



Kansas Register

Kris W. Kobach, Secretary of State

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(Published in the Kansas Register May 14, 2015.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, June 19, for the following project:

**KDOT Project No. 87TE-0396-01/
472-85108/211516
(OCA Code 707051)
Bicycle Lane Markings**

First and Second Street Bike Lanes

Requests for the bid documents and plans should be directed to QuikPrint at 316-942-2208 or to Jody Doyle at 316-268-4503. Other questions should be directed to the respective design engineer, 316-268-4393.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at 316-268-4499 for extra sets of plans and specifications.

Jody Doyle
Administrative Aide II
City of Wichita-Engineering

Doc. No. 043537

State of Kansas

Kansas Water Authority

Notice of Meetings

The Kansas Water Authority will meet at 1 p.m. Wednesday, May 20, and at 8:30 a.m. Thursday, May 21, at the Twilight Theatre, 200 S. Main, Greensburg. The agenda and meeting materials are available on the Kansas Water Office (KWO) website at www.kwo.org, or copies may be obtained by contacting the KWO, Suite 404, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1249, 785-296-3185 or 888-526-9283 (KAN-WATER).

Gary Harshberger
Chairman

Doc. No. 043508

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 5-11-15 through 5-17-15

Term	Rate
1-89 days	0.13%
3 months	0.04%
6 months	0.11%
12 months	0.30%
18 months	0.46%
2 years	0.61%

Scott Miller
Director of Investments

Doc. No. 043520

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**State of Kansas
Department of Administration
Office of the Chief Financial Officer**

Public Notice (Revised)

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of the Chief Financial Officer show the unobligated balances are \$4,349,688.96 in the Underground Petroleum Storage Tank Release Trust Fund and \$2,012,387.08 in the Aboveground Petroleum Storage Tank Release Trust Fund at March 31, 2015.

Martin Eckhardt, Manager
Audit and Assurance Section

Doc. No. 043533

**State of Kansas
Department of Administration
Office of the Chief Financial Officer**

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of the Chief Financial Officer show the unobligated balances are \$4,039,017.71 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,918,258.46 in the Aboveground Petroleum Storage Tank Release Trust Fund at April 30, 2015.

Martin Eckhardt, Manager
Audit and Assurance Section

Doc. No. 043534

**State of Kansas
Board of Regents Universities**

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University — Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University — Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University — Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-5214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University — Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: purch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas — Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center — Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University — Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Steve White
Chair of Regents Purchasing Group
Director of Purchasing
Wichita State University

Doc. No. 042813

**State of Kansas
Department of Administration
Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the director of Procurement and Contracts until 2 p.m. on the date indicated. For more information call 785-296-2376:

- | | | |
|------------|------------|---|
| 05/26/2015 | EVT0003731 | Janitorial Services – Kansas City |
| 05/26/2015 | EVT0003773 | Vehicle Maintenance, Topeka |
| 05/28/2015 | EVT0003734 | Bond Disclosure Counsel |
| 06/05/2015 | EVT0003776 | Services, Program Evaluation |
| 06/02/2015 | EVT0003766 | Services, Physical & Occupational Therapy |
| 06/02/2015 | EVT0003785 | Master Lease Purchase Program |
| 06/04/2015 | EVT0003777 | Services, Web Design |
| 06/11/2015 | EVT0003781 | Conservation Court Reporter |

The above-referenced bid documents can be downloaded at the following website:

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

- | | | |
|------------|----------|--|
| 05/28/2015 | A-012804 | Osawatomie State Hospital; Adair "A" North & South Safety Improvements |
| 06/04/2015 | A-012592 | Winfield Veterans' Cemetery Committal Shelter Doors |

Information regarding prequalification, projects and bid documents can be obtained by calling 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043538

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 29-May 6 by the 2015 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2426, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; calculation of members' benefits; limiting accumulation of vacation leave for certain employees; amending K.S.A. 75-5517 and K.S.A. 2014 Supp. 74-4902 and repealing the existing sections, by Committee on Appropriations.

HB 2427, AN ACT concerning taxation; relating to motor vehicle fuel taxes, rates, permits, refunds and distribution of; sales and compensating tax, distribution; amending K.S.A. 79-3453 and K.S.A. 2014 Supp. 79-3408, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3620 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2428, AN ACT concerning taxation; relating to income tax, rates on corporations; sunseting certain credits for high performance firms; payroll withholding taxes, sunseting benefits under the promoting employment across Kansas act; sales tax, sunseting certain exemptions for high performance firms; amending K.S.A. 2014 Supp. 74-50,115, 74-50,132, 74-50,212, 79-32,110, 79-32,160a and 79-3606 and repealing the existing sections, by Committee on Taxation.

HB 2429, AN ACT concerning sales and compensating tax; relating to rates; amending K.S.A. 2014 Supp. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2430, AN ACT concerning income taxation; relating to determination of income, subtraction modifications; rates for resident individuals with income from certain businesses who employ one or more persons; amending K.S.A. 2014 Supp. 79-32,110, 79-32,111 and 79-32,117 and repealing the existing sections, by Committee on Taxation.

HB 2431, AN ACT concerning personal property taxation; relating to motor vehicles; computation of amount of tax; state school district ad valorem tax levy; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Taxation.

House Concurrent Resolutions

HCR 5018, by Representatives Garber, Anthimides, Barton, Bradford, Brunk, W. Carpenter, Clark, Corbet, DeGraaf, Dove, Ewy, Goico, Hedke, Highland, Hoffman, Huebert, Hutchins, Hutton, K. Jones, Kiegerl, O'Brien, Pauls, Peck, Powell, Read, Rhoades, Scapa, Seiwert and Thimesch, A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights.

House Resolutions

HR 6024, by Representatives Barker, Alcalá, Alford, Anthimides, Ballard, Barton, Becker, Billinger, Boldra, Bollier, Bradford, Bridges, Bruchman, Brunk, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Couture-Lovelady, Curtis, Davis, DeGraaf, Dierks, Doll, Dove, Edmonds, Esau, Estes, Ewy, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Goico, Gonzalez, Grosserode, Hawkins, Hedke, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Hoffman, Houser, Houston, Huebert, Hutchins, Hutton, Jennings, Johnson, Jones, Jones, Kahrs, Kelley, Kelly, Kiegerl, Kleeb, Kuether, Lane, Lewis, Lunn, Lusk, Lusker, Macheers, Mason, Mast, McPherson, Merrick, Moxley, O'Brien, Osterman, Ousley, Patton, Pauls, Peck, Phillips, Powell, Proehl, Read, Rhoades, Rooker, Rubin, Ruiz, Ryckman, Ryckman, Sawyer, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Sloan, Smith, Suellentrop, Sutton, Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, A RESOLUTION encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

Senate Bills

SB 301, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2014 Supp. 12-1744a, 12-4516, 12-4516a, 17-7673, 17-7674, 17-7677, 21-6604, 21-6614, 38-2310, 39-709, as amended by section 9 of 2015 Senate Substitute for House Bill No. 2258, 65-2895, 74-4911f, 74-4914d, as amended by section 2 of 2015 Senate Bill No. 228, 74-4920, as amended by section 3 of 2015 Senate Bill No. 228, 75-37,121, 76-1936, 79-1609 and 79-1703 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 38-2310, as amended by section 2 of chapter 131 of the 2014 Session Laws of Kansas and 65-2895, as amended by section 36 of chapter 131 of the 2014 Session Laws of Kansas and K.S.A. 2014 Supp. 9-1111, as amended by section 8 of 2015 House Bill No. 2216, 9-1215, as amended by section 1 of 2015 Senate Substitute for House Bill No. 2258, 9-1216, as amended by section 2 of 2015 Senate Substitute for House Bill No. 2258, 12-1744f, 12-4516b, 12-4516c, 17-7673a, 17-7674a, 17-7677a, 20-380a, 21-6604c, 21-6614e, 39-709, as amended by section 150 of 2015 Senate Bill No. 240, 74-4911j, 74-4914d, as amended by section 55 of 2015 House Substitute for Senate Bill No. 4, 74-4920, as amended by section 56 of 2015 House Substitute for Senate Bill No. 4, 74-99b34a, 75-37,121b, 76-1936a, 79-1609a and 79-1703a, by Committee on Ways and Means.

SB 302, AN ACT concerning taxation; levying a statewide excise tax on the ownership of real property for the purpose of school finance, by Committee on Assessment and Taxation.

SB 303, AN ACT concerning insurance; relating to coverage for autism spectrum disorder; amending K.S.A. 2014 Supp. 40-2,194 and repealing the existing section, by Committee on Ways and Means.

Senate Resolutions

SR 1731, by Senator Holland, A RESOLUTION congratulating the Baldwin High School wrestling team on winning the 2015 Class 4A State Wrestling Championship.

SR 1732, by Senators Petersen, Abrams, Donovan, Faust-Goudeau, Kerschen, Masterson, McGinn, O'Donnell, Schmidt and Wagle, A RESOLUTION congratulating the Wichita South High School women's basketball team on its class 6A state championship.

SR 1733, by Senator Ostmeier, A RESOLUTION congratulating the Hoxie High School women's basketball team on winning the 2015 Class 1A State Championship.

SR 1734, by Senator Ostmeier, A RESOLUTION congratulating the Sharon Springs-Wallace County High School boys' basketball team on winning the 2015 Class 1A Division II State Championship.

SR 1735, by Senator Ostmeier, A RESOLUTION congratulating the Norton Community High School wrestling team on winning the 2015 Class 3-2-1A State Wrestling Championship.

SR 1736, by Senator King, A RESOLUTION congratulating the Erie High School Chess Team on winning the Kansas Scholastic State Chess Championship two years in a row.

SR 1737, by Senators Lynn and Olson, A RESOLUTION congratulating and commending Vanya Shivashankar of Olathe, Kansas, for winning the national "Child Genius" competition.

SR 1738, Senator Francisco, A RESOLUTION congratulating and commending 50 years of accreditation for the University of Kansas' graduate programs in speech, language and hearing.

SR 1739, by Senators Kelly and Longbine, A RESOLUTION commemorating the 100th anniversary of Wamego Health Center in Wamego, Kansas.

