

State of Kansas
House of Representatives

State Capitol—187-N
Topeka, Kansas 66612
(785) 296-3971
francis.awerkamp@house.ks.gov



807 W. Linn Street
St. Marys, Kansas 66536
(785) 844-2131
info@francisawerkamp.com

Francis Awerkamp
State Representative, 61st District

January 19, 2022

Re: HB 2294, AN ACT concerning motor vehicles; relating to abandoned or towed vehicles; requiring an individual or agency to acquire a certificate of title before selling an abandoned or towed vehicle.

To: House Committee on Transportation
From: Representative Francis Awerkamp, 61st District

Mr. Chairman and Committee,

Thank you for the hearing on HB 2294 and for allowing me to testify.

HB 2294 would require that an abandoned or towed vehicle receive a title prior to being sold at public auction. Currently these abandoned or towed vehicles can be sold with a possessory lien affidavit. Many towed or abandoned vehicles sold at public auction are purchased by salvage yards. Salvage yards buy these vehicles, part them out, have the vehicle crushed, and enter the VIN into a national database to "end of life" that vehicle.

In the past, a salvage yard did not need a title to crush a vehicle and enter the information to "end of life" that VIN. A possessory lien affidavit was sufficient. Recent changes to the "end of life" VIN system now require a title for this process.

Tow yards or public agencies can get a possessory lien affidavit easily, which is great, but there is no proof that all previous owners were properly notified. If there was a notification mistake in the past, it didn't cause any problems because the possessory lien affidavit was used to "end of life" a vehicle. Now that a title is required, any mistake in the possessory lien affidavit process creates an extremely difficult situation for the purchaser of the vehicle when they attempt to get the title of the vehicle they just bought.

I believe you will hear numerous real life stories from professionals in the salvage yard industry about the difficulties they face and the need for this bill.

Thank you again Mr. Chairman for the hearing and allowing me to submit testimony on behalf of HB 2294 and I'll happily stand for questions.

Respectfully,

Francis Awerkamp
State Representative, 61st District

A handwritten signature in blue ink that reads "Francis Awerkamp". The signature is fluid and cursive, with a long, sweeping tail that loops back under the name.