AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the blackout license plate; amending K.S.A. 2019 Supp. 8-1,141 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) On and after January 1, 2021, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one blackout license plate for each such passenger vehicle or truck. This license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and payment to the county treasurer of the local roads improvement fund fee as provided for in subsection (b).

(b) Any applicant or renewal for a blackout license plate authorized by this section shall make annual payment of a local roads improvement fund fee of $35 to the county treasurer for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the local roads improvement fund fee as provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a blackout license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant pays the local roads improvement fund fee to the county treasurer as provided for in subsection (b). If the annual local roads improvement fund fee payment is
not made to the county treasurer at the time of registration, the applicant
shall be required to comply with K.S.A. 8-143, and amendments thereto,
and return the license plate to the county treasurer of such person's
residence.
  (g) The blackout license plate shall have a background design, an
emblem or colors that designate the license plate as a blackout license
plate.
  (h) As a condition of receiving the blackout license plate and any
subsequent registration renewal of such license plate, the applicant must
provide consent to the division authorizing the division's release of motor
vehicle record information to the state treasurer, including the applicant's
name, address, local roads improvement fund fee amount, plate number
and vehicle type.
  (i) Annual local roads improvement fund payments collected by
county treasurers under this section 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 local
roads improvement fund, which is hereby created in the state treasury and
shall be administered by the secretary of transportation. Expenditures from
the local roads improvement fund may be made for the purposes of
providing state moneys for a cost-share program between the department
of transportation and participating cities and counties for modernization
and expansion projects in such cities and counties. Participating cities and
counties shall provide local moneys to match expenditure of state moneys
from the local roads improvement fund on a minimum of $1 of local
moneys to a maximum of $3 of state moneys basis. All expenditures from
the local roads improvement fund shall be made in accordance with
appropriation acts upon warrants of the director of accounts and reports
issued pursuant to vouchers approved by the state treasurer or the state
treasurer's designee.
Sec. 2. K.S.A. 2019 Supp. 8-1,141 is hereby amended to read as
follows: 8-1,141. (a) Any new distinctive license plate authorized for
issue on and after July 1, 1994, shall be subject to the personalized
license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
This section shall not apply to any distinctive license plate authorized prior
to July 1, 1994.
  (b) The director of vehicles shall not issue any new distinctive license
plate authorized for issuance on and after July 1, 1995, unless there is a
guarantee of an initial issuance of at least 500 license plates.
  (c) The provisions of this section shall not apply to distinctive license
8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187 or 8-1,188; or section
(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2019 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2019 Supp. 8-1,160 and 8-1,183, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer $40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed $20,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue 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 distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

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

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

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

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

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

(B) less\textit{fewer} than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers 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 a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

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

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

Sec. 3. K.S.A. 2019 Supp. 8-1,141 is hereby repealed.

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