

HOUSE BILL No. 2169

By Committee on Transportation

1-28

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the proud educator license plate; decreasing license plate
3 commitments prior to the production of plates; amending K.S.A. 2020
4 Supp. 8-1,141 and repealing the existing section.

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

7 New Section 1. (a) On and after January 1, 2022, any owner or lessee
8 of one or more passenger vehicles or trucks registered for a gross weight
9 of 20,000 pounds or less, who is a resident of Kansas, upon compliance
10 with the provisions of this section, may be issued one proud educator
11 license plate for each such passenger vehicle or truck. Such license plates
12 shall be issued for the same time as other license plates upon proper
13 registration and payment of the regular license fee as provided in K.S.A. 8-
14 143, and amendments thereto, and either the payment to the county
15 treasurer of the logo use royalty payment or the presentation of the annual
16 logo use authorization statement provided for in subsection (b).

17 (b) The Kansas educators support foundation may authorize the use
18 of the organization's logo to be affixed on license plates as provided by
19 this section. Any motor vehicle owner or lessee may apply annually to the
20 Kansas educators support foundation for use of such logo. Such owner or
21 lessee shall pay an amount of not less than \$25 nor more than \$100 to the
22 Kansas educators support foundation as a logo use royalty payment for
23 each such license plate to be issued. The logo use royalty payment shall be
24 paid to either:

25 (1) The Kansas educators support foundation, who shall issue to the
26 motor vehicle owner or lessee, without further charge, a logo use
27 authorization statement that shall be presented by the motor vehicle owner
28 or lessee at the time of registration; or

29 (2) the county treasurer.

30 (c) Any applicant for a license plate authorized by this section may
31 make application for such license plate not less than 60 days prior to such
32 person's renewal of registration date, on a form prescribed and furnished
33 by the director of vehicles, and any applicant for such license plate shall
34 either provide the annual logo use authorization statement provided for in
35 subsection (b) or pay to the county treasurer the logo use royalty payment.
36 Application for registration of a passenger vehicle or truck and issuance of

1 the license plate under this section shall be made by the owner or lessee in
2 a manner prescribed by the director of vehicles upon forms furnished by
3 the director.

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

6 (e) The director of vehicles may transfer a proud educator license
7 plate from a leased vehicle to a purchased vehicle.

8 (f) Renewals of registration under this section shall be made annually,
9 upon payment of the fee prescribed in subsection (a), in the manner
10 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
11 registration shall be made to any applicant until such applicant provides to
12 the county treasurer either the annual logo use authorization statement
13 provided for in subsection (b) or the payment of the annual royalty
14 payment. If such statement is not presented at the time of registration or
15 faxed by the Kansas educators support foundation, or the annual royalty
16 payment is not made to the county treasurer, the applicant shall be required
17 to comply with the provisions of K.S.A. 8-143, and amendments thereto,
18 and return the license plate to the county treasurer of such person's
19 residence.

20 (g) The Kansas educators support foundation shall provide to all
21 county treasurers an electronic mail address where applicants can contact
22 the Kansas educators support foundation for information concerning the
23 application process or the status of such applicant's license plate
24 application.

25 (h) The Kansas educators support foundation, with the approval of
26 the director of vehicles, shall design a plate to be issued under the
27 provisions of this section.

28 (i) As a condition of receiving the proud educator license plate and
29 any subsequent registration renewal of such license plate, the applicant
30 shall consent to the division authorizing the division's release of motor
31 vehicle record information, including the applicant's name, address,
32 royalty payment amount, plate number and vehicle type to the Kansas
33 educators support foundation and the state treasurer.

34 (j) The collection and remittance of annual royalty payments by the
35 county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h),
36 and amendments thereto, except that payments from the Kansas educators
37 support foundation royalty fund shall be made on a monthly basis to the
38 Kansas independent college foundation, unless another designee is made
39 by the Kansas educators support foundation.

40 Sec. 2. K.S.A. 2020 Supp. 8-1,141 is hereby amended to read as
41 follows: 8-1,141. (a) Any new distinctive license plate authorized for
42 issuance on and after July 1, 1994, shall be subject to the personalized
43 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.

1 This section shall not apply to any distinctive license plate authorized prior
2 to July 1, 1994.

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

6 (c) The provisions of this section shall not apply to distinctive license
7 plates issued under the provisions of K.S.A. 8-1,145, *and amendments*
8 *thereto*, or K.S.A. 2020 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186,
9 8-1,187 or 8-1,188, and amendments thereto.

10 (d) The provisions of subsection (a), shall not apply to distinctive
11 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
12 and amendments thereto, or K.S.A. 2020 Supp. 8-1,153, 8-1,158 or 8-
13 1,161, and amendments thereto.

14 (e) The provisions of subsection (f) shall not apply to distinctive
15 license plates issued under the provisions of K.S.A. 2020 Supp. 8-1,160
16 and 8-1,183, and amendments thereto, except that the division shall delay
17 the manufacturing and issuance of such distinctive license plate until the
18 division has received not less than 1,000 orders for such plate, including
19 payment of the personalized license plate fee required under subsection
20 (a). Upon certification by the director of vehicles to the director of
21 accounts and reports that not less than 1,000 paid orders for such plate
22 have been received, the director of accounts and reports shall transfer
23 \$40,000 from the state highway fund to the distinctive license plate fund.

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

28 (2) All moneys received under this subsection shall be remitted by the
29 secretary of revenue to the state treasurer in accordance with the
30 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
31 each such remittance, the state treasurer shall deposit the entire amount in
32 the state treasury to the credit of the distinctive license plate fund which is
33 hereby created in the state treasury. All moneys credited to the distinctive
34 license plate fund shall be used by the department of revenue only for the
35 purpose associated with the development of distinctive license plates. All
36 expenditures from the distinctive license plate application fee fund shall be
37 made in accordance with appropriation acts, upon warrants of the director
38 of accounts and reports issued pursuant to vouchers approved by the
39 secretary of the department of revenue.

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

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

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

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

8 ~~(A)(1)~~ Less than ~~500~~ 250 plates, including annual renewals, are
9 issued for that distinctive license plate by the end of the second year of
10 sales; and

11 ~~(B)(2)~~ less than ~~250~~ 125 license plates, including annual renewals, are
12 issued for that distinctive license plate during any subsequent two-year
13 period.

14 (h) An application for any distinctive license plate issued ~~after~~
15 ~~December 31, 2012,~~ and the corresponding royalty fee may be collected
16 either by the county treasurer or the entity benefiting from the issuance of
17 the distinctive license plate. Annual royalty payments collected by the
18 county treasurers shall be remitted to the state treasurer in accordance with
19 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
20 of each such remittance the state treasurer shall deposit the entire amount
21 in the state treasury to the credit of a segregated royalty fund which shall
22 be administered by the state treasurer. All expenditures from the royalty
23 fund shall be made in accordance with appropriation acts upon warrants of
24 the director of accounts and reports issued pursuant to vouchers approved
25 by the state treasurer or the state treasurer's designee. Payments from the
26 royalty fund shall be made to the entity benefiting from the issuance of the
27 distinctive license plate on a monthly basis.

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

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

39 Sec. 3. K.S.A. 2020 Supp. 8-1,141 is hereby repealed.

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