

INTRODUCTION

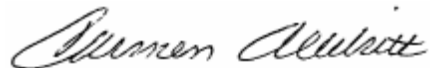
In your Dealer Handbook you will find complete instructions and licensing requirements for Kansas Automobile and Manufactured Home Dealers and Salespersons, as well as forms necessary for your business operations.

We hope this will be a ready source of information for those licensed to manufacture, distribute, or sell vehicles or manufactured homes in the state of Kansas, as well as for those involved in the enforcement of these regulations.

NEW TO DEALER LICENSING

For those with Internet access you can log on to www.ksrevenue.org, then select **Vehicles**. Here you will be able to access many of our forms and current information.

If you have any questions or comments, please feel free to contact the Dealer Licensing Bureau via email at Dealers_Licensing@kdor.state.ks.us or by calling 785/296-3621.



Carmen Alldritt, Director
Division of Vehicles

Field Representative Listing
TERRITORIAL ASSIGNMENT

Rod Allen 785/640-8124	Mike Bigler 785/640-8125	Mike Fracul 785/640-8126	Duane Haltom 316/258-3029	Matt Moser 785/215-4741	John Schimmel 316/258-3479
Chase Coffey Dickinson Geary Lyon Marion Morris Osage Shawnee Wabaunsee	Barton Cheyenne Clay Cloud Decatur Ellis Ellsworth Gove Graham Greeley Jewell Lane Lincoln Logan Mitchell Ness Norton Osborne Ottawa Pawnee Phillips Rawlins Republic Rooks Rush Russell Saline Scott Sheridan Sherman Smith Thomas Trego Wallace Wichita	Allen Anderson Bourbon Douglas Franklin Johnson Linn Miami	Barber Clark Comanche Edwards Finney Ford Grant Gray Hamilton Harper Haskell Hodgeman Kearny Kingman Kiowa McPherson Meade Morton Pratt Reno Rice Sedgwick - south Seward Stafford Stanton Stevens	Atchison Brown Doniphan Jackson Jefferson Leavenworth Marshall Nemaha Pottawatomie Riley Washington Wyandotte	Butler Chautauqua Cherokee Cowley Crawford Elk Greenwood Harvey Labette Montgomery Neosho Sedgwick – north Sumner Wilson Woodson

Kansas Law States:

Declaration of public policy: It is hereby declared to be the public policy of this state to provide fair and impartial regulation of those persons engaged in manufacturing, distributing or selling of vehicles or manufactured homes. The provisions of this act which are applicable to such activities shall be administered in such a manner as will continue to promote fair dealing and honesty in the vehicle industry or the mobile home industry and among those engaged therein without unfair or unreasonable discrimination or undue preference or advantage. It is further declared to be the policy of this state to protect the public interest in the purchase and trade of vehicles and manufactured homes, so as to insure protection against irresponsible vendors and dishonest or fraudulent sales practices.

**Edited by: Dealer Licensing Bureau
 Division of Vehicles
 Kansas Department of Revenue**

TABLE OF CONTENTS

<u>SECTION I – OPERATING GUIDELINES</u>	<u>PAGE</u>
Dealer Licensing Bureau Responsibilities	1-1
Licenses Offered	1-1
Salesperson Licenses Offered	1-1
License Requirements	1-2
30 Day Permits	1-2
30,000 Surety Bond	1-2
72 Hour Auction Permits	1-2
Bond Cancellation	1-3
Bond Riders/Endorsements	1-3
Certificate of Deposit	1-3
Converters	1-3
County Change	1-3
Credentials	1-3
Dealer Plates	1-3
Display Show Permit	1-4
Drive Away Plates	1-4
Full Privilege Dealer Plates	1-4
Going out of Business	1-4
Insurance	1-4
Insurance Cancellation	1-4
KDOT Requirements	1-5
Location Change/License Type Change	1-5
Lost Tags	1-5
Major Component Part	1-5
Manufacturers & Distributors	1-5
Monthly Sales Reports	1-6
Record Retention	1-6
Reassignment Addendums	1-6
Renewal	1-6
Salesperson Licenses	1-7
St-8 Forms	1-7

SECTION I - OPERATING GUIDELINES (CON'T)

PAGE

Supplemental Location 1-7
Title Service Agent..... 1-7
Title Work..... 1-7
Trade Show License/Permit..... 1-8
Transfer of Ownership 1-8
Miscellaneous
 Federal Trade Commission (Buyers Guide) Information 1-8
 Dealer Forms 1-8
 Odometer Statements 1-8
 Sales Tax 1-8
 Dealers Guide to the Used Car Rule..... 1-9
 The Buyers Guide 1-9
 Warranty Information..... 1-10
 Secure Power of Attorney 1-11

