

16-1404. Equipment not required to be repurchased. The provisions of K.S.A. 16-1403, and amendments thereto, shall not require the repurchase from a retailer of any:

- (a) Repair part which is in a broken or damaged package;
- (b) single repair part which is priced as a set of two or more items;
- (c) repair part which, because of its condition, is not resalable as a new part;
- (d) inventory for which the retailer is unable to furnish evidence, satisfactory to the supplier, of title, free and clear of all claims, liens and encumbrances;
- (e) inventory which the retailer desires to keep, and for which the retailer has a contractual right to do so;
- (f) machines, equipment, and attachments which are not in new, unused, undamaged, or complete condition;
- (g) repair parts which are not in new, unused, or undamaged condition;
- (h) machines, equipment or attachments which were purchased 24 months or more prior to notice of termination of the contract;
- (i) inventory which was ordered by the retailer on or after the date of notification of termination of the contract;
- (j) inventory which was acquired by the retailer from any source other than the supplier or transferee of such supplier, unless such inventory was ordered from, invoiced to the retailer by or financed to the retailer by the supplier or transferee of such supplier; or
- (k) part that has been removed from an engine or short block or piece of equipment or any part purchased separately that has been mounted or installed by the retailer on an engine or on equipment.

History: L. 1992, ch. 40, § 4; L. 2000, ch. 84, § 6; L. 2002, ch. 67, § 3; July 1.