SR 1740, by Senators Longbine, Fitzgerald, Hawk, Knox, Masterson, Melcher, Schmidt and Wolf, A RESOLUTION congratulating and commending the 2015 Kansas Master Teachers.

Doc. No. 043523

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Greif Packaging, L.L.C. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a

Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Greif Packaging, L.L.C., 366 Greif Parkway, Delaware, OH 43015, owns and operates a steel drum manufacturing facility located at 7604 Railroad Ave., Winfield, KS 67156.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE South Central District Office, 300 W. Douglas, Suite 700, Wichita. To obtain or review the proposed permit and supporting documentation contact Lynelle Ladd, 785-296-1719, at the KDHE central office, or David Butler, 316-337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Lynelle Ladd, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon on June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Lynelle Ladd, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043530

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Northern Natural Gas Company – Macksville Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Northern Natural Gas Company, 790 Ave. A, Bushton, KS 67427, owns and operates the Macksville Compressor Station, a natural gas compressor station located at Section 12, T23S, R15W.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

(continued)

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043526

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Anadarko Gathering Company, LLC – East Woods Booster Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Anadarko Gathering Company, LLC, P.O. Box 1330, Houston, TX 77251-1330, owns and operates the East Woods Booster Station, a natural gas compressor station located at Section 22, T33S, R34W, Liberal, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the pro-

posed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043527

State of Kansas

Department of Health and Environment

Request for Comments

Notice is hereby given that the Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Panhandle Eastern Pipe Line Company has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Panhandle Eastern Pipe Line Company, 7500 College Blvd., Suite 300, Overland Park, KS 66210, owns and operates Haven Compressor Station, a natural gas transmission station located at Section 6, T25S, R4W, Haven, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE South Central District Office, 300 W. Douglas, Suite 700, Wichita. To obtain or review the proposed permit and supporting documentation contact Lynelle Ladd, 785-296-1719, at the KDHE central office, or David Butler, 316-337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Lynelle Ladd, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a

final permit decision, written comments must be received not later than noon on June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Lynelle Ladd, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043528

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Linn Operating, Inc. – Ulysses North Main Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Linn Operating, Inc., 2225 W. Oklahoma Ave., Ulysses, KS 67880, owns and operates Ulysses North Main Compressor Station, a natural gas compressor station located at Section 16, T26S, R38W, Kearny County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W.

Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact James Stewart, 785-296-1104, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to James Stewart, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to James Stewart, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043529

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Natural Gas Pipeline Company of America – Station 105 has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitor-

(continued)

ing, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Natural Gas Pipeline Company of America, 370 Van Gordon St., P.O. Box 281304, Lakewood, CO 80228, owns and operates a natural gas compressor station – Station 105 – located at Section 7, T8S, R4W, Cloud County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Stan Marshall, 785-827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043532

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. ONEOK Field Services Company, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

ONEOK Field Services Company, LLC, P.O. Box 871, Tulsa, OK 74102-0871, owns and operates Haskell County #1 Compressor Station, located at Section 19, T30S, R33W, Haskell County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 15.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 15 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such pe-

riod. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043531

(Published in the Kansas Register May 14, 2015.)

**Summary Notice of Bond Sale
City of Pittsburg, Kansas
\$6,715,000*
General Obligation Refunding Bonds
Series 2015A
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the Official Notice of Bond Sale and Preliminary Official Statement dated May 5, 2015, sealed, facsimile and electronic bids will be received on behalf of the city clerk of the city of Pittsburg, Kansas (the issuer), at the offices of Springsted Incorporated, 380 Jackson St., Suite 300, St. Paul, MN 55101, by delivery or via facsimile at 651-223-3046, or, in the case of electronic proposals, via BiDCOMP/PARITY electronic bid submission system, until 10:30 a.m. (CDT) Tuesday, May 26, 2015, for the purchase of \$6,715,000* aggregate principal amount of General Obligation Refunding Bonds, Series 2015A. No bid of less than 99.0 percent of the aggregate principal amount of the bonds and accrued interest, if any, thereon to the date of delivery will be considered, and no supplemental interest payments will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated June 18, 2015, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2016	\$475,000
2017	505,000
2018	515,000
2019	520,000
2020	530,000
2021	540,000
2022	555,000
2023	565,000
2024	330,000
2025	335,000
2026	345,000

2027	355,000
2028	370,000
2029	380,000
2030	395,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the Official Notice of Bond Sale and Preliminary Official Statement.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

The lowest bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a wire transfer in the amount of \$134,300 (2 percent of the principal amount of the bonds). The lowest bidder shall be responsible for the timely delivery of their good faith deposit in accordance with the requirements of the Official Notice of Bond Sale not later than 1:30 p.m. (CDT) on the day of sale.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, Jersey City, New Jersey, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2014 is \$135,609,737. The total general obligation indebtedness of the issuer following the issuance of the bonds is \$23,800,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk at 620-231-4100, or from the city's municipal advisor, Springsted Incorporated of St. Paul, Minnesota, at 651-223-3000.

Dated May 5, 2015.

City of Pittsburg, Kansas
Tammy Nagel, City Clerk
City Hall
201 W. 4th St.
Pittsburg, KS 66762

*Preliminary; subject to change.

Doc. No. 043525

(Published in the Kansas Register May 14, 2015.)

**Summary Notice of Bond Sale
Unified School District No. 357
Sumner County, Kansas (Belle Plaine)
\$15,950,000*
General Obligation School Building Bonds
Series 2015
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the Notice of Bond Sale dated April 27, 2015, written and electronic bids will be received on behalf of the clerk of Unified School District No. 357, Sumner County, Kansas (Belle Plaine) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CDT) May 27, 2015, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2015, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2016	\$ 50,000
2017	350,000
2018	370,000
2019	395,000
2020	415,000
2021	440,000
2022	465,000
2023	490,000
2024	515,000
2025	540,000
2026	565,000
2027	590,000
2028	615,000
2029	645,000
2030	675,000
2031	705,000
2032	740,000
2033	775,000
2034	815,000
2035	855,000
2036	895,000
2037	940,000
2038	985,000
2039	1,035,000
2040	1,085,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$319,000.

Delivery

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 17, 2015, to DTC for the account of the successful bidder

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2014 is \$25,411,259. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$15,950,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the financial advisor at the address set forth below.

Written Bid and Good Faith Deposit

Delivery Address:

Office of the Board of Education
719 N. Main
Belle Plaine, KS 67013
620-488-2288
Fax: 620-488-3517
bshivers@usd357.org

Financial Advisor — Facsimile Bid and Good Faith Deposit Delivery Address:

George K. Baum & Company
100 N. Main, Suite 810
Wichita, KS 67202
Attn: Stephen E. Shogren
316-264-9351
Fax: 316-264-9370
shogren@gkbaum.com

Dated April 27, 2015.

Unified School District No. 357
Sumner County, Kansas
(Belle Plaine)

***Subject to change; see Notice of Bond Sale dated April 27, 2015.**

Doc. No. 043540

(Published in the Kansas Register May 14, 2015.)

Sumner County, Kansas

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2015**

Notice is hereby given that Sumner County, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$166,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the adoption of a resolution by the board of county commissioners of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated April 27, 2015.

Debra Norris
County Clerk

Doc. No. 043535

(Published in the Kansas Register May 14, 2015.)

**Summary Notice of Bond Sale
Unified School District No. 463
Cowley County, Kansas
\$5,960,000
General Obligation Bonds
Series 2015**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale dated May 11, 2015, of Unified School District No. 463, Cowley County, Kansas, bids to purchase the district's General Obligation Bonds, Series 2015, will be received at the office of the district clerk at 303 S. Seymour, Udall, KS 67146, or by facsimile at 620-782-9690, until 2 p.m. (CDT) Monday, June 8, 2015. The bids will be considered by the governing body at its meeting at 6 p.m. on the sale date.

No oral or auction bids for the bonds will be considered, and no bids for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

Good Faith Deposit

Each bidder must submit a good faith deposit in the form of a certified or cashier's check made payable to the order of the district, a wire transfer as described in the Official Notice of Bond Sale, or a financial surety bond (if then available), in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds are dated June 24, 2015, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on June 1 and December 1 of each year, beginning June 1, 2016. Principal of the bonds becomes due on December 1 in the years and amounts as shown below:

Maturity Schedule

Maturity December 1	Principal Amount
2016	\$130,000
2017	\$225,000
2018	\$230,000
2019	\$240,000
2020	\$245,000
2021	\$255,000
2022	\$260,000
2023	\$270,000
2024	\$280,000
2025	\$285,000
2026	\$295,000
2027	\$305,000
2028	\$320,000
2029	\$330,000
2030	\$345,000
2031	\$360,000
2032	\$375,000
2033	\$385,000
2034	\$405,000
2035	\$420,000

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

Book-Entry Bonds

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York (DTC).

Delivery of the Bonds

The district will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about June 24, 2015.

Legal Opinion

The bonds will be sold subject to the legal opinion of Cosgrove, Webb & Oman, Topeka, Kansas, bond counsel, whose fees will be paid by the district.

Financial Matters

The district's current assessed valuation for purposes of calculating statutory debt limitations is \$20,850,114. As of June 24, 2015, the district's total outstanding general obligation debt (including the bonds) is \$5,960,000.

Additional Information

For additional information contact the district clerk at the address and telephone number shown below, or the financial advisor, Rick Ensz, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67207, 316-685-5777 or 913-681-8185.

Unified School District No. 463
Cowley County, Kansas
By Andrea Roberts, District Clerk
303 S. Seymour
Udall, KS 67146
620-782-3355
Fax: 620-782-9690

Doc. No. 043522

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 28, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 000928 – Maximum Principal Amount: \$240,000. Owner/Operator: Blake and Jessica D. Gurtler. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Blake and Jessica D. Gurtler and is located at the West Half of the Southwest Quarter of Section 15, Lincoln Township, Marshall County, Kansas, approximately 4 miles north and 1.75 miles west of Vermillion.

Project No. 000929 – Maximum Principal Amount: \$114,500. Owner/Operator: William and Elizabeth Smith. Description: Acquisition of 123 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for William and Elizabeth Smith and is located at the West Half of the Southwest Quarter and the West Half of the South Half of the Northwest Quarter of Section 19, Township 13, Range 3, Saline County, Kansas, approximately 2 miles west of Salina on State Street, 4 miles north on Halstead, and 1.75 miles west on Watkins Road.

