

2023 Kansas Statutes

8-116. Vehicle identification number offenses; possession or sale of vehicle without original VIN; removing or altering VIN; penalties; vehicle seizure and disposition; application to repairs and restorations of antique vehicles. (a) It is unlawful to sell, barter or exchange any motor vehicle, trailer or semitrailer, the original vehicle identification number of which has been destroyed, removed, altered or defaced, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen and a vehicle identification number has been assigned to the motor vehicle according to law. Violation of this subsection is a severity level 10, nonperson felony.

(b) It is unlawful to knowingly own or have the custody or possession of a motor vehicle, trailer or semitrailer, the original vehicle identification number of which has been destroyed, removed, altered or defaced, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen and a vehicle identification number has been assigned to the motor vehicle according to law. Violation of this subsection is a class C nonperson misdemeanor.

(c) Any person who shall destroy, remove, alter or deface any vehicle identification number, except as contemplated by K.S.A. 8-116a, and amendments thereto, when no part of the motor vehicle, trailer or semitrailer has been stolen, is guilty of a severity level 10, nonperson felony.

(d) Every law enforcement officer in this state having knowledge of a motor vehicle, trailer or semitrailer, the vehicle identification number of which has been destroyed, removed, altered or defaced, shall seize and take possession of such motor vehicle, trailer or semitrailer.

(e) Every motor vehicle, trailer or semitrailer, the vehicle identification number of which has been destroyed, removed, altered or defaced and that has been seized under this section is an article of contraband and the provisions of K.S.A. 22-2512, and amendments thereto, shall apply.

(f) No law enforcement agency or employee of such agency acting within the scope of employment shall be liable for damages resulting from the adoption or enforcement of any policy adopted under this section.

(g) The provisions of this section shall not apply when a person removes and reinstalls a manufacturer's serial number or a vehicle identification number on an antique vehicle, as defined in K.S.A. 8-166, and amendments thereto, if:

(1) The removal and reinstallation are reasonably necessary for the repair or restoration of the antique vehicle;

(2) the person completing the repair or restoration of the antique vehicle reinstalls the manufacturer's serial number or vehicle identification number immediately after the repair or restoration is complete; and

(3) the person does not know and has no reason to know that the antique vehicle is stolen.

History: L. 1921, ch. 69, § 14; R.S. 1923, § 8-116; L. 1935, ch. 70, § 1; L. 1959, ch. 46, § 2; L. 1975, ch. 427, § 3; L. 1984, ch. 25, § 12; L. 1989, ch. 35, § 1; L. 1993, ch. 291, § 1; L. 2014, ch. 21, § 1; L. 2022, ch. 7, § 1; March 31.