 *a registration printed payment receipt or electronic payment receipt from*
29 *an online electronic payment processing system for the current 12-month*
30 *registration period. Any charge for failing to display a registration decal*
31 *up to and including the 10th day following the expiration of the registration*
32 *shall be dismissed if the person produces in court a registration receipt for*
33 *the current 12-month registration period which was valid at the time of*
34 *arrest.*

1 *Second:* To display or cause or permit to be displayed, or to have in
2 possession, any registration receipt, certificate of title, registration license
3 plate, registration decal, accessible parking placard or accessible parking
4 identification card knowing the same to be fictitious or to have been
5 canceled, revoked, suspended or altered. A violation of this ~~part Second~~
6 *subsection* shall constitute an unclassified misdemeanor punishable by a
7 fine of not less than \$100 and forfeiture of the item. A mandatory court
8 appearance shall be required of any person violating this ~~part Second~~
9 *subsection*. This ~~part Second~~ *subsection* shall not apply to the possession
10 of: (a) Model year license plates displayed on antique vehicles as allowed
11 under K.S.A. 8-172, and amendments thereto; or (b) distinctive license
12 plates allowed under K.S.A. 8-1,147, and amendments thereto.

13 *Third:* To lend to or knowingly permit the use by one not entitled
14 thereto any registration receipt, certificate of title, registration license plate
15 or registration decal issued to the person so lending or permitting the use
16 thereof.

17 *Fourth:* To fail or refuse to surrender to the division, upon demand, any
18 registration receipt, certificate of title, registration license plate or
19 registration decal which has been suspended, canceled or revoked.

20 *Fifth:* To use a false or fictitious name or address in any application for
21 a certificate of title, the registration of any vehicle or for any renewal or
22 duplicate thereof, or knowingly to make a false statement or knowingly to
23 conceal a material fact or otherwise commit a fraud in any such
24 application.

25 *Sixth:* For the owner of a motor vehicle to file application for the
26 registration thereof, in any county other than the county in which the
27 owner of the vehicle resides or has a bona fide place of business, which
28 place is not an office or facility established or maintained solely for the
29 purpose of obtaining registration.

30 *Seventh:* To operate on the highways of this state a vehicle or
31 combination of vehicles whose weight with cargo is in excess of the gross
32 weight for which the truck or truck tractor propelling the same is
33 registered, except as provided by K.S.A. 8-143, and amendments thereto,
34 and ~~subsections (a) to (f), inclusive, of K.S.A. 8-1911(a) through (f), and~~
35 amendments thereto. Such gross weight shall not be required to be in
36 excess of the limitations described by K.S.A. 8-1908 and 8-1909, and
37 amendments thereto, for such vehicle or combination of vehicles of which
38 it is a part. Any person or owner who operates a vehicle in this state with a
39 registration in violation of ~~subsection (b) of K.S.A. 8-143(b), and~~
40 amendments thereto, shall be required to pay the additional fee equal to the
41 fee required by the applicable registration fee schedule, less the amount of
42 the fee required for the gross weight for which the vehicle is registered to
43 obtain the proper registration therewith. A fine of \$75 shall be assessed for

1 all such gross weight registration violations.

2 *Eighth:* To operate a local truck or truck tractor which is registered for
3 a gross weight of more than 12,000 pounds as a common carrier outside a
4 radius of three miles beyond the corporate limits of the city in which such
5 vehicle was based when registered and licensed or to operate any other
6 local truck or truck tractor licensed for a gross weight of more than 12,000
7 pounds outside a radius of 25 miles beyond the corporate limits of the city
8 in which such vehicle was based when registered and licensed, except as
9 provided in ~~subsection (b)~~ of K.S.A. 8-143(b) or 8-143i, and amendments
10 thereto.

11 *Ninth:* To operate on the highways of this state a farm truck or farm
12 trailer other than to transport: (a) Agricultural products produced by such
13 owner; (b) commodities purchased by the owner for use on the farm
14 owned or rented by the owner of such vehicles; (c) commodities for
15 religious or educational institutions being transported by the owner of such
16 vehicles for charity and without compensation of any kind, except as
17 provided in ~~subsection (c)~~ of K.S.A. 66-1,109(c), and amendments thereto;
18 or (d) sand, gravel, slag stone, limestone, crushed stone, cinders, black top,
19 dirt or fill material to a township road maintenance or construction site of
20 the township in which the owner of such truck resides.

