

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 95

As Amended by House Committee on
Transportation

Brief*

SB 95 would amend a requirement regarding odometer readings upon assignment of a vehicle title. 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 would be replaced by an exemption for any vehicle exempt from odometer requirements pursuant to federal law.

The bill would become effective from and after January 1, 2022, and its publication in the statute book.

Background

The bill was introduced by the Senate Committee on Transportation at the request of the Director of Vehicles, Kansas Department of Revenue (KDOR). [Note: The provisions are the same as those of 2020 SB 306, as recommended by the House Committee on Transportation.]

Senate Committee on Transportation

In the Senate Committee hearing, the Vehicle Services Manager, Division of Vehicles, KDOR, testified as a **proponent**. The conferee stated the bill would conform state law to federal requirements, which have been amended to extend disclosure based on vehicle age.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

House Committee on Transportation

In the House Committee hearing, the Vehicle Services Manager, Division of Vehicles, KDOR, testified as a **proponent**.

No other testimony was provided.

The House Committee amended the bill to make technical changes.

Odometer Disclosure

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.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KDOR estimates it would require \$2,150 from the State General Fund for FY 2022, to implement the bill and modify the vehicle registration system. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Vehicle; odometer