SECTION II - KANSAS STATUTES

PAGE

8-113 Identity of vehicles; unlawful acts; penalty 2-1
8-113a Reporting stored, unclaimed vehicles to department, when; penalty for failure 2-1
8-116 Vehicle identification number offenses; possession or sale of vehicle without VIN; removing or altering VIN; penalties; vehicle seizure and disposition 2-1
8-116a Vehicle identification number; check of assembled vehicles by highway patrol; original Kansas certificates of title on out-of-state vehicles; check by designee, or employee of new vehicle dealer, when; fees and disposition thereof..... 2-1
8-126a Number of plates or tags; definitions 2-2
8-133 Display of license plate 2-3
8-135 Transfer of ownership of vehicles; registration; fees and penalties; certificate of title, form, fee; assignment and reassignment; liens, statement of, release of, liability for failure to comply, notice of security interest, execution; purchase and sale of vehicle, requirements; written consent by lienholder; transfer-on-death; reaffirmation of sale; assignment of title form; electronic certificate of title; reassignment forms 2-3
8-135a Adding names of family members to titles and registrations 2-7

SECTION II - KANSAS STATUTES (CON'T)

PAGE

8-136 Dealer license plates; manufacturers' and dealers' use and limitations on use; display; proof of payment of personal property tax before issuance 2-7

8-142 Unlawful acts 2-8

8-143g Trip permits authorizing certain dealers to demonstrate trucks and truck tractors; fees; application; limitations; plate display; laws applicable; act supplemental; disposition of fees 2-9

8-197 Definitions 2-10

8-198 Nonhighway and salvage vehicles exempt from registration; nonhighway certificates of title and salvage titles; permit for temporary operation; rebuilt or restored salvage vehicle, rebuilt salvage title; all-terrain vehicles; no-fault insurance law inapplicable, exception 2-11

8-199 Unlawful acts; violations classified; sales tax act unaffected 2-13

8-2401 Definitions 2-14

8-2402 Declaration of public policy 2-16

8-2403 Vehicle dealers required to have licenses; exceptions; supervision by Director of Vehicles 2-16

8-2404 License required; license fees; bond required, when; place of business required, when; supplemental place of business; manual and examination for salesperson; prohibiting brokering of new and used motor vehicles; exceptions 2-16

8-2405 Insurance required of dealers; limitations on cancellation 2-20

8-2406 Dealer plates; fee; symbols on plates; use of plates 2-20

8-2408 Dealer requirements; reports; records, availability for inspection; disposition of business; exception 2-21

8-2409 Temporary vehicle registration permits; cost; display; operation under laden conditions, when 2-22

8-2410 Denial, suspension or revocation of license; grounds; notice and hearing; licensee responsibility for agents; appeals; prohibited acts 2-22

8-2411 Violation; hearing; penalties; appeals 2-24

8-2412 Dealer review board; membership; meetings; compensation and expenses; secretary; attachment to department of revenue 2-25

8-2413 Injunctions; jurisdiction of courts 2-25

8-2414 Cancellation, termination of nonrenewal of franchise agreements between dealers and manufacturers or distributors; cause; hearing; burden of proof; compensation upon termination; effect on noncompliance by manufacturer or distributor 2-25

8-2415 Correction of warranty defects; compensation to dealer, promotional allowances or incentive payments 2-28

SECTION II - KANSAS STATUTES (CON'T)

PAGE

8-2416 Sale, transfer or assignment of dealership, notice and limitations; disapproval procedure; duties of manufacturer or distributor; appointment of successor	2-28
8-2417 Jurisdiction over licensees; service of process in secretary of state	2-30
8-2418 Disposition of moneys	2-30
8-2419 Liability of manufacturers for defects in equipment	2-30
8-2420 Act supplemental to vehicle registration laws	2-30
8-2421 Severability	2-31
8-2422 Citation of act	2-31
8-2423 Rules and regulations	2-31
8-2425 Full Privilege license plates; fees; use	2-31
8-2426 Same; unlawful acts, penalties	2-31
8-2428 Dealer review board; duties	2-32
8-2429 Interstate dealer licensing compact	2-32
8-2430 Establishment of additional or relocation of existing new vehicle dealer; procedure; relevant market area	2-32
8-2431 Same, exemption for manufacturers with dispute resolution procedures.....	2-34
8-2432 Same; act part of vehicle dealers and manufacturers licensing act	2-34
8-2433 Temporary permit for vehicle salesperson	2-34
8-2434 Selling motor vehicles without a license; penalty	2-34
8-2435 Display of motor vehicles at a location other than dealer's place of business, permit	2-34
8-2436 Salvage vehicle pools; registration; requirements.....	2-35
8-2437 Application of act.....	2-35
8-2444 Temporary trade show license; requirements; fees	2-35
8-2601 Definitions	2-36
8-2602 Complying with provisions act.....	2-36
8-2603 License required; application; requirements, bonding.....	2-36
8-2604 Title service agents; log required	2-37
8-2605 Denial, suspension or revocation of license; grounds.....	2-37
8-2606 Hearing for violation of act; penalty	2-38
8-2607 Injunction; jurisdiction of courts	2-38
8-2608 Service of process; secretary of state	2-38
8-2609 Disposition of moneys	2-38
8-2610 Rules and regulations	2-38
8-2611 Citation of act	2-38