21 *Tenth:* To operate a farm truck or truck tractor used in combination with
22 a trailer or semitrailer for a gross weight which does not include the empty
23 weight of the truck or truck tractor or of the combination of any truck or
24 truck tractor and any type of trailer or semitrailer, plus the maximum
25 weight of cargo which will be transported on or with the same; and such
26 farm truck or farm truck tractor used to transport a gross weight of more
27 than 54,000 pounds shall have durably lettered on the side of the motor
28 vehicle the words "farm vehicle—not for hire."

29 *Eleventh:* To operate on the highways of this state any truck or truck
30 tractor without the current quarter of license fees being paid thereon.

31 *Twelfth:* To operate on the highways of this state a truck or truck tractor
32 without carrying in the cab a copy of the registration receipt for such
33 vehicle or without having painted or otherwise durably marked on ~~said the~~
34 vehicle on both sides thereof, the gross weight for which ~~said the~~ vehicle is
35 licensed and the name and address of the owner thereof, except as
36 provided in K.S.A. 8-143e, and amendments thereto.

37 *Thirteenth:* To operate on the highways of this state a farm trailer
38 carrying more than 6,000 pounds without being registered and the
39 registration fees paid thereon.

40 *Fourteenth:* To operate more than 6,000 miles in any calendar year any
41 truck or truck tractor which has been registered and licensed to operate not
42 more than 6,000 miles in such calendar year, as provided in ~~subsection (b)~~
43 of K.S.A. 8-143(b), and amendments thereto, unless the additional fee

1 required by such subsection (b) has been paid.

2 *Fifteenth:* For any owner who has registered a truck or truck tractor on
3 the basis of operating not more than 6,000 miles to fail to keep the records
4 required by the director of vehicles, or to fail to comply with rules and
5 regulations of the secretary of revenue relating to such registration.

6 *Sixteenth:* To operate a vehicle or combination of vehicles on the
7 national system of interstate and defense highways with a gross weight
8 greater than permitted by the laws of the United States congress.

9 **Sec. 2. K.S.A. 8-143e is hereby amended to read as follows: 8-**
10 **143e. The county treasurer shall issue to the owner a registration**
11 **receipt on each application for a truck or truck tractor license. The**
12 **registration application and receipt shall be in such number and**
13 **contain such information as the division shall determine. Except as**
14 **provided by K.S.A. 8-142 First, and amendments thereto, a copy of the**
15 **registration receipt shall be carried in the cab of such truck or truck**
16 **tractor during all the time the same is operated on the highways of**
17 **this state. Any truck or truck tractor for which the owner has**
18 **declared the maximum gross weight to be more than twelve thousand**
19 **(12,000) 12,000 pounds shall have painted or otherwise durably**
20 **marked on said the vehicle on both sides thereof, in plain letters not**
21 **less than two (2) inches in height and with not less than one-fourth (1/4)**
22 **1/4 inch stroke, the gross weight for which said the vehicle is licensed,**
23 **and the name and address of the owner or lessee thereof. Provided,**
24 **That. If the division shall find finds that any insignia or trademark**
25 **painted or otherwise durably marked on any such vehicle is sufficient**
26 **to properly show the gross weight for which said the vehicle is licensed**
27 **and to identify the owner and show the address of the owner thereof,**
28 **the division may issue a permit authorizing the use of such insignia or**
29 **trademark. Provided further, That. A vehicle registered as a farm truck**
30 **or truck tractor shall not be required to be so painted or marked.**
31 **When such painting or marking shall become illegible, the same shall**
32 **be repainted or remarked, as herein required.**

33 **Sec. ~~2~~ 3. K.S.A. 8-143e and K.S.A. 2014 Supp. 8-142 ~~is~~ are hereby**
34 **repealed.**

35 **Sec. ~~3~~ 4. This act shall take effect and be in force from and after its**
36 **publication in the statute book.**