

SENATE BILL No. 361

By Senator Kelsey

1-13

9 AN ACT relating to motor vehicles; providing for the issuance of gold
10 star family license plates; amending K.S.A. 2009 Supp. 8-1,141 and 8-
11 1,147 and repealing the existing sections.
12

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

14 New Section 1. (a) On and after January 1, 2011, any owner or lessee
15 of one or more passenger vehicles, trucks of a gross weight of 20,000
16 pounds or less or motorcycles, who is a resident of the state of Kansas,
17 and who submits satisfactory proof to the director of vehicles, in accord-
18 ance with rules and regulations adopted by the secretary of revenue, that
19 such person is an immediate family member of a person who died in a
20 combat zone while a member of any branch of the armed forces of the
21 United States, upon compliance with the provisions of this section, may
22 be issued one distinctive license plate for each such passenger vehicle,
23 truck or motorcycle designating such person as a gold star family member.
24 Such license plates shall be issued for the same period of time as other
25 license plates upon proper registration and payment of the regular license
26 fee as provided in K.S.A. 8-143, and amendments thereto.

27 (b) Any person who is a gold star family member may make appli-
28 cation for such distinctive license plates, not less than 60 days prior to
29 such person's renewal of registration date, on a form prescribed and fur-
30 nished by the director of vehicles, and any applicant for the distinctive
31 license plates shall furnish the director with proof as the director shall
32 require that the applicant is a gold star family member pursuant to sub-
33 section (a). Application for the registration of a passenger vehicle, truck
34 or motorcycle and issuance of the license plates under this section shall
35 be made by the owner or lessee in a manner prescribed by the director
36 of vehicles upon forms furnished by the director.

37 (c) No registration or distinctive license plates issued under the au-
38 thority of this section shall be transferable to any other person.

39 (d) Renewals of registration under this section shall be made an-
40 nually, upon payment of the fee prescribed in subsection (a), in the man-
41 ner prescribed in subsection (b) of K.S.A. 8-132, and amendments
42 thereto. No renewal of registration shall be made to any applicant until
43 such applicant has filed with the director a form as provided in subsection

- 1 (b). If such form is not filed, the applicant shall be required to comply
2 with K.S.A. 8-143, and amendments thereto, and return the distinctive
3 license plates to the county treasurer of such person's residence.
- 4 (e) As used in this section, "immediate family member" means:
- 5 (1) A spouse;
- 6 (2) a parent, stepparent or other person who acted in *loco parentis*;
- 7 (3) a sibling, whether of the whole or half-blood or by adoption;
- 8 (4) a child, including those by adoption or a stepchild; or
- 9 (5) a grandparent.
- 10 (f) The gold star family member license plate shall have a gold star,
11 the words "Gold Star Family" and a theater of combat above such star in
12 the background design.
- 13 Sec. 2. K.S.A. 2009 Supp. 8-1,141 is hereby amended to read as fol-
14 lows: 8-1,141. (a) Any new distinctive license plate authorized for issuance
15 on and after July 1, 1994, shall be subject to the personalized license plate
16 fee prescribed by subsection (c) of K.S.A. 8-132, and amendments
17 thereto. This section shall not apply to any distinctive license plate au-
18 thorized prior to July 1, 1994.
- 19 (b) The director of vehicles shall not issue any new distinctive license
20 plate authorized for issuance on and after July 1, 1995, unless there is a
21 guarantee of an initial issuance of at least 500 license plates.
- 22 (c) The provisions of this section shall not apply to distinctive license
23 plates issued under the provisions of K.S.A. 8-1,145; or K.S.A. 2009 Supp.
24 8-177d or section 1, and amendments thereto.
- 25 (d) The provisions of subsection (a), shall not apply to distinctive li-
26 cense plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and
27 amendments thereto, or K.S.A. 2009 Supp. 8-1,153, 8-1,158 or 8-1,161,
28 and amendments thereto.
- 29 (e) The provisions of subsection (f) shall not apply to distinctive li-
30 cense plates issued under the provisions of K.S.A. 2009 Supp. 8-1,160,
31 and amendments thereto, except that the division shall delay the manu-
32 facturing and issuance of such distinctive license plate until the division
33 has received not less than 1,000 orders for such plate, including payment
34 of the personalized license plate fee required under subsection (a). Upon
35 certification by the director of vehicles to the director of accounts and
36 reports that not less than 1,000 paid orders for such plate have been
37 received, the director of accounts and reports shall transfer \$40,000 from
38 the state highway fund to the distinctive license plate fund.
- 39 (f) (1) Any person or organization sponsoring any distinctive license
40 plate authorized by the legislature on and after July 1, 2004, shall submit
41 to the division of vehicles a nonrefundable amount not to exceed \$20,000,
42 to defray the division's cost for developing such distinctive license plate.
- 43 (2) All moneys received under this subsection shall be remitted by

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

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

17 (A) Less than 500 license plates, including annual renewals, are is-
18 sued for that distinctive license plate by July 1, 2006; and

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

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

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

26 (B) less than 250 license plates, including annual renewals, are issued
27 for that distinctive license plate during any subsequent two-year period.

28 Sec. 3. K.S.A. 2009 Supp. 8-1,147 is hereby amended to read as fol-
29 lows: 8-1,147. In the event of the death of any person issued distinctive
30 license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-
31 1,139, 8-1,140, 8-1,145, 8-1,146 or K.S.A. 2009 Supp. 8-177d *or section*
32 *1*, and amendments thereto, the surviving spouse or other family member,
33 if there is no surviving spouse, shall be entitled to possession of any such
34 distinctive license plates. Such license plates shall not be displayed on any
35 vehicle unless otherwise authorized by statute.

36 Sec. 4. K.S.A. 2009 Supp. 8-1,141 and 8-1,147 are hereby repealed.

37 Sec. 5. This act shall take effect and be in force from and after its
38 publication in the statute book.