The bonds, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will they be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bonds to finance the projects, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the projects may be obtained by contacting the K DFA.

Tim Shallenburger
President

Doc. No. 043521

State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of April 2015 for failure to timely file an annual report and pay the annual report fee.

Please Note: The following list represents business entities forfeited in April. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity go to the Kansas Business Center's Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution?2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Domestic Business Entities

A-Z Communications Corp, Topeka, KS
 B And J Thriftway, Inc., Tonganoxie, KS
 Bailey & Bailey, Inc., Topeka, KS
 Bailey Enterprises, Inc., Wichita, KS
 Best Asian Restaurant Inc., Hutchinson, KS
 Big Blue Rentals Inc., Lawrence, KS
 Big Boom Fireworks Inc., Oskaloosa, KS
 Bob Snyder Subcontractor, Inc., Manhattan, KS
 Bohm, Inc., Salina, KS
 Boot Hill Gaming, Inc., Dodge City, KS
 CKI, Inc., Junction City, KS
 Classic Feeders, Inc., Little River, KS
 Cloud 9 Therapeutic Equine Foundation, Inc., Milton, KS
 Coffeyville Humane Society, Inc., South Coffeyville, OK
 Commercial Lending & Leasing, Inc., Parsons, KS
 Contract Services, Inc., Junction City, KS
 CXXC Group Inc., Newton, KS
 D & T, Inc., Liberal, KS
 D.L. Enterprises, Inc., Kansas City, MO
 Dave's Auto & Machine Shop, Inc., Olathe, KS
 Double E Performance Horses, LLC, Garden City, KS
 Double RK, Inc., Louisburg, KS
 Dunlap's Utility Construction, Inc., Beattie, KS
 Elkhart Hot Oil Service, LLC, Elkhart, KS
 Emily R. McNeill, LSCSW, LLC, Lenexa, KS
 Far East Resources, Ltd., Olathe, KS
 G.S.H. Enterprises, Inc., Bonner Springs, KS
 Gideon Pallet Manufacturing, Incorporated, Paxico, KS
 Grisham Grading & Excavating Company, Inc.,
 Kansas City, MO
 Harper County USBC Bowling Association, Anthony, KS
 Havencroft Elementary PTO, Olathe, KS
 Hickok Investment Corporation, Mission, KS
 J. B. Distributing, Inc., Wichita, KS
 Jeanneret Builders, Inc., Olpe, KS
 Jeweler Extraordinaire, Inc., Overland Park, KS
 Joudon Motors Inc., Overland Park, KS
 Journey into Sound, Inc., St. Louis, MO
 K-MOCO, Inc., Wichita, KS
 Kansas Artist Craftsmen Association, Lindsborg, KS
 Kansas City Turbine Aircraft Sales, Inc., Overland Park, KS
 Kansas Pulmonary and Sleep Specialists, Chartered,
 Overland Park, KS
 Kansas Society for Clinical Laboratory Science,
 Belle Plaine, KS
 Kraus Machine, Inc., Colwich, KS

Larry Allen Motor Car Company, Inc., Parsons, KS
 LexAb Investments, Inc., Hutchinson, KS
 Lloyd and Anita Parker, Global, Corporate, Strategic,
 Leadership, Management, Marketing, Consulting Group,
 Inc., Junction City, KS
 Maize High School Booster Club, Inc., Maize, KS
 Michael Bell, Inc., Kansas City, KS
 Moon Abstract Co., Overland Park, KS
 Nobody's Auto Recycling, Inc., Great Bend, KS
 NVA Inc., Hiawatha, KS
 Olson Manufacturing & Distribution, Inc., Shawnee, KS
 P & D Cattle, LLC, Oberlin, KS
 Packaging Systems, Inc., Leawood, KS
 Pease and Smith, M.D., P.A., Hutchinson, KS
 Plymell Dairy, LLC, Garden City, KS
 Post Dozer Service, Inc., Ulysses, KS
 Pride Built Homes, Inc., Olathe, KS
 Red Path Contractors Inc., Gladstone, MO
 Roger Johnson Co., Newton, KS
 Ron Smith Trucking, Inc., Home, KS
 RSW Institute for Educational Excellence, Wichita, KS
 Secret Sisters Network, Inc., Overland Park, KS
 SNL, Inc., Overland Park, KS
 Southeast Community Church, Riverton, KS
 T & T Waterworks, LLC, Lebo, KS
 The Cannon Group, Ltd., Prairie Village, KS
 The Chef Cafe, Inc., Manhattan, KS
 The Plainville Industrial Development Corporation, Inc.,
 Plainville, KS
 Two Green Guy's LLP, Mission, KS
 TYs International, Inc., Overland Park, KS
 WebToday, Inc., Lenexa, KS
 Wege's Feed Service, Inc., Hoyt, KS
 West High Pioneer Booster Club, Inc., Wichita, KS
 Wichita Pets Alive Society, Wichita, KS
 Windwood Estates General Homeowners Association, Inc.,
 Wichita, KS
 Wizards, Inc., Emporia, KS
 Word of Encouragement Family Church, Holton, KS

Foreign Business Entities

Ad Astra Oil Corporation, Olathe, KS
 American Power Group, Inc., Algona, IA
 Antex Roofing, Inc., Houston, TX
 APRM, Inc., Houston, TX
 Arterioocyte Medical Systems, Inc., Cleveland, OH
 Associated/ACC International Ltd., Millburn, NJ
 Baldwin Americas Corporation, St. Louis, MO
 BeehiveLIVE, Inc., Towson, MD
 BSC Steel, Inc., Kansas City, MO
 Chemplex Advanced Materials, LLC, Snyder, TX
 Cimmaron Electric, Inc., Lee's Summit, MO
 Coverity, Inc., San Francisco, CA
 Crawford Technologies USA Inc., Potsdam, NY
 Grain States Soya of Kansas, Inc., West Point, NE
 Greater Kansas City Painters, Inc., Merriam, KS
 Industrial Flooring Services, Inc., Houston, TX
 Industrial Gunite, Inc., Pasadena, TX
 International Buddhist Progress Society, Leawood, KS
 Keystone Exteriors, LLC, Luzerne, PA
 Knoebel Construction, Inc., Fenton, MO
 Legacy Customer Management Group, LLC,
 Jacksonville, FL
 Michigan Sporting Goods Distributors, Inc.,
 Grand Rapids, MI
 MIK Industrial, LLC, Campbell, OH
 Mueller Yurgae Kansas City, Inc., Grimes, IA
 PCS Ferguson, Inc., Frederick, CO

Peter's Clothiers, Inc., Kansas City, MO
 TE-RAY Energy, Inc., Oklahoma City, OK
 The Commodore Corporation, Goshen, IN
 ThermoSpas Hot Tub Products, Inc., Chino Hills, CA
 Up Next! Leadership Foundation, Liberty, MO
 Voith Industrial Services Inc., Appleton, WI
 Wesco Aircraft Hardware Corp., Valencia, CA

Kris W. Kobach
 Secretary of State

Doc. No. 043524

State of Kansas

Attorney General

Opinion 2015-1

Re: Public Health—Health Care Providers—Do Not Resuscitate Orders or Directives; Definitions; Immunity from Liability

Probate Code—Guardians or Conservators—Guardian's Duties, Responsibilities, Powers and Authorities; January 13, 2015

Synopsis: The "Kansas-Missouri Transportable Physician Orders for Patient Preferences" (KM-TPOPP) form is not a "do not resuscitate" directive pursuant to K.S.A. 65-4941 et seq.; therefore, the immunity from liability provision in K.S.A. 65-4944 is not applicable or available to a health care provider who relies on the KM-TPOPP form as a DNR directive. Whether the KM-TPOPP form is a DNR order under the act and whether the immunity provision in K.S.A. 65-4944 is applicable or available to a health care provider who relies in good faith on the DNR order is a question of fact that cannot be answered in this opinion. The KM-TPOPP form cannot override the statutory limits imposed on guardians pursuant to the Act for Obtaining a Guardian or a Conservator, or Both and cannot grant guardians powers or authority that the Act denies them. Cited herein: K.S.A. 58-625; 59-3050; K.S.A. 2014 Supp. 59-3051; 59-3075; K.S.A. 65-28,101; K.S.A. 2014 Supp. 65-28,108; K.S.A. 65-4941; 65-4942; 65-4943; 65-4944; 65-4947. AEAP

Opinion 2015-2

Re: Automobiles and Other Vehicles—General Provisions—Collection of Fees; Disposition of Moneys; Compensation of County Treasurers; Control and Use of Collected Fees; Compensation for State and County Duties

Counties and County Officers—County Treasurer—Deputy Treasurers, Duties; Compensation for State and County Duties; January 21, 2015

Synopsis: A county treasurer has the legal authority pursuant to K.S.A. 2014 Supp. 8-145(b) to fund employee positions exclusively or partially working on statutorily imposed state duties without complying with a county commission's pay plan. To the extent an employee performs state duties, that employee is not subject to the county pay plan. A county treasurer, however, should determine the percentage of time a specific employee devotes to county and state duties, and then calculate salaries based on that percentage.

(continued)

If a county treasurer fails to withdraw the balance and credit that balance to the county's general fund pursuant to K.S.A. 2014 Supp. 8-145(b), a county commission may not do so itself but may pursue other legal recourse against the county treasurer. Cited herein: K.S.A. 2008 Supp. 8-145; K.S.A. 2014 Supp. 8-145(b); K.S.A. 2014 Supp. 19-101a; K.S.A. 19-503(a); K.S.A. 19-503(c). CLW

Opinion 2015-3

Re: Cities and Municipalities—Miscellaneous Provisions—Firearms and Ammunition; Regulation by City or County, Limitations

State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; January 28, 2015

Synopsis: The Personal and Family Protection Act (PFPA) allows state and municipal buildings, public schools, public postsecondary institutions, state or municipal-owned adult care homes, community mental health centers, indigent health care clinics, state or municipal-owned medical care facilities, the Kansas State School for the Deaf and the Kansas State School for the Blind to regulate, restrict or prohibit concealed carry inside those institutions' buildings.