SECTION II - KANSAS STATUTES (CON'T)

PAGE

12-191 Same; situs of taxable transactions; rules and regulations; effective date for collection of taxes; revenue in excess of budget; disposition2-39

12-199 Imposition of city and county compensating use tax upon certain motor vehicles; rate; administration, collections and distribution.....2-39

40-3104 Motor vehicle liability insurance coverage required; prohibited vehicle operation; verification; self-insurance; display of proof of financial security; penalties for failure to maintain financial security; reinstatement fees.....2-40

40-3105 Exempt vehicles.....2-42

40-3107 Motor vehicle liability insurance policies; required contents; exclusions of coverage.....2-43

50-645 Motor vehicle warranties; definitions; consumer rights and remedies; enforcement by attorney general.....2-44

50-653 Title search disclosure; supplier no liability if disclosed2-45

50-659 Vehicle dealer's duty to disclose specific facts; failure to disclose creates rebuttable presumption; definitions, deceptive act or practice2-45

58-4201 Manufactured housing act; citation2-45

58-4202 Same; definitions2-45

58-4203 Same; manufactured housing not subject to certain laws and rules and regulations; movement on highways and streets, law applicable2-47

58-4204 Same; certificate of title, application and issuance form of certificate of title; statement of origin; fees; notice of security interest; assignments of certificates of title; electronic certificate of title2-47

58-4205 Same; public policy regarding regulation of persons engaged in the manufacture, distribution or sale of manufactured or mobile homes2-50

58-4206 Same; compliance with law required to engage in the business of manufactured home dealer2-50

58-4207 Same; requirements for licensure as a manufactured home dealer; application, contents, term of license; fees; financial responsibility requirements, bonding; place of business requirements.....2-50

58-4208 Same, dealer's license issuance and renewal conditional upon insurance; requirements of insurance.....2-52

58-4209 Same, manufactured home sales agreements, required contents2-52

58-4210 Same; dealer's license requirements.....2-53

58-4211 Same; denial, suspension and revocation of licenses, when; procedure; civil penalties2-53

58-4212 Same; state manufactured home construction and safety standards identical to federal standards, exception.2-55

79-3601 Title of act; additional to certain other taxes2-55

79-3603 Retailers' sales tax imposed; rate2-55

79-3604 Tax paid by consumer and collected by retailer; exception; fee2-59

92-50-42 Sales prima facie evidence of engaging in business; motor vehicle dealer license required2-59

SECTION III – FORMS

(Access link to form by selecting form name)

PAGE

30-Day Temporary Permit Order FormD-30
Affidavit to a Fact/Bill of Sale TR-12
Certificate of Deposit/Guarantee of ComplianceD-19
Change of Record FormD-72
Display Show Application & Extension RequestD-12b
Duplicate, Secured, or Reissue Title ApplicationTR-720b
KDOT Certificate of ComplianceD-35
Major Component Parts quarterly report(to be used by Salvage Vehicle Dealers).....D-2MCP
Manufactured Home Dealer Original Application.....D-17b
Manufactured Home Salesperson Original application(contact office for test questions).....D-22b
Manufactured Home Salesperson Transfer ApplicationD-43b
Monthly Sales Report.....(to be used by New & Used or Used Only Dealers, Converters & Lending Agencies) D-1
Monthly Sales Report.....(to be used by Used Vehicle Dealers and Salvage Vehicle Dealers) D-2
Monthly Sales Report.....(to be used by Auction Vehicle Dealers) D-3
New Vehicle Dealer Franchise CertificationD-100
Non-Highway Vehicle Title AffidavitTR-13
Owner Transfer ApplicationD-23
Power of Attorney (for vehicles).....TR-41
Replacement Plate & Additional Plate Request FormD-5
Repossession Affidavit.....TR-84
Request for Access to Vehicle Records.....TR/DL-302
ST-8 Order Form.....ST-8
Supplemental Location/Location Change ApplicationD-12
Title Reassignment Addendum ApplicationTR-69
Title Service/Individual AuthorizationTR-134
Vehicle Dealer BondD-20
Vehicle Dealer Original ApplicationD-17a
Vehicle Owner Transfer AgreementTR-39
Vehicle Salesperson Original Application(contact office for test questions.).....D-22a
Vehicle Salesperson Transfer ApplicationD-43a