



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

January 28, 1975

Opinion No. 75- 23

Colonel Allen Rush
Superintendent
Kansas Highway Patrol
State Office Building
Topeka, Kansas 66612

Dear Colonel Rush:

You have requested our opinion whether a motor vehicle inspection station may charge \$5.50 for an inspection, \$.50 of which includes the cost of an official certificate of approval which must be purchased by the inspection station, or must the total permitted charge be limited to \$5.00.

This question is covered by K.S.A. 1974 Supp. 8-1752(e), which authorizes the Superintendent to

"(e) establish the fee to be retained by an inspection station for inspecting a motor vehicle, including the issuance of the certificate of approval or rejection, which shall be a uniform fee for each class of vehicle throughout the state and shall be a reasonable and just charge based upon the average cost and time necessary to perform the inspection, but in no event shall such fee for any class of vehicle exceed five dollars (\$5)."

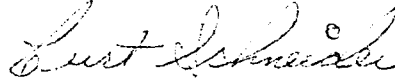
Section 8-1753(e) provides that official certificates of approval or rejection shall be purchased by inspection stations from the superintendent at a cost of \$.50 per certificate. The latter section, you will note, does not delineate that owners of vehicles being inspected shall be charged the \$.50, but rather only that the inspection stations shall be charged said amount.

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Further, Section 8-1752(e), in establishing the fee to be charged, specifically includes the issuance of the certificate of approval in the maximum fee of \$5.00. Therefore, it is our opinion that motor vehicle inspection stations may charge no more than five dollars (\$5) for an inspection. The \$.50 cost per certificate must be borne by the station operators.

We are hopeful that the foregoing will be of assistance.

Very truly yours,



CURT T. SCHNEIDER
Attorney General

CTS:GFW:jsm