The PFPA does not permit a city, county or other political subdivision to regulate, restrict or prohibit concealed carry on the grounds of public buildings.

A public employer may not prohibit an employee from storing a firearm in the employee's personal vehicle, even while the vehicle is on the employer's premises. K.S.A. 2014 Supp. 12-16,124(a) generally prohibits cities and counties from regulating the carrying or storage of firearms, but K.S.A. 2014 Supp. 12-16,124(d) allows a city or county to adopt an ordinance, resolution, regulation or personnel policy consistent with the PFPA.

The federal Gun-Free School Zones Act (GFSZA) prohibits a person without a valid concealed carry license from carrying a firearm inside a school zone. A person with a valid Kansas concealed carry license may carry a firearm into a school zone without violating the GFSZA, but the PFPA still allows public school districts to prohibit concealed carry by posting signage on a school district building.

The extent to which a person possesses a constitutional right to carry a firearm in public is unclear following the United States Supreme Court's decisions in *District of Columbia v. Heller* and *McDonald v. City of Chicago*. Cited herein: K.S.A. 2012 Supp. 75-7c10; K.S.A. 2014 Supp. 12-16,124; 21-6301; 21-6309; 75-7c01; 75-7c10; 75-7c17; 75-7c20; 75-4514; 75-6102; K.A.R. 1-49-11; K.A.R. 16-11-7; Kan. Const., Bill of Rights, § 4; U.S. Const., Am. 2; 18 U.S.C. § 921; 18 U.S.C. § 922. SF

Opinion 2015-4

Re: Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule

Cities and Municipalities—Ordinances of Cities—Initiative and Referendum Ordinances—Petition for Proposed Ordinances; Requirements; Passage or Election; Form of Ballot Approval, Effect; Amendment or Repeal; Publication; March 5, 2015

Synopsis: A city would exceed the city's home rule powers by adopting an ordinance that is preempted because it conflicts with a uniform state criminal statute. Thus, the ordinance would be void. Cited herein: K.S.A. 12-3013; K.S.A. 2014 Supp. 12-4106; K.S.A. 12-4111; 21-2501a; K.S.A. 2014 Supp. 21-5102; 21-5705; 21-5706; 21-5709; 21-6602; 21-6611; 21-6810; K.S.A. 22-2202; K.S.A. 2014 Supp. 65-4105; Kan. Const. Art. 2, § 17 and Kan. Const. Art. 12 § 5; 18 U.S.C. § 922; 27 C.F.R. § 478.11. AEA

Opinion 2015-5

Re: Crimes and Punishments—Crimes Against Persons—Application of Certain Crimes to an Unborn Child

State Departments; Public Officers and Employees—Attorney General—Duties and Responsibilities; Authority to Prosecute and Defend Constitution of the State of Kansas—Bill of Rights—Equal Rights; March 12, 2015

Synopsis: K.S.A. 2014 Supp. 21-5419(b) does not violate Section 1 of the Kansas Bill of Rights. Unless a statute is clearly unconstitutional, the Attorney General is required to defend the statute. Cited herein: K.S.A. 2014 Supp. 21-5419; K.S.A. 54-106; K.S.A. 2014 Supp. 75-702; Kan. Const., Bill of Rights, § 1. AEA

Opinion 2015-6

Re: Constitution of the State of Kansas—Legislative—Legislative Power

Constitution of the State of Kansas—Miscellaneous—Lotteries; Regulation of "Raffles" Authorized; March 24, 2015

Synopsis: Article 15, § 3d of the Kansas Constitution is not self-executing. Only after the Legislature has exercised its constitutional authority to legislate on the licensing, conduct and regulation it deems appropriate will charitable raffles by certain nonprofit, religious, charitable, fraternal, education and veterans organizations be legal in Kansas. Further, the Kansas Department of Revenue is without authority to promulgate rules and regulations without the Legislature enacting a law authorizing charitable raffles. Cited herein: Kan. Const., Art. 2 § 1; Kan. Const., Art. 15 § 3d. AEA

Opinion 2015-7

Re: Public Health—Solid and Hazardous Waste—Cities or Counties Authorized to Provide for Collection and Disposal of Solid Wastes or Contract Therefor; Fees; March 26, 2015

Synopsis: The portion of a county administrator's salary directly related to the negotiation of contracts for services necessary to implement the county's solid waste management plan may be paid out of revenues received from fees collected pursuant to K.S.A. 2014 Supp. 65-3410(a). Fees collected pursuant to K.S.A. 2014 Supp. 65-3410(a) may only be expended for purposes that directly relate to purposes specified in that statute, and not for purposes that are merely incidental to those primary purposes. Cited herein: K.S.A. 2014 Supp. 65-3410; K.S.A. 75-704; K.S.A. 2006 Supp. 65-3410. SF

Opinion 2015-8

(Published in the Kansas Register May 14, 2015.)

Re: Courts—Supreme Court—Budget for the Judicial Branch of State Government; Preparation; Submission

State Departments; Public Officers and Employees—Department of Administration—Governor’s Budget Report; Contents; Submission to Legislature; April 17, 2015

Synopsis: K.S.A. 2014 Supp. 75-3721(f) requires that the Judiciary’s budget estimate as submitted to the Director of the Budget shall be included in the governor’s budget report. However, K.S.A. 2014 Supp. 75-3721(f) does not vitiate the governor’s obligation pursuant to K.S.A. 2014 Supp. 75-3721(b) to include a budget message, a recommendation, and draft legislation in the Governor’s Budget Report on each state agency budget estimate as a starting point for the Legislature in the appropriations process. Cited herein: K.S.A. 20-158; 75-3701; 75-3716; K.S.A. 2014 Supp. 75-3717; 75-3718; 75-3721. AEA

Opinion 2015-9

Re: Constitution of the State of Kansas—Miscellaneous—Lotteries; April 24, 2015

Synopsis: If fantasy sports leagues fall within the definition provided in 2015 Senate Substitute for HB 2155, then fantasy sports leagues are games of skill and therefore are not lotteries. Further, because the Legislature has the exclusive authority to legislate and may determine what conduct may be punished as a crime, we conclude that Section 19 of 2015 Senate Substitute for HB 2155 does not violate the constitution. Cited herein: K.S.A. 2014 Supp. 21-6403; 21-6404; Kan. Const., Art. 2 § 1; Art. 15 § 3a, 3b, 3c, 3d; 31 USC 5361 et seq. AEA

Opinion 2015-10

Re: Public Records, Documents and Information—Records Open to the Public—Open Records Act; Certain Records Not Required to be Open; April 28, 2015

Synopsis: State employees who utilize a private device and do not utilize public resources to send an email from his or her private email account (private email) are not a “public agency” as defined by the Kansas Open Records Act (KORA) in K.S.A. 2014 Supp. 45-217(f). Accordingly, their private emails are not records subject to the provisions of the KORA. Cited herein: K.S.A. 45-216; K.S.A. 2014 Supp. 45-217; K.S.A. 45-218. CLW

Derek Schmidt
Attorney General

Doc. No. 043539

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

Senate Substitute for HOUSE BILL No. 2090

AN ACT concerning motor vehicles; relating to registration; decals for license plates, serial numbers; apportioned fleet registration, mileage applications, fees and calculations; permanent registration of certain vehicles, annual report; commercial drivers’ licenses, endorsements or restrictions; size limitations of certain vehicles, exceptions, forage cutters; amending K.S.A. 8-1,107 and K.S.A. 2014 Supp. 8-134, 8-1,134, 8-2,135 and 8-1904 and repealing the existing sections.

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

Section 1. On and after July 1, 2015, K.S.A. 2014 Supp. 8-134 is hereby amended to read as follows: 8-134. (a) Every vehicle registration under this act shall expire December 31 of each year, except passenger vehicles and vehicles provided for in K.S.A. 8-134a, and amendments thereto. The registration of vehicles to which K.S.A. 8-134a, and amendments thereto, applies shall expire in 1982 and thereafter in accordance with the provisions of subsections (b) and (c). Registration of vehicles shall be renewed annually upon application by the owner and by payment of the fees required by law. Except vehicles subject to K.S.A. 8-134a, and amendments thereto, and passenger vehicles, the renewal shall take effect on January 1 of each year but the owner of the vehicle shall have until and including the last day of February of each year within which to make application for such renewal. The division shall issue for such vehicles a February month decal to correspond with the statutory grace period. Criminal sanctions provided in K.S.A. 8-142, and amendments thereto, for failure to display any license plate or plates or any registration decal required to be affixed to any such license plate for the current registration year shall not be enforced until March 1 of each year. An owner who has made proper application for renewal of registration of a vehicle prior to January 1, but who has not received the license plate or registration card for the ensuing year, shall be entitled to operate or permit the operation of such vehicle upon the highways upon displaying thereon the license plate issued for the preceding year for such time as the director of vehicles finds necessary for issuance of such new license plate.

(b) Every passenger vehicle required by this act to be registered, except as otherwise provided, shall be registered for a period of 12 consecutive months. The division of vehicles, in order to initiate a system of registering or reregistering passenger vehicles during any month of a calendar year, may register or reregister a passenger vehicle for less than a twelve-month period, prorating the annual registration fee, when in the director’s opinion such proration tends to fulfill the purpose of the monthly registration system.

(c) Passenger vehicle registration, and the authority to legally operate, use, or tow such vehicle on the highway shall expire at 12 midnight on the last day of the last month of the twelve-month period for which such vehicle was registered, and the owner shall see that such vehicle is reregistered as required by this act. The director of vehicles shall designate the registration period for each passenger vehicle in order to as nearly as feasible equalize registration or reregistration within the 12 months of the year. Any vehicle after having once been registered shall upon reregistration, be registered for the same twelve-month period except when the certificate of title has been transferred as provided by law. In this case, the vehicle shall be registered by the division of vehicles in accordance with the system adopted.

(d) For the purpose of this act, hearses and electrically propelled vehicles shall be classified as passenger vehicles.

