

HOUSE BILL No. 2300

By Representative Burroughs

2-13

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the back the badge license plate; amending K.S.A. 2018
3 Supp. 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, 2020, 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 back the badge
10 license plate for each such passenger vehicle or truck. Such license plates
11 shall be issued for the same time as other license plates upon proper
12 registration and payment of the regular license fee as provided in K.S.A. 8-
13 143, and amendments thereto, and payment to the county treasurer of the
14 law enforcement memorial fund fee as provided for in subsection (b).

15 (b) Any applicant for a back the badge license plate authorized by this
16 section shall make payment of a law enforcement memorial fund fee to the
17 county treasurer of \$50 for each license plate to be issued. Any law
18 enforcement memorial fund fee payment received pursuant to this section
19 shall be used to support the memorial to law enforcement officers located
20 on the grounds of the state capitol established by K.S.A. 75-2250, and
21 amendments thereto.

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

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

33 (e) The director of vehicles may transfer back the badge license plates
34 from a leased vehicle to a purchased vehicle.

35 (f) Renewals of registration under this section shall be made annually,
36 upon payment of the fee prescribed in subsection (a), in the manner

1 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
2 registration shall be made to any applicant until such applicant pays the
3 law enforcement memorial fund fee to the county treasurer as provided for
4 in subsection (b). If the annual law enforcement memorial fund fee
5 payment is not made to the county treasurer at the time of registration, the
6 applicant shall be required to comply with K.S.A. 8-143, and amendments
7 thereto, and return the license plate to the county treasurer of such person's
8 residence.

9 (g) The back the badge license plate shall have a background design,
10 an emblem or colors that designate the license plate as a back the badge
11 license plate.

12 (h) As a condition of receiving the back the badge license plate and
13 any subsequent registration renewal of such license plate, the applicant
14 must provide consent to the division authorizing the division's release of
15 motor vehicle record information, including the applicant's name, address,
16 law enforcement memorial fund fee payment amount, plate number and
17 vehicle type to the state treasurer.

18 (i) Annual law enforcement memorial fund fee payments collected by
19 county treasurers under this section shall be remitted to the state treasurer
20 in accordance with the provisions of K.S.A. 75-4215, and amendments
21 thereto. Upon receipt of each such remittance, the state treasurer shall
22 deposit the entire amount in the state treasury to the credit of the law
23 enforcement memorial fund, created by K.S.A. 75-2250, and amendments
24 thereto. All expenditures from the law enforcement memorial fund shall be
25 made in accordance with K.S.A. 75-2250, and amendments thereto.

26 Sec. 2. K.S.A. 2018 Supp. 8-1,141 is hereby amended to read as
27 follows: 8-1,141. (a) Any new distinctive license plate authorized for
28 issuance on and after July 1, 1994, shall be subject to the personalized
29 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
30 This section shall not apply to any distinctive license plate authorized prior
31 to July 1, 1994.

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

35 (c) The provisions of this section shall not apply to distinctive license
36 plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2018 Supp.
37 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187 or 8-1,188, and
38 amendments thereto.

39 (d) The provisions of subsection (a), shall not apply to distinctive
40 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
41 and amendments thereto, or K.S.A. 2018 Supp. 8-1,153, 8-1,158 or 8-
42 1,161, and amendments thereto.

43 (e) The provisions of subsection (f) shall not apply to distinctive

1 license plates issued under the provisions of K.S.A. 2018 Supp. 8-1,160
2 ~~and~~, 8-1,183; *and section 1*, and amendments thereto, except that the
3 division shall delay the manufacturing and issuance of such distinctive
4 license plate until the division has received not less than 1,000 orders for
5 such plate, including payment of the personalized license plate fee
6 required under subsection (a). Upon certification by the director of
7 vehicles to the director of accounts and reports that not less than 1,000
8 paid orders for such plate have been received, the director of accounts and
9 reports shall transfer \$40,000 from the state highway fund to the
10 distinctive license plate fund.

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

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

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

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

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

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

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

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

42 (h) An application for any distinctive license plate issued after
43 December 31, 2012, and the corresponding royalty fee may be collected

1 either by the county treasurer or the entity benefiting from the issuance of
2 the distinctive license plate. Annual royalty payments collected by the
3 county treasurers shall be remitted to the state treasurer in accordance with
4 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
5 of each such remittance the state treasurer shall deposit the entire amount
6 in the state treasury to the credit of a segregated royalty fund which shall
7 be administered by the state treasurer. All expenditures from the royalty
8 fund shall be made in accordance with appropriation acts upon warrants of
9 the director of accounts and reports issued pursuant to vouchers approved
10 by the state treasurer or the state treasurer's designee. Payments from the
11 royalty fund shall be made to the entity benefiting from the issuance of the
12 distinctive license plate on a monthly basis.

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

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

24 Sec. 3. K.S.A. 2018 Supp. 8-1,141 is hereby repealed.

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