

HOUSE BILL No. 2444

By Representatives Williams and Francis

1-15

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the blackout license plate; amending K.S.A. 2019 Supp.
3 8-1,141 and repealing the existing section.
4

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

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

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

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

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

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

31 (f) Renewals of registration under this section shall be made annually,
32 upon payment of the fee prescribed in subsection (a), in the manner
33 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
34 registration shall be made to any applicant until such applicant pays the
35 local roads improvement fund fee to the county treasurer as provided for in
36 subsection (b). If the annual local roads improvement fund fee payment is

1 not made to the county treasurer at the time of registration, the applicant
2 shall be required to comply with K.S.A. 8-143, and amendments thereto,
3 and return the license plate to the county treasurer of such person's
4 residence.

5 (g) The blackout license plate shall have a background design, an
6 emblem or colors that designate the license plate as a blackout license
7 plate.

8 (h) As a condition of receiving the blackout license plate and any
9 subsequent registration renewal of such license plate, the applicant must
10 provide consent to the division authorizing the division's release of motor
11 vehicle record information to the state treasurer, including the applicant's
12 name, address, local roads improvement fund fee amount, plate number
13 and vehicle type.

14 (i) Annual local roads improvement fund payments collected by
15 county treasurers under this section shall be remitted to the state treasurer
16 in accordance with the provisions of K.S.A. 75-4215, and amendments
17 thereto. Upon receipt of each such remittance the state treasurer shall
18 deposit the entire amount in the state treasury to the credit of the local
19 roads improvement fund, which is hereby created in the state treasury and
20 shall be administered by the secretary of transportation. Expenditures from
21 the local roads improvement fund may be made for the purposes of
22 providing state moneys for a cost-share program between the department
23 of transportation and participating cities and counties for modernization
24 and expansion projects in such cities and counties. Participating cities and
25 counties shall provide local moneys to match expenditure of state moneys
26 from the local roads improvement fund on a minimum of \$1 of local
27 moneys to a maximum of \$3 of state moneys basis. All expenditures from
28 the local roads improvement fund shall be made in accordance with
29 appropriation acts upon warrants of the director of accounts and reports
30 issued pursuant to vouchers approved by the state treasurer or the state
31 treasurer's designee.

32 Sec. 2. K.S.A. 2019 Supp. 8-1,141 is hereby amended to read as
33 follows: 8-1,141. (a) Any new distinctive license plate authorized for
34 issuance on and after July 1, 1994, shall be subject to the personalized
35 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
36 This section shall not apply to any distinctive license plate authorized prior
37 to July 1, 1994.

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

41 (c) The provisions of this section shall not apply to distinctive license
42 plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2019 Supp.
43 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187-~~0~~, 8-1,188; *or section*

1 I, and amendments thereto.

2 (d) The provisions of subsection (a), shall not apply to distinctive
3 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
4 and amendments thereto, or K.S.A. 2019 Supp. 8-1,153, 8-1,158 or 8-
5 1,161, and amendments thereto.

6 (e) The provisions of subsection (f) shall not apply to distinctive
7 license plates issued under the provisions of K.S.A. 2019 Supp. 8-1,160
8 and 8-1,183, and amendments thereto, except that the division shall delay
9 the manufacturing and issuance of such distinctive license plate until the
10 division has received not less than 1,000 orders for such plate, including
11 payment of the personalized license plate fee required under subsection
12 (a). Upon certification by the director of vehicles to the director of
13 accounts and reports that not less than 1,000 paid orders for such plate
14 have been received, the director of accounts and reports shall transfer
15 \$40,000 from the state highway fund to the distinctive license plate fund.

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

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

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

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

38 (B) ~~less~~*fewer* than 250 license plates, including annual renewals, are
39 issued for that distinctive license plate during any subsequent two-year
40 period after July 1, 2006.

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

43 (A) ~~Less~~*Fewer* than 500 *license* plates, including annual renewals,

1 are issued for that distinctive license plate by the end of the second year of
2 sales; and

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

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

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

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

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

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