

HOUSE BILL No. 2246

By Committee on Transportation

2-12

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 changing the requirements for distinctive and educational institution
3 license plate production; amending K.S.A. 2018 Supp. 8-1,141 and 8-
4 1,142 and repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2018 Supp. 8-1,141 is hereby amended to read as
8 follows: 8-1,141. (a) Any new distinctive license plate authorized for
9 issuance on and after July 1, 1994, shall be subject to the personalized
10 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
11 This section shall not apply to any distinctive license plate authorized prior
12 to July 1, 1994.

13 (b) The director of vehicles shall not issue any new distinctive license
14 plate authorized for issuance on and after July 1, 1995, unless there is a
15 guarantee of an initial issuance of at least ~~500~~ 250 license plates.

16 (c) The provisions of this section shall not apply to distinctive license
17 plates issued under the provisions of K.S.A. 8-1,145, *and amendments*
18 *thereto*, or K.S.A. 2018 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186,
19 8-1,187 or 8-1,188, and amendments thereto.

20 (d) The provisions of subsection (a), shall not apply to distinctive
21 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
22 and amendments thereto, or K.S.A. 2018 Supp. 8-1,153, 8-1,158 or 8-
23 1,161, and amendments thereto.

24 (e) The provisions of subsection (f) shall not apply to distinctive
25 license plates issued under the provisions of K.S.A. 2018 Supp. 8-1,160
26 and 8-1,183, and amendments thereto, except that the division shall delay
27 the manufacturing and issuance of such distinctive license plate until the
28 division has received not less than 1,000 orders for such plate, including
29 payment of the personalized license plate fee required under subsection
30 (a). Upon certification by the director of vehicles to the director of
31 accounts and reports that not less than 1,000 paid orders for such plate
32 have been received, the director of accounts and reports shall transfer
33 \$40,000 from the state highway fund to the distinctive license plate fund.

34 (f) (1) Any person or organization sponsoring any distinctive license
35 plate authorized by the legislature on and after July 1, 2004, shall submit
36 to the division of vehicles a nonrefundable amount not to exceed ~~\$20,000~~

1 \$5,000, to defray the division's cost for developing such distinctive license
2 plate.

3 (2) All moneys received under this subsection shall be remitted by the
4 secretary of revenue to the state treasurer in accordance with the
5 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
6 each such remittance, the state treasurer shall deposit the entire amount in
7 the state treasury to the credit of the distinctive license plate fund which is
8 hereby created in the state treasury. All moneys credited to the distinctive
9 license plate fund shall be used by the department of revenue only for the
10 purpose associated with the development of distinctive license plates. All
11 expenditures from the distinctive license plate application fee fund shall be
12 made in accordance with appropriation acts, upon warrants of the director
13 of accounts and reports issued pursuant to vouchers approved by the
14 secretary of the department of revenue.

15 (g) (1) Except for educational institution license plates issued under
16 K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall
17 discontinue the issuance of any distinctive license plate authorized prior to
18 July 1, 2004, and which is subject to the provisions of subsection (b) if:

19 ~~(A) Less than 500 license plates, including annual renewals, are~~
20 ~~issued for that distinctive license plate by July 1, 2006; and~~

21 ~~(B) less than 250 125 license plates, including annual renewals, are~~
22 ~~issued for that distinctive license plate during any subsequent two-year~~
23 ~~period after July 1, 2006.~~

24 (2) The director of vehicles shall discontinue the issuance of any
25 distinctive license plate authorized on and after July 1, 2004, if:

26 (A) ~~Less than 500 250~~ plates, including annual renewals, are issued
27 for that distinctive license plate by the end of the second year of sales; and

28 (B) ~~less than 250 125~~ license plates, including annual renewals, are
29 issued for that distinctive license plate during any subsequent two-year
30 period.