(e) Every owner who registers or reregisters a vehicle in a calendar year, and in any calendar year in which a license plate is not issued for the renewal of registration of such vehicle, shall be furnished by the division one decal for the license plate issued for such vehicle and required by K.S.A. 8-133, and amendments thereto, to be affixed to the rear of such vehicle. Such decal shall be affixed to the number plate affixed to the rear of such vehicle and shall contain the letters designating the county in which such vehicle is registered, as provided in K.S.A. 8-147, and amendments thereto, ~~shall be numbered serially in each county~~ indicate the license plate number for which the decal is to be affixed and shall indicate the year in which such registration expires. The color of a decal shall be such that it contrasts with the color of the license plate to which it is to be affixed, and the director of vehicles shall change the color of such decals each year, without duplicating the same color in any five-year period or such extended period as the director designates under ~~subsection (b) of~~ K.S.A. 8-132(b), and amendments thereto. Such decals shall be so constructed that once a decal has been affixed to a license plate it cannot be removed without destroying the decal,

(continued)

and the surface of such decals shall be capable of reflecting light. Consistent with the foregoing, the director of vehicles shall prescribe the size of and material to be used in the production of such decals, and the director of vehicles shall designate the location on a number plate where such decal shall be affixed.

(f) (1) The owner of a vehicle may, at the time of such registration or reregistration, purchase a park and recreation motor vehicle permit. Such permit shall cost \$15 until such time as the amount for such permit is changed by rules and regulations of the secretary of wildlife, parks and tourism.

(2) Such permit shall be nontransferable and shall expire on the date of expiration of the vehicle registration.

(3) Except as provided in subsection (f)(4), the county treasurer shall remit all such moneys paid to the county treasurer to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall be credited as provided in K.S.A. 32-991, and amendments thereto.

(4) The county treasurer may collect and retain a service charge fee of up to \$.50 for each park and recreation motor vehicle permit issued or sold by the county treasurer.

(5) As a condition of receiving the park and recreation motor vehicle permit, the applicant shall consent to the sharing of information, including, but not limited to, the applicant's name, address, email address and phone number, with the secretary of wildlife, parks and tourism by the division of motor vehicles.

(g) The secretary of revenue shall adopt rules and regulations necessary to accomplish the purpose of this act.

Sec. 2. On and after July 1, 2015, K.S.A. 8-1,107 is hereby amended to read as follows: 8-1,107. ~~(a) The initial application for apportioned registration of a fleet shall state the in-state miles and total fleet miles with respect to such fleet for the preceding year in this and other jurisdictions. If no operations were conducted with such fleet during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual in-state and total fleet mileage. The director may evaluate and adjust the estimate in the application if the director is not satisfied as to the correctness thereof. The director shall not accept estimated mileage beyond the initial application and registration year for which apportioned fleet registration is sought.~~

~~(b) If an owner desires to apportion the registration of a fleet with a jurisdiction after an initial application has been filed or for a subsequent registration year after the initial registration year, and such owner did not conduct operations in such jurisdiction during the preceding year, such owner may apportion the registration of a fleet in such jurisdiction by filing an affidavit with the division of vehicles upon a form provided by the division, which form shall provide a full statement of the proposed method of operation and an estimate of mileage in such jurisdiction. The division of vehicles shall compute the apportioned registration fee for such estimated mileage jurisdiction as follows: (1) Add the estimated mileage to the total fleet mileage reported or adjusted by audit for a registration year; (2) divide the estimated in-state miles for the jurisdiction by the adjusted total fleet mileage as determined under paragraph (1); (3) determine the total amount of fees necessary under the provisions of K.S.A. 8-143, and amendments thereto, to register each and every vehicle of a fleet for which apportioned registration is sought, based on the regular annual fees for the unexpired portion of a registration year; (4) multiply the sum obtained under paragraph (3) by the percentage factor obtained under paragraph (2). Mileage applications and fees shall be charged according to the international registration plan. All mileage calculations shall comply with the rules of the international registration plan.~~

Sec. 3. On and after July 1, 2015, K.S.A. 2014 Supp. 8-1,134 is hereby amended to read as follows: 8-1,134. (a) Except as provided in subsection (d): (1) Each motor vehicle, trailer or semitrailer owned or leased by any city, county, township or school district of this state or by any agency or instrumentality of any city, county or township and used exclusively for governmental or school district purposes and not for any private purposes, which is not otherwise exempt from registration; or (2) each truck tractor, trailer or semitrailer leased by a community college or technical college and used exclusively for a truck driver training program, which is not otherwise exempt from registration, shall be registered for a fee established by rules and regulations adopted by the secretary of revenue, except that such fee shall not exceed the actual cost of such registration. Such registration shall be permanent in nature and designed in such a manner as to remain with a vehicle for the duration of the life span of the vehicle, the duration of the lease or until

the title is transferred to an owner who is not a city, county, township, school district, community college or technical college.

(b) License plates issued for city, county, township, school district, community college or technical college vehicles shall be distinctive and shall contain the words city, county, township, school district, community college or technical college, as applicable and there shall be no year date thereon.

~~(c) Each city, county, township, school district, community college or technical college shall file an annual report with the division of vehicles identifying such vehicle registered under this section.~~

~~(d)~~ Vehicles registered under this section which are used for utility purposes shall be issued license plates as prescribed by subsection (b), except that such license plates shall be issued for periods of five years, but shall be required to pay all license fees imposed pursuant to K.S.A. 8-143, and amendments thereto, as though such vehicles were registered annually. The secretary of revenue shall design decals to be affixed to such license plates containing the word utility and the date the registration is to expire.

~~(e)~~(d) The secretary of revenue shall adopt rules and regulations necessary to carry out the provisions of this act.

Sec. 4. On and after July 1, 2015, K.S.A. 2014 Supp. 8-2,135 is hereby amended to read as follows: 8-2,135. (a) The commercial driver's license shall be marked "commercial driver's license" or "CDL," and must be, to the maximum extent practicable, tamper proof. It shall include, but not be limited to, the following information:

(1) The requirements set out in K.S.A. 8-243, and amendments thereto;

(2) a number or identifier deemed appropriate by the state licensing authority;

(3) the class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restriction;

(4) the name of this state; and

(5) the dates between which the license is valid.

(b) Commercial drivers' licenses issued pursuant to K.S.A. 8-234b, and amendments thereto, may be issued with the following endorsements or restrictions; and the holder of a valid commercial driver's license may drive all vehicles in the class for which that license is issued, and all lesser classes of vehicles, except motorcycles and vehicles which require an endorsement, unless the proper endorsement appears on the license;

(1) "H"—authorizes the driver to drive a vehicle transporting hazardous materials;

(2) "L"—restricts the driver to vehicles not equipped with airbrakes;

(3) "T"—authorizes driving double and triple trailers;

(4) "P"—authorizes driving vehicles carrying passengers;

(5) "N"—authorizes driving tank vehicles;

(6) "X"—represents a combination of hazardous materials and tank vehicle endorsements;

(7) "S"—authorizes driving school buses;

(8) "E"—no manual transmission in CMV;

(9) "O"—no tractor-trailer;

(10) "M"—no class A passenger vehicle;

(11) "N"—no class A or B passenger vehicle;

(12) "Z"—no full air brake in CMV;

(13) "K"—for intrastate only;

(14) "V"—for medical variance.

(c) Before issuing a commercial driver's license, the division must obtain driving record information through the commercial driver license information system, the national driver register and from each state in which the person has been licensed.

(d) Within 10 days after issuing a commercial driver's license, the division shall notify the commercial driver license information system of that fact, providing all information required to ensure identification of the person.

(e) All original licenses issued after April 1, 1992, shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application. All renewals thereof shall expire on every fourth anniversary of the date of birth of the licensee. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire at midnight on every fourth anniversary of the date of birth of the applicant. At least 30 days prior to the expiration of a person's license, the division shall mail a notice of expiration or renewal application to such person at the address shown on the license.

(f) When applying for renewal of a commercial driver's license, the applicant must complete the test required in ~~subsection (e)~~ of K.S.A. 8-

247(e), and amendments thereto, and the application form required by ~~subsection (b)~~ of K.S.A. 8-2,134(b), and amendments thereto, providing updated information and required certifications and if the applicant wishes to retain a hazardous materials endorsement, the applicant must take and pass the test for such endorsement.

Sec. 5. K.S.A. 2014 Supp. 8-1904 is hereby amended to read as follows: 8-1904. (a) No vehicle including any load thereon shall exceed a height of 14 feet, except that a vehicle transporting cylindrically shaped bales of hay as authorized by ~~subsection (c)~~ of K.S.A. 8-1902(e), and amendments thereto, may be loaded with such bales secured to a height not exceeding 14½ feet. Should a vehicle so loaded with bales strike any overpass or other obstacle, the operator of the vehicle shall be liable for all damages resulting therefrom. The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.

(b) No motor vehicle including the load thereon shall exceed a length of 45 feet extreme overall dimension, excluding the front and rear bumpers, except as provided in subsection (d).

(c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915, and amendments thereto, and subsections (d), (e), (f), (g) and (h), no combination of vehicles coupled together shall exceed a total length of 65 feet.

(d) The length limitations in subsection (b) shall not apply to a truck tractor. No semitrailer which is being operated in combination with a truck tractor shall exceed 59½ feet in length. No semitrailer or trailer which is being operated in a combination consisting of a truck tractor, semitrailer and trailer shall exceed 28½ feet in length.

(e) The limitations in this section governing maximum length of a semitrailer or trailer shall not apply to vehicles operating in the daytime when transporting poles, pipe, machinery or other objects of a structural nature which cannot readily be dismembered, except that it shall be unlawful to operate any such vehicle or combination of vehicles which exceeds a total length of 85 feet unless a special permit for such operation has been issued by the secretary of transportation or by an agent or designee of the secretary pursuant to K.S.A. 8-1911, and amendments thereto. For the purpose of authorizing the issuance of such special permits at motor carrier inspection stations, the secretary of transportation may contract with the superintendent of the Kansas highway patrol for such purpose, and in such event, the superintendent or any designee of the superintendent may issue such special permit pursuant to the terms and conditions of the contract. The limitations in this section shall not apply to vehicles transporting such objects operated at nighttime by a public utility when required for emergency repair of public service facilities or properties or when operated under special permit as provided in K.S.A. 8-1911, and amendments thereto, but in respect to such night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

(f) The limitations of this section governing the maximum length of combinations of vehicles shall not apply to a combination of vehicles consisting of a truck tractor towing a house trailer, if such combination of vehicles does not exceed an overall length of 97 feet.

