

MEMORANDUM

To: Chairperson Burgess and members of the Committee on Government Efficiency  
From: Jim Wilson, First Assistant Revisor  
Date: February 16, 2012  
Subject: HB 2703 – Repealing K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603; relating to establishment and operation of a motor pool for state agencies.

HB 2703 would repeal K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603, relating to the central motor pool for state agencies which no longer exists.

This amendment was recommended by the Office of Repealer and Mark McGivern, Office of Facilities Management, Department of Administration, and Dennis Taylor, Secretary of Administration, are listed as resource contacts.

The act would take effect upon publication in the statute book.

**75-4602. Central motor pool; establishment by secretary of administration; commencement of operations.** The secretary of administration shall establish a central motor pool of motor vehicles to be used by state agencies, and he or she may provide for branch central motor pools at other places within the state. Such central motor pool shall commence operations on July 1, 1973, and any such branch motor pools shall commence operations on or after July 1, 1973, except that nothing in this act shall be construed to abolish or terminate the operation of any existing motor pool operated under K.S.A. 75-3707 or K.S.A. 8-311 prior to July 1, 1973. History: L. 1972, ch. 29, § 2; July 1.

**75-4603. Transfer of vehicles to pool; acquisition of additional vehicles; sale or other disposition of vehicles; titles.** The secretary of administration may direct any state agency to transfer to the department of administration any motor vehicle currently assigned to or owned by such state agency for the central motor pool or any branch thereof. Any such direction shall specify a date when possession of and title to any such motor vehicle shall be delivered to the department of administration. To the extent that funds are available therefor, the secretary of administration may purchase or otherwise acquire in the manner provided by K.S.A. 75-3739, and amendments thereto, additional motor vehicles as may be necessary for the central motor pool or any branch thereof. In the manner provided by K.S.A. 75-3739, and amendments thereto, the secretary of administration may sell or otherwise dispose of any vehicle in the central motor pool or any branch thereof, and any cash proceeds arising therefrom 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 motor pool service fund. The title to all motor vehicles assigned to or purchased or acquired for the central motor pool or any branch thereof shall be in the name of the department of administration, except motor vehicles acquired by lease. History: L. 1972, ch. 29, § 3; L. 1976, ch. 395, § 1; L. 2001, ch. 5, § 390; July 1.

**75-4607. Charges for vehicles; motor pool service fund.** Each state agency using the facilities of the central motor pool or any branch thereof shall reimburse the secretary of administration for the services provided in accordance with the schedule of charges which the secretary establishes. The secretary of administration shall maintain a cost system to determine such charges in accordance with generally accepted accounting principles. In determining cost rates for billing vehicle services to agencies, overhead expenses shall include but not be limited to public liability insurance, light, heat, power, insurance, labor, depreciation, etc. Billings shall include direct and indirect costs of operation and shall be based on the foregoing cost accounting practices. All receipts for use of vehicles or services shall be deposited in the motor pool service fund which is hereby created in the state treasury. The provisions of K.S.A. 75-4215 and any amendments thereto shall apply to the said motor pool service fund to the extent not in conflict with this act. History: L. 1972, ch. 29, § 7; L. 1976, ch. 395, § 3; July 1.

**75-4615. Transfer of amounts in vehicle depreciation reserve account to motor pool service depreciation reserve fund; transfer of assets and liabilities of motor pool revolving fund to motor pool service fund.** On the effective date of this act, all amounts in the vehicle depreciation reserve account shall be transferred by the director of accounts and reports to the motor pool service depreciation reserve fund. On the effective date of this act, all assets and liabilities of the motor pool revolving fund except the part thereof in the vehicle depreciation reserve account shall be transferred by the director of accounts and reports to the motor pool service fund. History: L. 1976, ch. 395, § 7; July 1.

**75-4616. Alternative-fueled motor vehicles.** (a) As used in this section, "alternative-fueled vehicle" and "light-duty motor vehicle" have the meanings provided by 42 U.S.C. 13211.

(b) The following percentages of new light-duty motor vehicles acquired annually for the state fleet, including agencies thereof, shall be alternative-fueled motor vehicles:

- (1) Of the motor vehicles acquired in model year 1996, 10%;
- (2) of the motor vehicles acquired in model year 1997, 15%;
- (3) of the motor vehicles acquired in model year 1998, 25%;
- (4) of the motor vehicles acquired in model year 1999, 50%; and
- (5) of the motor vehicles acquired in model year 2000 and thereafter, 75%.

(c) The provisions of this section shall apply only to light-duty motor vehicles in the state fleet which are used primarily within a metropolitan statistical area or a consolidated metropolitan statistical area, as established by the bureau of the census, with a 1980 population of 250,000 or more. History: L. 1995, ch. 262, § 1; July 1.