31 (h) An application for any distinctive license plate issued after
32 December 31, 2012, and the corresponding royalty fee may be collected
33 either by the county treasurer or the entity benefiting from the issuance of
34 the distinctive license plate. Annual royalty payments collected by the
35 county treasurers shall be remitted to the state treasurer in accordance with
36 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
37 of each such remittance the state treasurer shall deposit the entire amount
38 in the state treasury to the credit of a segregated royalty fund which shall
39 be administered by the state treasurer. All expenditures from the royalty
40 fund shall be made in accordance with appropriation acts upon warrants of
41 the director of accounts and reports issued pursuant to vouchers approved
42 by the state treasurer or the state treasurer's designee. Payments from the
43 royalty fund shall be made to the entity benefiting from the issuance of the

1 distinctive license plate on a monthly basis.

2 (i) Notwithstanding any other provision of law, for any distinctive
3 license plate, the division shall produce such distinctive license plate for a
4 motorcycle upon request to the division by the organization sponsoring the
5 distinctive license plate.

6 (j) In addition to any residency requirements for all distinctive license
7 plates, any person not a resident of Kansas, serving as a member of the
8 armed forces stationed in this state shall be eligible to apply for any
9 distinctive license plate as if the individual was a resident of this state.
10 Such person shall be eligible to renew the distinctive license plate
11 registration as long as the person is still stationed in this state at the time
12 the registration is renewed.

13 Sec. 2. K.S.A. 2018 Supp. 8-1,142 is hereby amended to read as
14 follows: 8-1,142. (a) As used in this section, "educational institution"
15 means:

16 (1) Any state educational institution under the control and supervision
17 of the state board of regents;

18 (2) any municipal university;

19 (3) any not-for-profit independent institution of higher education
20 which is accredited by the north central association of colleges and
21 secondary schools accrediting agency based on its requirements as of April
22 1, 1985, is operated independently and not controlled or administered by
23 the state or any agency or subdivision thereof, maintains open enrollment
24 and the main campus or principal place of operation of which is located in
25 Kansas;

26 (4) any community college organized and operating under the laws of
27 this state; and

28 (5) Haskell Indian Nations university.

29 (b) Any owner or lessee of one or more passenger vehicles, trucks
30 registered for a gross weight of not more than 20,000 pounds or
31 motorcycles, who is a resident of Kansas, upon compliance with the
32 provisions of this section, may be issued one educational institution license
33 plate for each such passenger vehicle, truck or motorcycle. Such license
34 plates shall be issued for the same period of time as other license plates
35 upon proper registration and payment of the regular license fee as provided
36 in K.S.A. 8-143, and amendments thereto, plus the payment of an
37 additional fee of \$5 for each plate, and either the payment to the county
38 treasurer of the logo use royalty payment established by the alumni
39 association or foundation or the presentation of the annual emblem use
40 authorization statement provided for in subsection (c).

41 (c) Any educational institution may authorize through its officially
42 recognized alumni association or foundation the use of such institution's
43 official emblems to be affixed on license plates as provided by this section.

1 Any royalty payment derived from this section, except reasonable
2 administrative costs, shall be used for recognition of academic
3 achievement or excellence subject to the approval of the chancellor or
4 president of the educational institution. Any motor vehicle owner or lessee
5 may annually apply to the alumni association or foundation for the use of
6 the institution's emblems. Upon annual application and payment to either:
7 (1) The alumni association or foundation in an amount of not less than \$25
8 nor more than \$100 as an emblem use royalty payment for each
9 educational institution license plate to be issued, the alumni association or
10 foundation shall issue to the motor vehicle owner or lessee, without further
11 charge, an emblem use authorization statement, which shall be presented
12 by the motor vehicle owner or lessee at the time of registration; or (2) the
13 county treasurer of the logo use royalty payment for each license plate to
14 be issued.

15 (d) Any applicant for an educational institution license plate may
16 make application for such plates not less than 60 days prior to such
17 person's renewal of registration date, on a form prescribed and furnished
18 by the director of vehicles, and any applicant for the educational institution
19 license plates shall provide either the annual emblem use authorization
20 statement provided for in subsection (c) or pay to the county treasurer the
21 logo use royalty payment established by the alumni association or
22 foundation. Application for registration of a passenger vehicle, truck or
23 motorcycle and issuance of the license plates under this section shall be
24 made by the owner or lessee in a manner prescribed by the director of
25 vehicles upon forms furnished by the director.