(g) The length limitations of this section shall not apply to stinger-steered automobile or boat transporters or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, *forage cutter or combine header* to be engaged in farm custom harvesting operations, as defined in ~~subsection (d)~~ of K.S.A. 8-143(d), and amendments thereto. A stinger-steered automobile or boat transporter or one truck and one trailer vehicle combination, loaded or unloaded, used in transporting a combine, *forage cutter or combine header* to be engaged in farm custom harvesting operations, as defined in ~~subsection (d)~~ of K.S.A. 8-143(d), and amendments thereto, shall not exceed an overall length limit of 75 feet, exclusive of front and rear overhang.

(h) The length limitations of this section shall not apply to drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination. A drive-away saddlemount or drive-away saddlemount with fullmount vehicle transporter combination shall not exceed an extreme overall dimension of 97 feet.

Sec. 6. K.S.A. 2014 Supp. 8-1904 is hereby repealed.

Sec. 7. On and after July 1, 2015, K.S.A. 8-1,107 and K.S.A. 2014 Supp. 8-134, 8-1,134 and 8-2,135 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 14, 2015.)

HOUSE BILL No. 2044

AN ACT concerning motor vehicles; relating to autocycles, definitions, safety belts, child passenger safety restraints, requirements; distinctive license plates, providing for the omega psi phi license plate; amending K.S.A. 8-1438 and 8-1594 and K.S.A. 2014 Supp. 8-126, 8-234b, 8-1344, 8-1345, 8-1486, 8-1598 and 8-2503 and repealing the existing sections.

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

New Section 1. "Autocycle" means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

Sec. 2. K.S.A. 2014 Supp. 8-126 is hereby amended to read as follows: 8-126. The following words and phrases when used in this act shall have the meanings respectively ascribed to them herein:

(a) "All-terrain vehicle" means any motorized nonhighway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, having a seat designed to be straddled by the operator. As used in this subsection, nonhighway tire means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.

(b) "Autocycle" means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

~~(b)~~ "Commission" or "state highway commission" means the director of vehicles of the department of revenue.

~~(c)~~(d) "Contractor" means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the department to provide services associated with vehicle functions.

~~(d)~~(e) "Department" or "motor vehicle department" or "vehicle department" means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

~~(e)~~(f) "Division" means the division of vehicles of the department of revenue.

~~(f)~~(g) "Electric personal assistive mobility device" means a self-balancing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

~~(g)~~(h) "Electric vehicle" means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

- (1) Residential electric service;
- (2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, EVSE (Electric Vehicle Supply Equipment) or a public charging station.

~~(h)~~(i) "Electronic certificate of title" means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2014 Supp. 8-135d, and amendments thereto.

~~(i)~~(j) "Electronic notice of security interest" means the division's online internet program which enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

~~(j)~~(k) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

~~(k)~~(l) "Farm trailer" means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

~~(l)~~(m) "Foreign vehicle" means every motor vehicle, trailer, or semitrailer which shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

~~(m)~~(n) "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(continued)

~~(n)~~(o) "Highway" means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

~~(o)~~(p) "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways. Such term shall include, but not be limited to:

- (1) A farm tractor;
- (2) a self-propelled farm implement;
- (3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;
- (4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung;
- (5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

~~(p)~~(q) "Lien" means a security interest as defined in this section.

~~(q)~~(r) "Lightweight roadable vehicle" means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.

~~(r)~~(s) "Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

~~(s)~~(t) "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle or recreational off-highway vehicle.

~~(t)~~(u) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled.

~~(u)~~(v) "Motorcycle" means every motor vehicle, including autocycles, designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in this section.

~~(v)~~(w) "Motorized bicycle" means every device having two tandem wheels or three wheels, which may be propelled by either human power or helper motor, or by both, and which has:

- (1) A motor which produces not more than 3.5 brake horsepower;
- (2) a cylinder capacity of not more than 130 cubic centimeters;
- (3) an automatic transmission; and
- (4) the capability of a maximum design speed of no more than 30 miles per hour.

~~(w)~~(x) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

~~(x)~~(y) "New vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles and who holds a dealer's contract therefor from a manufacturer or distributor and who has an established place of business in this state.

~~(y)~~(z) "Nonresident" means every person who is not a resident of this state.

~~(z)~~(aa) "Notice of security interest" means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle which has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

~~(aa)~~(bb) "Oil well servicing, oil well clean-out or oil well drilling machinery or equipment" means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

~~(bb)~~(cc) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle

is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

~~(cc)~~(dd) "Passenger vehicle" means every motor vehicle, as defined in this section, which is designed primarily to carry 10 or fewer passengers, and which is not used as a truck.

~~(dd)~~(ee) "Person" means every natural person, firm, partnership, association or corporation.

~~(ee)~~(ff) "Pole trailer" means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

~~(ff)~~(gg) "Recreational off-highway vehicle" means any motor vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires, having a nonstraddle seat and steering wheel for steering control.

~~(gg)~~(hh) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

~~(hh)~~(ii) "Self-propelled farm implement" means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

~~(ii)~~(jj) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

~~(jj)~~(kk) "Specially constructed vehicle" means any vehicle which shall not have been originally constructed under a distinctive name, make, model or type, or which, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

~~(kk)~~(ll) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

~~(ll)~~(mm) "Travel trailer" means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

~~(mm)~~(nn) "Truck" means a motor vehicle which is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

~~(nn)~~(oo) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

~~(oo)~~(pp) "Used vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer's contract for the sale of new motor vehicles, travel trailers or vehicles.

~~(pp)~~(qq) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

~~(qq)~~(rr) "Vehicle functions" means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver's licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. "Vehicle functions" may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

~~(rr)~~(ss) "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle.

Sec. 3. K.S.A. 2014 Supp. 8-234b is hereby amended to read as follows: 8-234b. (a) Every original driver's license issued by the division

shall indicate the class or classes of motor vehicles which the licensee is entitled to drive. For this purpose the following classes are established:

(1) Commercial class A motor vehicles include any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, providing the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds;

(2) commercial class B motor vehicles include any single vehicle with a gross vehicle weight rating of 26,001 pounds or more, or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating;

(3) commercial class C motor vehicles include any single vehicle less than 26,001 pounds gross vehicle weight rating, or any such vehicle towing a vehicle not in excess of 10,000 pounds, or any vehicle less than 26,001 pounds gross vehicle weight rating towing a vehicle in excess of 10,000 pounds gross vehicle weight rating, provided the gross combination weight rating of the combination is less than 26,001 pounds comprising:

(A) Vehicles designed to transport 16 or more passengers, including the driver; or

(B) vehicles used in the transportation of hazardous materials which requires the vehicle to be placarded;

(4) class A motor vehicles include any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, provided the gross combination weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds, and all other lawful combinations of vehicles with a gross combination weight rating of 26,001 pounds, or more; except that, class A does not include a combination of vehicles that has a truck registered as a farm truck under K.S.A. 8-143, and amendments thereto;

(5) class B motor vehicles include any single vehicle with a gross vehicle weight rating of 26,001 pounds or more, or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating. Class B motor vehicles do not include a single vehicle registered as a farm truck under K.S.A. 8-143, and amendments thereto, when such farm truck has a gross vehicle weight rating of 26,001 pounds, or more; or any fire truck operated by a volunteer fire department;

(6) class C motor vehicles include any single vehicle with a gross vehicle weight rating less than 26,001 pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating, or any vehicle with a less than 26,001 gross vehicle weight rating towing a vehicle in excess of 10,000 pounds gross vehicle weight rating, provided the gross combination weight rating of the combination is less than 26,001 pounds, or any single vehicle registered as a farm truck under K.S.A. 8-143, and amendments thereto, when such farm truck has a gross vehicle weight rating of 26,001 pounds, or more, or any fire truck operated by a volunteer fire department or any autocycle; and

(7) class M motor vehicles includes motorcycles, *but does not include autocycles.*

As used in this subsection, "gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination (articulated) vehicle. The gross vehicle weight rating of a combination (articulated) vehicle, commonly referred to as the gross combination weight rating, is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of the towed unit or units.

(b) Every applicant for an original driver's license shall indicate on such person's application the class or classes of motor vehicles for which the applicant desires a license to drive, and the division shall not issue a driver's license to any person unless such person has demonstrated satisfactorily ability to exercise ordinary and reasonable control in the operation of motor vehicles in the class or classes for which the applicant desires a license to drive. The division shall administer an appropriate examination of each applicant's ability to drive such motor vehicles. Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, the director of vehicles may accept a copy of the certificate of a person's road test issued to an individual under the regulatory requirements of the United States department of transportation, in lieu of requiring the person to demonstrate ability to operate any motor vehicle or combination of vehicles, if such certificate was issued not more than three years prior to the person's application for a driver's license.

(c) Any person who is the holder of a valid driver's license which entitles the person to drive class A motor vehicles may also drive class B and C motor vehicles. Any person who is the holder of a valid driver's license which entitles the person to drive class B motor vehicles may also drive class C motor vehicles.

(d) The secretary of revenue shall adopt rules and regulations establishing qualifications for the safe operation of the various types, sizes and combinations of vehicles in each class of motor vehicles established in subsection (a). Such rules and regulations shall include the adoption

of at least the minimum qualifications for commercial drivers' licenses contained in the commercial motor vehicle safety act of 1986.

(e) Any reference in the motor vehicle drivers' license act to a class or classes of motor vehicles is a reference to the classes of motor vehicles established in subsection (a), and any reference in the motor vehicle drivers' license act to a classified driver's license or a class of driver's license means a driver's license which restricts the holder thereof to driving one or more of such classes of motor vehicles.

(f) The secretary of revenue may enter into a contract with any person, who meets the qualifications imposed on persons regularly employed by the division as drivers' license examiners, to accept applications for drivers' licenses and to administer the examinations required for the issuance of drivers' licenses.

(g) Notwithstanding the provisions of subsection (a), any person employed as an automotive mechanic who possesses a valid class C driver's license may drive any class A or class B motor vehicle on the highways for the purpose of determining the proper performance of the vehicle, except that this does not include commercial class A, B or C vehicles.

