

# Kansas Commercial Vehicle Operators

## Read This

January 1, 2014



**This change does not affect Farm Registration or vehicles of a public utility whose property is assessed by the director of property valuation under the provisions of chapter 79, article 5a, of the Kansas Statutes Annotated.**

### Commercial Vehicle Registration Changes

In addition to the current registration fee a Commercial Vehicle Fee will be collected based on the registered weight of the vehicle.

If you register commercial vehicles that fit the definition and are engaged in the furtherance of commerce read this entire brochure.

#### **Definition of a Commercial Vehicle:**

A commercial vehicle is any self-propelled or towed motor vehicle engaged in commerce

- that is used to transport property or passengers when the vehicle:
- has a gross vehicle weight or gross combination vehicle weight of 10,001 pounds or more or
- is designed or used to transport 15 or more passengers, including the driver or
- is used to transport hazardous materials in a quantity requiring placarding.

**Your vehicles are operating in furtherance of commerce if any of the following apply to you:**

- (1) Money earned is declared as income from a business for tax purposes;
- (2) Costs for the underlying activities are deducted as a business expense for tax purposes;
- (3) Products and/or money is accepted for advertising a sponsor;
- (4) The transport vehicle is being used in the furtherance of a commercial operation.

**Do I need a USDOT Number to register my vehicles?**

- If your commercial vehicles travel outside of Kansas you will need to have a USDOT number.
- Or, if your vehicles fit the definition of a Commercial Vehicle, are engaged in the furtherance of Commerce and do not fall under one of the exemptions, you need a USDOT number.

For a detailed explanation of Kansas USDOT requirements go to [www.truckingks.org](http://www.truckingks.org) under Commercial Motor Vehicle Resources watch

Do I need a US DOT number information/presentation

**Highlights**

The commercial vehicle fee replaces the current property tax for both interstate and intrastate commercial vehicles.

Registration fees and Commercial Vehicle fees will be collected on all commercial vehicles registered in Kansas.

All commercial vehicle registration will be from January 1 through December 31, with a grace period through March 1.

All commercial vehicles will be registered by the "fleet".

A "fleet" of commercial vehicles is one or more vehicles.

**Kansas Based IRP Registered Vehicles**

Kansas based IRP (interstate) registered commercial vehicles will pay the commercial vehicle fee. The amount of the commercial fee will be based on their apportioned Kansas percentage. The commercial vehicle fee will be remitted to the County in which the interstate commercial fleet account is based.

**Non-Kansas Based IRP Registered Vehicles**

Out of State apportioned carriers (International Registration Plan; IRP) will pay the commercial fee based on their apportioned Kansas mileage percentage. The commercial vehicle fee will be collected on all out-of-state vehicles being registered in Kansas.

**Intrastate Commercial Vehicle**

The Commercial Vehicle fee for intrastate commercial vehicles will be distributed in the same manner as property taxes levied on motor vehicles.

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Commercial Vehicle fees will be credited to the County where the intrastate commercial vehicle is based. If an operator of intrastate commercial vehicles registers in One County, but has vehicles based in another County, the County collecting the commercial vehicle fee will remit the fee to the County where the vehicle's base is declared. The Commercial Vehicle fee is the same in all Counties.

These changes allow commercial vehicle registrations in a single fleet registration transaction in a single County by declaring the County where each vehicle is based that they are registering.

### Commercial Vehicle

<u>Registered Weight</u>	<u>Commercial Vehicle Fee**</u>	<u>Registered Weight</u>	<u>Commercial Vehicle Fee**</u>
12,000 *	\$250 1 to 3 years old	36,000	\$300
12,000 *	\$200 4 to 6 years old	42,000	\$350
12,000 *	\$150 > 6 years old	48,000	\$350
16,000	\$250	54,000	\$350
20,000	\$250	60,000	\$400
24,000	\$250	66,000	\$400
26,000	\$300	74,000	\$400
30,000	\$300	80,000	\$400
		85,500	\$400

\*The 12,000 lb. category is broken down by the age of the vehicle

\*\* Commercial Vehicle Fee will be prorated the same as registration fees

CMV Fees will be based on the apportioned mileage percentage for all IRP registrations.

Questions, Contact Deann or Leo

Commercial Motor Carrier Office

785-296-6541

**Exemptions:**

1. The owner of livestock or producer of farm products transporting livestock of such owner or farm products of such producer to market in a motor vehicle of such owner or producer, or the motor vehicle of a neighbor on the basis of barter or exchange for service or employment, or to such owner or producer transporting supplies for the use of such owner or producer, or in the motor vehicle of a neighbor on the basis of barter or exchange for service or employment.

My trucks are Farm Registered and **DO NOT TRAVEL OUT OF KANSAS.**

2. The transportation of children to and from school, or to motor vehicles owned by schools, colleges, and universities, religious or charitable organizations and institutions, or governmental agencies, when used to convey students, inmates, employees, athletic teams, orchestras, bands or other similar activities.

This exception would not apply to Commercial Vehicles **hired by one of the entities** listed above to transport children. Example: Buses hired to take students on a school trip.

3. The operation of hearses, funeral coaches, funeral cars or ambulances by motor carriers.

4. Motor vehicles owned and operated by the **United States, the District of Columbia, any state, any municipality or any other political subdivisions of this state.**

5. Persons operating motor vehicles which have an ad valorem tax situs in and are registered in the state of Kansas, and used only to transport grain from the producer to an elevator or other place for **storage or sale for a distance of not to exceed 50 miles.**

This can only be the **sole use of this vehicle; if they exceed 50 miles** or haul other items for hire they must have a USDOT number.

6. Any motor vehicle with a normal seating capacity of not more than the driver and 15 passengers while used for vanpooling or **otherwise not for profit** in transporting persons who, as a joint undertaking, bear or agree to bear all the cost of such operations, or motor vehicles with a normal seating capacity not more than the driver and 15

passengers for not-for-profit transportation by one or more employees to and from the factories, plants, offices,

institutions, construction sites or other places of like nature where such persons are employed or accustomed to work.

7. Motor vehicles used to transport water for domestic purposes, as defined by subsection (c) of K.S.A. 82a-701, and amendments thereto, or livestock consumption.

(c) "Domestic uses" means the use of water by any person or by a family unit or household for household purposes, or for the watering of livestock, poultry, farm and domestic animals used in operating a farm...

8. The operation of vehicles used for servicing, repairing or transporting of implements of husbandry, as defined in K.S.A. 8-1427, and amendments thereto, by a person actively engaged in the business of buying, selling or exchanging implements of husbandry, if such operation is within 100 miles of such person's established place of business in this state, unless the implement of husbandry is transported on a CMV.

**8-1427 "Implement of husbandry" defined.** "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations...regardless of ownership.

9. Referred to as "Tools of the Trade Exemption"

(A) Except for motor vehicles under subparagraph (B), motor vehicles, with a **GVWR of 26,000 lbs. or less**, carrying tools, property or material belonging to the owner of the vehicle, and used in repair, building or construction work, **not having been sold or being transported for the purpose of sale**, except vehicles transporting hazardous materials which require placards.

(B) Except vehicles transporting hazardous materials which require placards, motor vehicles, with a **GVWR of 26,000 lbs. or less**, carrying tools, property or material belonging to the owner of the vehicle, and used in repair, building or construction work and such tools, property or material are being transported to or from **an active construction site located within a radius of 25 miles of the principal place of business** of the motor carrier.

# Kansas Commercial Vehicle Operators Do You Need a USDOT Number in Kansas?