26 (e) No registration or educational institution license plate issued
27 under this section shall be transferable to any other person.

28 (f) The director of vehicles may transfer educational institution
29 license plates from a leased vehicle to a purchased vehicle.

30 (g) Renewals of registration under this section shall be made
31 annually, upon payment of the fee prescribed in subsection (b), in the
32 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments
33 thereto. No renewal of registration shall be made to any applicant until
34 such applicant provides to the county treasurer either the annual emblem
35 use authorization statement provided for in subsection (c) or the payment
36 of the annual emblem use royalty payment established by the alumni
37 association or foundation. If such emblem use authorization statement is
38 not presented at the time of registration or faxed by the alumni association
39 or foundations, or the annual emblem use royalty payment is not made to
40 the county treasurer, the applicant shall be required to comply with K.S.A.
41 8-143, and amendments thereto, and return the educational institution
42 license plates to the county treasurer of such person's residence.

43 (h) The director of vehicles shall not issue any educational institution

1 license plates for any educational institution, unless such educational
2 institution's alumni association or foundation guarantees the initial
3 issuance of at least ~~500~~ 100 license plates.

4 (i) The director of vehicles shall discontinue the issuance of an
5 educational institution's license plate authorized under this section if:

6 (1) Less than ~~500~~ 100 educational institution license plates, including
7 annual renewals, are issued for an educational institution by the end of the
8 second year of sales; and

9 (2) less than ~~250~~ 50 educational institution license plates, including
10 annual renewals, are issued for an educational institution during any
11 subsequent two-year period.

12 (j) Each educational institution's alumni association or foundation
13 shall:

14 (1) Pay the initial cost of ~~silk-screening~~ *design* for such educational
15 license plates; and

16 (2) provide to all county treasurers ~~a~~ *an electronic mail address or*
17 toll-free telephone number where applicants can call the alumni
18 association or foundation for information concerning the application
19 process or the status of their license plate application.

20 (k) Each educational institution's alumni association or foundation,
21 with the approval of the director of vehicles and subject to the availability
22 of materials and equipment, shall design a license plate to be issued under
23 the provisions of this section.

24 (l) As a condition of receiving the educational institution license plate
25 and any subsequent registration renewal of such plate, the applicant must
26 provide consent to the division authorizing the division's release of motor
27 vehicle record information, including the applicant's name, address,
28 emblem use royalty payment amount, plate number and vehicle type to the
29 relevant educational institution and the state treasurer.

30 (m) Annual royalty payments collected by county treasurers under
31 this section shall be remitted to the state treasurer in accordance with the
32 provisions of K.S.A. 75-4215, and amendments thereto. In the case of an
33 educational institution that is a state educational institution as defined by
34 K.S.A. 76-711, and amendments thereto, upon receipt of each such
35 remittance, the state treasurer shall deposit the entire amount in the state
36 treasury to the credit of the appropriate account of the restricted fees fund
37 of such state educational institution. In the case of an educational
38 institution which is not a state educational institution as defined by K.S.A.
39 76-711, and amendments thereto, upon receipt of each such remittance, the
40 state treasurer shall remit the entire amount to the educational institutions
41 emblem royalty fund, which is hereby created in the state treasury and
42 shall be administered by the state treasurer. All expenditures from the
43 educational institutions emblem royalty fund shall be made in accordance

1 with appropriation acts upon warrants of the director of accounts and
2 reports issued pursuant to vouchers approved by the state treasurer or the
3 state treasurer's designee. Payments from the educational institutions
4 emblem royalty fund to the respective educational institutions shall be
5 made on a monthly basis.

6 Sec. 3. K.S.A. 2018 Supp. 8-1,141 and 8-1,142 are hereby repealed.

7 Sec. 4. This act shall take effect and be in force from and after its
8 publication in the statute book.