SENATE BILL No. 215

By Committee on Transportation

2-12

AN ACT concerning motor vehicles; relating to registration of vehicles; penalties, evidence of renewal; amending K.S.A. 2014 Supp. 8-142 and repealing the existing section.

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

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

First: To operate, or for the owner thereof knowingly to permit the operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and amendments thereto, which is not registered, or for which a certificate of title has not been issued or which does not have attached thereto and displayed thereon the license plate or plates assigned thereto by the division for the current registration year, including any registration decal required to be affixed to any such license plate pursuant to K.S.A. 8-134, 8-135, 8-198 and 8-1751a, and amendments thereto. A violation of this First subsection by a person unlawfully claiming that a motor vehicle is exempt from registration as a self-propelled crane under subsection (b) of K.S.A. 8-128(b), and amendments thereto, shall constitute an unclassified misdemeanor punishable by a fine of not less than $500. A person shall not be charged with a violation of this subsection for failing to display a registration decal on a passenger vehicle up to and including the 10th day following the expiration of the registration if the person is able to produce a registration receipt for the current 12-month registration period. Any charge for failing to display a registration decal up to and including the 10th day following the expiration of the registration shall be dismissed if the person produces in court a registration receipt for the current 12-month registration period which was valid at the time of arrest.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sixteenth: To operate a vehicle or combination of vehicles on the
national system of interstate and defense highways with a gross weight
greater than permitted by the laws of the United States congress.
Sec. 2. K.S.A. 2014 Supp. 8-142 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.