

SESSION OF 2010

**SUPPLEMENTAL NOTE ON HOUSE
SUBSTITUTE FOR SENATE BILL NO. 300**

As Amended by House Committee of the Whole

Brief*

House Sub. for SB 300 would amend provisions relating to “Support Kansas Arts” license plates, add three distinctive license plates as of January 1, 2012, and prohibit certain coverings over license plates.

The bill would become effective upon publication in the *Kansas Register*.

“Support Kansas Arts” License Plates

The bill would, by removing an exemption, require those who receive a “Support Kansas Arts” license plate to pay a \$40 personalized license plate fee in addition to other fees applicable to that license plate.

Boy Scouts of America License Plates

The bill would authorize Boy Scouts of America license plates for passenger vehicles and small trucks. Decals would be available to indicate the Order of the Arrow, Wood Badge, God and Country Award, and Eagle Scout, \$2 for each decal. Those who wish to receive a Boy Scouts of America license plate would pay a royalty amount of at least \$25 but not more than \$100 to a Boy Scouts of America Council for use of its logo before receiving such a plate, in addition to regular license plate fees. The Boy Scouts of America Councils would be required to pay the initial cost of developing the license plate.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

“I’m Pet Friendly” License Plates

The bill would authorize the issuance of distinctive “I’m Pet Friendly” license plates for passenger vehicles, small trucks, and motorcycles. The College of Veterinary Medicine at Kansas State University, with approval of the Director of Vehicles, would design the plate, and a royalty payment of between \$25 and \$100 would be paid to the College for each license plate. Any royalty payment would be used to support education regarding the spaying and neutering of dogs and cats in Kansas and veterinary student externships at animal shelters in Kansas. The College would be required to pay the initial cost of developing the license plate.

Vietnam Veteran License Plates

The bill would authorize the issuance of distinctive Vietnam War Veteran license plates for passenger vehicles, small trucks, and motorcycles to those who submit satisfactory proof of being veterans of the Vietnam War. The bill would exempt those who receive such license plates from payment of a distinctive license plate fee. In the event of the death of the veteran to whom the license plate was issued, the surviving spouse or other family member, if there is no surviving spouse, would be entitled to retain the license plate.

License Plate Coverings

The bill would prohibit displaying a vehicle license plate that is covered with any material that affects the plate’s visibility or reflectivity. The fine for violation would be \$60.

Background

The original SB 300 would have increased the single-trip permit fee charged by the Kansas Department of Transportation for certain oversize or overweight vehicles and enacted new fees for certain types of large loads. Those provisions were enacted in 2009 in House Substitute for SB 145.

“Support Kansas Arts” license plate provisions. The House Committee on Transportation substituted the contents of HB 2437 as introduced, the “Support Kansas Arts” license plates provisions. Representative Virgil Peck presented testimony supporting the original HB 2437. No other testimony was received on the bill.

The “Support Kansas Arts” license plate was added in 2009. The enacting legislation, HB 2134, included an exemption in KSA 8-1,141 from other provisions in that statute that subject distinctive license plates authorized for issuance after July 1, 1994, to the \$40 personalized license plate fee. Those who wish to receive a “Support Kansas Arts” plate are required to pay a royalty fee to the Kansas Arts Commission for use of its logo. The statute allows that royalty fee to be between \$25 and \$100.

Boy Scouts of America license plate provisions. These provisions originally were in HB 2615. They were added to HB 2660 and to this bill by the House Committee of the Whole. There was no hearing on the Boy Scouts of America license plate portion of the bill.

“I’m Pet Friendly” license plate provisions. These provisions were originally in HB 2255, introduced in 2009, but with changes to the effective date and no exemption from the distinctive license plate fee. There was no hearing on HB 2255. These provisions were added to House Sub. for SB 300 by the House Committee of the Whole.

Vietnam War Veteran license plate provisions. These provisions are not in a current bill. The provisions were added to House Sub. for SB 300 by the House Committee of the Whole.

License plate fees. The following list shows other license plates authorized since 1994, whether they are exempted from the fee, and whether a royalty must be paid to a sponsoring organization:

- Exempted: Congressional Medal of Honor recipients, retired or active members of the military, the Children's Trust Fund (royalty, to Family and Children Trust Account of the state Family and Children Investment Fund), Helping Schools (royalty, to State Board of Education), and breast cancer research and outreach (royalty, to University of Kansas Cancer Center). The proposed Vietnam War Veteran license plate would be exempted.
- Not exempted: Kansas Foundation for Agriculture in the Classroom (royalty, to Kansas Foundation for Agriculture in the Classroom), Shriners (royalty, to Shrine Temple for the Shriners Hospital for Children), firefighter, emergency medical services, Gold Star Mother, and In God We Trust. The proposed Boy Scouts of American (royalty, to Boy Scouts of America Council) and "I'm Pet Friendly" license plate (royalty, to Kansas State University College of Veterinary Medicine) would not be exempted.

License plate coverings provisions. These provisions originally were in SB 2623 as amended by the House Committee on Transportation. Representative Lisa Benlon testified as a proponent of that bill, as did a representative of the Kansas Highway Patrol. They said that witnesses to crimes and law enforcement officers often are unable to read license plate numbers when plates are covered with materials that would be prohibited with this bill. No opponents presented testimony.

Fiscal note information

- "Support Kansas Arts" license plate provisions. According to the fiscal note prepared by the Division of the Budget, the Department of Revenue expects that the minimum requirement of 500 "Support Kansas Arts" license plates will be issued and the bill would increase revenue to the State Highway Fund by at least \$20,000 (\$40 x 500) in FY 2010. The Department indicates the costs associated with implementation would be negligible and could be absorbed within existing resources. A letter from the Arts

Commission and provided to the House Transportation Committee indicates a potential loss of \$20,000 for Arts Programming Grants.

- Boy Scouts license plate provisions. The fiscal note relating to the original Boy Scouts of America license plate bill says that the Department of Revenue estimated that license plate would increase its expenditures by \$36,300 (for manufacturing the license plates and for programming) and increase revenues by \$40,000.
- “I’m Pet Friendly” license plate provisions. According to the fiscal note on 2009 HB 2255, the provisions would require a minimum of 500 plates guaranteed. A distinctive license plate fee of \$40 would be collected for each plate.
- Vietnam War Veteran license plate provisions. No fiscal note was available.
- License plate covering provisions. According to the fiscal note on the original HB 2623, these provisions have the potential for increasing litigation in the courts because of the new violation that would be created. The Office of Judicial Administration indicates it could not estimate a precise fiscal effect on the court system but that any fiscal effect would most likely be accommodated with existing resources.