

Motor Vehicle Odometer Reading Recording Exemptions; SB 95

SB 95 amends a requirement regarding odometer readings upon assignment of a vehicle title and amends the definitions for “all-terrain vehicle” (ATV) and “recreational off-highway vehicle” (ROV).

Odometer Reading Disclosure

The bill replaces an exemption from acknowledgment of mileage for vehicles ten model years and older and for trucks with a gross vehicle weight of more than 16,000 pounds with an exemption for any vehicle exempt from odometer requirements pursuant to federal law.

[*Note:* National Highway Traffic Safety Administration regulation 49 CFR 580.17 regarding exemptions from requirements to disclose a vehicle’s odometer reading was amended in 2019, effective January 1, 2021 (84 FR 65017; November 26, 2019). The federal regulation states a transferor need not disclose a vehicle’s odometer mileage for a vehicle manufactured in or before the 2010 model year after calendar year 2020. The transferor of a vehicle manufactured in or after the 2011 model year must disclose the odometer mileage for 20 years after January 1 of the calendar year corresponding to its designated model year (e.g., for vehicle transfers occurring during calendar year 2031, model year 2011 or older vehicles would be exempt). The federal regulation continues exemptions for a vehicle having a gross vehicle weight rating of more than 16,000 pounds, a vehicle that is not self-propelled, a vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications, and a transferor of a new vehicle prior to its first transfer for purposes other than resale.]

The odometer disclosure provisions become effective from and after January 1, 2022, and publication in the statute book.

ATV and ROV Definition Amendments

In the definitions of ATV in statutes regarding vehicle registration and in the Uniform Act Regulating Traffic on Highways, the bill increases the maximum width of such a vehicle from 50 inches to 55 inches and specifies the measurement is taken from the outside of one tire rim to the outside of the other tire rim. In continuing law, an ATV has a maximum weight of 1,500 pounds and travels on 3 or more nonhighway tires. [*Note:* KSA 2020 Supp. 8-128 specifies an ATV need not be registered.]

In the definition of ROV in a statute regarding vehicle registration, the bill increases the maximum width from 64 inches to 75 inches and specifies the measurement is taken from the outside of one tire rim to the outside of the other tire rim. It also increases the maximum weight of an ROV from 2,000 pounds to 3,500 pounds. In continuing law, an ROV travels on three or more nonhighway tires. [*Note:* An ROV is included in the definition of a nonhighway vehicle in KSA 2020 Supp. 8-197 and, per KSA 2020 Supp. 8-198, is not required to be registered.]

The ATV and ROV definition amendments become effective upon publication in the statute book.