Sec. 4. K.S.A. 2014 Supp. 8-1598 is hereby amended to read as follows: 8-1598. (a) No person under the age of 18 years shall operate or ride upon a motorcycle or a motorized bicycle, unless wearing a helmet which complies with minimum guidelines established by the national highway traffic safety administration pursuant to the national traffic and motor vehicle safety act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(b) No person shall allow or permit any person under the age of 18 years to: (1) Operate a motorcycle or motorized bicycle or to ride as a passenger upon a motorcycle or motorized bicycle without being in compliance with the provisions of subsection (a); or (2) operate a motorcycle or to ride as a passenger upon a motorcycle without being in compliance with the provisions of subsection (c).

(c) (1) No person shall operate a motorcycle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the motorcycle is equipped with a wind-screen which has a minimum height of 10 inches measured from the center of the handlebars.

(2) No person under the age of 18 years shall ride as a passenger on a motorcycle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant.

(d) This section shall not apply to persons riding within an enclosed cab, an autocycle or on a golf cart, nor shall it apply to any person operating or riding any industrial or cargo-type vehicle having three wheels and commonly known as a truckster.

Sec. 5. K.S.A. 8-1438 is hereby amended to read as follows: 8-1438. "Motorcycle" means every motor vehicle, *including autocycles*, having a seat or saddle for the use of the rider and designed to travel on not more than three (~~3~~) wheels in contact with the ground, but excluding a tractor.

Sec. 6. K.S.A. 8-1594 is hereby amended to read as follows: 8-1594. (a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle, unless such motorcycle is designed to carry more than one (~~1~~) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (~~2~~) persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

(b) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle. *This subsection shall not apply to any person riding within an autocycle.*

(c) No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents such person from keeping both hands on the handlebars.

(d) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

Sec. 7. K.S.A. 2014 Supp. 8-1486 is hereby amended to read as follows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and K.S.A. 2014 Supp. 8-1491, 8-1492, 8-1493, 8-1494, 8-1495 and 8-1496, and amendments thereto, *and section 1, and amendments thereto*, shall be a part of, and supplemental to, the uniform act regulating traffic on highways.

Sec. 8. K.S.A. 2014 Supp. 8-2503 is hereby amended to read as follows: 8-2503. (a) Except as provided in subsection (b):

(continued)

(1) Each occupant of *either* a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208 or an *autocycle*, who is 18 years of age or older, shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion; and

(2) each occupant of *either* a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208 or an *autocycle*, who is at least 14 years of age but less than 18 years of age, shall have a safety belt properly fastened about such person's body at all times when the passenger car is in motion.

(b) This section does not apply to:

(1) An occupant of a passenger car who possesses a written statement from a licensed physician that such person is unable for medical reasons to wear a safety belt system;

(2) carriers of United States mail while actually engaged in delivery and collection of mail along their specified routes; or

(3) newspaper delivery persons while actually engaged in delivery of newspapers along their specified routes.

(c) The secretary of transportation shall initiate an educational program designed to encourage compliance with the safety belt usage provisions of this act.

(d) The secretary shall evaluate the effectiveness of this act and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits under 23 U.S.C. § 402.

(e) Law enforcement officers shall not stop drivers for violations of subsection (a)(1) by a back seat occupant in the absence of another violation of law. A citation for violation of subsection (a)(1) by a back seat occupant shall not be issued without citing the violation that initially caused the officer to effect the enforcement stop.

Sec. 9. K.S.A. 2014 Supp. 8-1344 is hereby amended to read as follows: 8-1344. (a) Every driver as defined in K.S.A. 8-1416, and amendments thereto, who transports a child under the age of 14 years in a passenger car as defined in K.S.A. 8-1343a, and amendments thereto, or an *autocycle as defined in section 1, and amendments thereto*, on a highway as defined in K.S.A. 8-1424, and amendments thereto, shall provide for the protection of such child by properly using:

(1) For a child under the age of four years an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213;

(2) for a child four years of age, but under the age of eight years and who weighs less than 80 pounds or is less than 4 feet 9 inches in height, an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213; or

(3) for a child eight years of age but under the age of 14 years or who weighs more than 80 pounds or is more than 4 feet 9 inches in height, a safety belt manufactured in compliance with federal motor vehicle safety standard no. 208.

(b) If the number of children subject to the requirements of subsection (a) exceeds the number of passenger securing locations available for use by children affected by such requirements, and all of these securing locations are in use by children, then there is not a violation of this section.

(c) If a securing location only has a lap safety belt available, the provisions of subsection (a)(2) shall not apply and the child shall be secured in accordance with the provisions of subsection (a)(3).

Sec. 10. K.S.A. 2014 Supp. 8-1345 is hereby amended to read as follows: 8-1345. (a) It shall be unlawful for any driver to violate the provisions of K.S.A. 8-1344, and amendments thereto, and upon conviction such driver shall be punished by a fine of \$60. The failure to provide a child safety restraining system or safety belt for more than one child in the same passenger car, or *autocycle as defined in section 1, and amendments thereto*, at the same time shall be treated as a single violation. Any conviction under the provisions of this subsection shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(b) The \$60 fine provided for in subsection (a) shall be waived if the driver convicted of violating ~~subsection (a)(1) or (a)(2)~~ of K.S.A. 8-1344(a)(1) or (2), and amendments thereto, provides proof to the court that such driver has purchased or acquired the appropriate and approved child passenger safety restraining system. At the time of issuing the citation for a violation of ~~subsection (a)(1) or (a)(2)~~ of K.S.A. 8-1344(a)(1) or (2), and amendments thereto, the law enforcement officer shall notify the driver of the waiver provisions of this subsection.

(c) No driver charged with violating the provisions of this act shall be convicted if such driver produces in the office of the arresting officer

or in court proof that the child was 14 years of age or older at the time the violation was alleged to have occurred.

(d) Evidence of failure to secure a child in a child passenger safety restraining system or a safety belt under the provisions of K.S.A. 8-1344, and amendments thereto, shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(e) From and after the effective date of this act, and prior to July 1, 2007, a law enforcement officer shall issue a warning citation to anyone violating ~~subsection (a)(2)~~ of K.S.A. 8-1344(a)(2), and amendments thereto.

New Sec. 11. (a) On and after January 1, 2016, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one omega psi phi license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by omega psi phi or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) Omega psi phi may authorize the use of its logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support omega psi phi. Any motor vehicle owner or lessee annually may apply to omega psi phi for the use of such logo. Upon annual application and payment to either: (1) Omega psi phi in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, omega psi phi shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by omega psi phi. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer the omega psi phi license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by omega psi phi. If such logo use authorization statement is not presented at the time of registration or faxed by omega psi phi, or the annual logo use royalty payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) Omega psi phi shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call omega psi phi for information concerning the application process or the status of their license plate application.

(h) Omega psi phi, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the omega psi phi license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to omega psi phi and the state treasurer.

(j) Annual logo use royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance

with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the omega psi phi royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the omega psi phi royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the omega psi phi royalty fund to the appropriate designee of omega psi phi shall be made on a monthly basis.

Sec. 12. K.S.A. 8-1438 and 8-1594 and K.S.A. 2014 Supp. 8-126, 8-234b, 8-1344, 8-1345, 8-1486, 8-1598 and 8-2503 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas register.

(Editor's Note: The following bill was vetoed by the governor April 20, 2015. The veto was overridden by the Legislature May 5, 2015. The governor's veto message and the Legislature's certificate concerning the override are printed immediately following the bill.)

(Published in the Kansas Register May 14, 2015.)

House Substitute for SENATE BILL No. 117

AN ACT regulating traffic; relating to transportation network companies, transportation network company services, regulation.

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

Section 1. This act shall be known and may be cited as the Kansas transportation network company services act.

Sec. 2. Except as otherwise provided, as used in the Kansas transportation network company services act:

(a) "Act" means the Kansas transportation network company services act.

(b) "Digital network" means any online-enabled application, software, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

(c) "Personal vehicle" means a vehicle that is used by a transportation network company driver in connection with providing a prearranged ride and is:

(1) Owned, leased or otherwise authorized for use by the transportation network company driver; and

(2) not a taxicab, limousine or for-hire vehicle.

(d) "Prearranged ride" means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A "prearranged ride" does not include transportation provided using a taxi, limousine or other for-hire vehicle.

(e) "Transportation network company" or "TNC" means a corporation, partnership, sole proprietorship or other entity that is licensed pursuant to this act and operating in Kansas that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract.

(f) "Transportation network company driver" or "driver" means an individual who:

(1) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(2) uses a personal vehicle to provide services for riders matched through a digital network controlled by a transportation network company and receives, in exchange for providing the passenger a ride, compensation that exceeds the individual's cost to provide the ride.

(g) "Transportation network company rider" or "rider" means an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

(h) "Vehicle owner" means the owner of a personal vehicle.

Sec. 3. Transportation network companies or drivers shall not be considered motor carriers, private motor carriers or public motor car-

riers of passengers as those terms are defined in K.S.A. 66-1,108, and amendments thereto, nor determined to provide taxicab or for-hire vehicle service so long as such TNC or driver meets the requirements of this act. In addition, a driver shall not be required to register the personal vehicle such driver uses for prearranged rides as a commercial or for-hire vehicle.

Sec. 4. The TNC must maintain an agent for service of process in the state of Kansas.

Sec. 5. A TNC may charge a fare for the services provided to riders, provided that, if a fare is charged, the TNC shall disclose to riders the fare calculation method on its digital network. The TNC shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the driver's personal vehicle.

Sec. 6. The TNC's digital network shall display a picture of the driver, and the license plate number of the personal vehicle utilized for providing the prearranged ride before the rider enters the driver's vehicle.

Sec. 7. Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the rider that lists:

- (a) The origin and destination of the trip;
- (b) the total time and distance of the trip; and
- (c) an itemization of the total fare paid, if any.

Sec. 8. On January 1, 2016, and thereafter, a transportation network company driver or vehicle owner or transportation network company on the driver's behalf shall maintain primary automobile insurance that:

(a) Recognizes that the driver is a transportation network company driver and covers the driver while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride or while the driver otherwise uses a vehicle to transport passengers for compensation.

(b) (1) The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(A) Primary automobile liability insurance in the amount of at least \$50,000 for death and bodily injury per person, \$100,000 for death and bodily injury per incident, and \$25,000 for property damage; and

(B) primary automobile liability insurance that meets the minimum coverage requirements where required by K.S.A. 40-284 and 40-3107(f), and amendments thereto.

(2) The coverage requirements of this subsection (b) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver or vehicle owner ;

(B) automobile insurance maintained by the transportation network company; or

(C) any combination of subparagraphs (A) and (B).

(c) (1) The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(A) Primary automobile liability insurance that provides at least \$1,000,000 for death, bodily injury and property damage;

(B) primary automobile liability insurance that meets the minimum coverage requirements where required by K.S.A. 40-284 and 40-3107(f), and amendments thereto.

(2) The coverage requirements of this subsection (c) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver or vehicle owner;

(B) automobile insurance maintained by the transportation network company; or

(C) any combination of subparagraphs (A) and (B).

(d) If insurance maintained by the driver or vehicle owner in subsection (b) or (c) has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend such claim.

(e) Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

(f) Insurance required by this section may be placed with an insurer licensed under K.S.A. 40-208 or 40-209, and amendments thereto, or with a surplus lines insurer eligible under K.S.A. 40-246b, and amendments thereto.

(continued)

(g) Insurance satisfying the requirements of this section shall be deemed to satisfy the financial responsibility requirement for a personal vehicle under the Kansas automobile injury reparations act, K.S.A. 40-3101 et seq., and amendments thereto.

(h) A transportation network company driver shall carry proof of coverage satisfying subsections (b) and (c) with such driver at all times during such driver's use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers and investigating police officers, upon request pursuant to K.S.A. 8-173, and amendments thereto. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers and investigating police officers, whether such driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.

Sec. 9. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(a) The insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(b) the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride, depending on its terms.

Sec. 10. (a) Insurers that write automobile insurance in Kansas may exclude any and all coverage afforded under the driver's or vehicle owner's insurance policy for any loss or injury that occurs while a driver is logged on to a transportation network company's digital network or while a driver provides a prearranged ride. This right to exclude all coverage may apply to any coverage included in an automobile insurance policy, including, but not limited to:

- (1) Liability coverage for bodily injury and property damage;
- (2) personal injury protection coverage as defined in K.S.A. 40-3107(f), and amendments thereto;
- (3) uninsured and underinsured motorist coverage;
- (4) medical payments coverage;
- (5) comprehensive physical damage coverage; and
- (6) collision physical damage coverage.

Such exclusions shall apply notwithstanding any requirement under the Kansas automobile injury reparations act, K.S.A. 40-3101 et seq., and amendments thereto. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride or while the driver otherwise uses a vehicle to transport passengers for compensation.

(b) Nothing in this section shall be deemed to preclude an insurer from providing coverage for the transportation network company driver's vehicle, if such insurer chooses to do so by contract or endorsement.

(c) Automobile insurers that exclude coverage as permitted in subsection (a) shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this act shall be deemed to invalidate or limit an exclusion contained in a policy.

(d) An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy as permitted in subsection (a) shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 8, and amendments thereto, at the time of loss.

(e) In a claims coverage investigation, transportation network companies and any insurer potentially providing coverage under section 8, and amendments thereto, shall cooperate to facilitate the exchange of relevant information with directly involved parties and any insurer of the transportation network company driver if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the 12-hour period immediately preceding and in the 12-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions and limits provided under any automobile insurance maintained under section 8, and amendments thereto.

Sec. 11. (a) The TNC shall implement a zero tolerance policy on the use of drugs or alcohol while a driver is providing a prearranged ride or is logged into the TNC's digital network but is not providing a prearranged ride, and shall provide notice of this policy on its website, as well as procedures to report a complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

(b) Upon receipt of such rider complaint alleging a violation of the zero tolerance policy, the TNC shall immediately suspend such driver's access to the TNC's digital network and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

(c) The TNC shall maintain records relevant to the enforcement of this requirement for a period of at least two years from the date that a rider complaint is received by the TNC.

Sec. 12. (a) Prior to permitting an individual to act as a driver on its digital network, the TNC shall:

(1) Require the individual to submit an application to the TNC, which includes information regarding the applicant's address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance and other information required by the TNC;

(2) obtain a local and national criminal background check on the individual, conducted by the Kansas bureau of investigation;

(A) fingerprints submitted pursuant to this section shall be released by the attorney general to the Kansas bureau of investigation for the purpose of conducting criminal history records checks, utilizing the files and records of the Kansas bureau of investigation and the federal bureau of investigation; and

(B) each individual shall be subject to a state and national criminal history records check which conforms to applicable federal standards for the purpose of verifying the identity of the individual and whether the individual has been convicted of any crime that would disqualify the individual from being a transportation network driver under this act;

(3) obtain and review a driving history research report for such individual; and

(4) require the individual, if such individual's personal vehicle is subject to a lien, to provide proof of comprehensive and collision insurance coverage for such personal vehicle that covers the period when the individual is logged on to a TNC's digital network but not engaged in a prearranged ride and when the individual is engaged in a prearranged ride to the lien holder of such personal vehicle and to the TNC.

(b) The TNC shall not permit an individual to act as a driver on its digital network who:

(1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period, including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;

(2) has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, or theft, acts of violence, or acts of terror;

(3) is a match in the national sex offender registry database;

(4) does not possess a valid driver's license;

(5) does not possess proof of registration for the motor vehicle or motor vehicles used to provide a prearranged ride;

(6) does not possess proof of automobile liability insurance for the personal vehicle or personal vehicles used to provide a prearranged ride; or

(7) is not at least 19 years of age.

Sec. 13. The TNC shall require that any personal vehicle that a driver will use to provide a prearranged ride meets the equipment requirements applicable to private personal vehicles under article 17 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 14. A driver shall only provide prearranged rides and shall not solicit or accept street hails.

Sec. 15. The TNC shall adopt a policy prohibiting solicitation or acceptance of cash payments from riders and notify drivers of such policy. Drivers shall not solicit or accept cash payments from riders. Any payment for prearranged rides shall be made only electronically using the TNC's digital network.

Sec. 16. (a) The TNC shall adopt a policy of non-discrimination with respect to riders and potential riders and notify drivers of such policy.

(b) Drivers shall comply with all applicable laws regarding non-discrimination against riders or potential riders.

(c) Drivers shall comply with all applicable laws relating to accommodation of service animals.

(d) A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

(e) A TNC shall provide riders an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC service in any instance, it shall direct the rider to an alternate provider of wheelchair-accessible service, if available.

Sec. 17. A TNC shall maintain:

(a) Individual trip records for at least one year from the date each trip was provided; and

(b) driver records at least until the one-year anniversary of the date on which a TNC driver's activation on the digital network has ended.

Sec. 18. A TNC shall not disclose a rider's personally identifiable information to a third party unless: (a) The rider consents or disclosure is required by a legal obligation; or (b) disclosure is required to protect or defend the terms of use of the service or to investigate violations of those terms. In addition to the foregoing, a TNC shall be permitted to share a rider's name or telephone number with the driver providing prearranged rides to such rider in order to facilitate correct identification of the rider by the driver, or to facilitate communication between the rider and the driver.

Sec. 19. (a) A TNC shall disclose to its TNC drivers in the prospective TNC drivers' written terms of service the following before the drivers are allowed to accept a request for TNC services on the TNC's digital network or software application:

"If the vehicle that you plan to use to provide transportation network company services has a lien against it, using the vehicle for transportation network company services may violate the terms of your contract with the lienholder."

(b) If a TNC's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle. The commission shall not assess any fines as a result of a violation of this subsection.

Sec. 20. This act shall take effect and be in force from and after its publication in the Kansas register.

Message from the Governor Regarding Veto of Senate Bill SB 117

While I appreciate the legislature's hard work on this legislation, I believe this bill is premature. To overregulate or improperly regulate an emerging industry before the marketplace actors make proper arrangements is to invite more problems, not less.

Kansas should be known as a state that embraces economic growth and innovation. The jobs created by this new industry can bring opportunity to many Kansas families. An open and free marketplace often results in higher quality products at a more affordable price.

This will allow companies like Uber to continue and expand operations in Kansas, where they otherwise would not be able to do so.

I applaud the discussions that have taken place nationally between the emerging ridesharing industry and insurance companies. Similar discussions now need to take place with the banking community, which understandably wants to ensure its financial interests are also protected.

I also applaud the legislature's interest in protecting the safety of our citizens. I strongly support background

checks for ride-sharing drivers. However, the ride-sharing industry believes the background requirement as currently written, weakens rather than strengthens, the level of scrutiny placed on its potential drivers.

Therefore, I believe more time, more collaboration, and more discussion will ultimately result in a better public policy product for Kansas. In the meantime, local municipalities will regulate the ride-sharing industry just as they have always done with traditional passenger transportation companies. At this moment in time, they are better equipped to understand the unique and emerging challenges and opportunities the ride-sharing industry brings to their communities.

Though I am vetoing this bill, I am also calling upon ride-sharing companies, insurers, banks and credit unions, to work with our legislature to resolve their differences. These discussions have already begun among Uber and many major insurance companies. The same should begin with banks and credit unions. I look forward to reviewing a new bill that results from these conversations.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Substitute for Senate Bill 117.

Dated: April 20, 2015

Sam Brownback
Governor of Kansas

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **House Substitute for Senate Bill 117**, was not approved by the Governor on April 20, 2015; was returned by him with his objections and approved on May 5, 2015 by two-thirds of the members elected to the Senate notwithstanding the objections of the governor; was reconsidered by the House of Representatives and was approved on May 5, 2015, by two-thirds of the members elected to the House, notwithstanding the objections, the bill did pass and shall become law.

This certificate is made this 5th day of May, 2015 by the Chief Clerk and Speaker of the House of Representatives and the President and Secretary of the Senate.

Dated: May 5, 2015

Susan Kannarr
Chief Clerk of the House of Representatives

Ray Merrick
Speaker of the House of Representatives

Corey Carnahan
Secretary of the Senate

Susan Wagle
President of the Senate

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