

SENATE BILL No. 383

By Committee on Transportation

2-7

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the American legion, knights of Columbus and proud
3 educator license plates; providing for lowered license plate
4 commitments and costs prior to production of plates; amending K.S.A.
5 2019 Supp. 8-1,141 and 8-1,142 and repealing the existing sections.
6

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

8 New Section 1. (a) On and after January 1, 2021, any owner or lessee
9 of one or more passenger vehicles or trucks registered for a gross weight
10 of 20,000 pounds or less, who is a resident of Kansas, upon compliance
11 with the provisions of this section, may be issued one American legion
12 license plate for each such passenger vehicle or truck. Such license plates
13 shall be issued for the same time as other license plates upon proper
14 registration and payment of the regular license fee as provided in K.S.A. 8-
15 143, and amendments thereto, and either the payment to the county
16 treasurer of the logo use royalty payment or the presentation of the annual
17 logo use authorization statement provided for in subsection (b).

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

25 (1) The American legion, who shall issue to the motor vehicle owner
26 or lessee, without further charge, a logo use authorization statement that
27 shall be presented by the motor vehicle owner or lessee at the time of
28 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 an American legion 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 American legion, or the annual royalty payment is not made
16 to the county treasurer, the applicant shall be required to comply with the
17 provisions of K.S.A. 8-143, and amendments thereto, and return the
18 license plate to the county treasurer of such person's residence.

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

23 (h) The American legion, with the approval of the director of
24 vehicles, shall design a plate to be issued under the provisions of this
25 section.

26 (i) As a condition of receiving the American legion license plate and
27 any subsequent registration renewal of such license plate, the applicant
28 shall consent to the division authorizing the division's release of motor
29 vehicle record information, including the applicant's name, address,
30 royalty payment amount, plate number and vehicle type to the American
31 legion and the state treasurer.

32 (j) The collection and remittance of annual royalty payments by the
33 county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h),
34 and amendments thereto.

35 New Sec. 2. (a) On and after January 1, 2021, any owner or lessee of
36 one or more passenger vehicles or trucks registered for a gross weight of
37 20,000 pounds or less, who is a resident of Kansas, upon compliance with
38 the provisions of this section, may be issued one knights of Columbus
39 license plate for each such passenger vehicle or truck. Such license plates
40 shall be issued for the same time as other license plates upon proper
41 registration and payment of the regular license fee as provided in K.S.A. 8-
42 143, and amendments thereto, and either the payment to the county
43 treasurer of the logo use royalty payment or the presentation of the annual

1 logo use authorization statement provided for in subsection (b).

2 (b) The knights of Columbus may authorize the use of the
3 organization's logo to be affixed on license plates as provided by this
4 section. Any motor vehicle owner or lessee may apply annually to the
5 knights of Columbus for use of such logo. Such owner or lessee shall pay
6 an amount of not less than \$25 nor more than \$100 to the knights of
7 Columbus as a logo use royalty payment for each such license plate to be
8 issued. The logo use royalty payment shall be paid to either:

9 (1) The knights of Columbus, who shall issue to the motor vehicle
10 owner or lessee, without further charge, a logo use authorization statement
11 that shall be presented by the motor vehicle owner or lessee at the time of
12 registration; or

13 (2) the county treasurer.

14 (c) Any applicant for a license plate authorized by this section may
15 make application for such license plate not less than 60 days prior to such
16 person's renewal of registration date, on a form prescribed and furnished
17 by the director of vehicles, and any applicant for such license plate shall
18 either provide the annual logo use authorization statement provided for in
19 subsection (b) or pay to the county treasurer the logo use royalty payment.
20 Application for registration of a passenger vehicle or truck and issuance of
21 the license plate under this section shall be made by the owner or lessee in
22 a manner prescribed by the director of vehicles upon forms furnished by
23 the director.

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

26 (e) The director of vehicles may transfer a knights of Columbus
27 license plate from a leased vehicle to a purchased vehicle.

28 (f) Renewals of registration under this section shall be made annually,
29 upon payment of the fee prescribed in subsection (a), in the manner
30 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
31 registration shall be made to any applicant until such applicant provides to
32 the county treasurer either the annual logo use authorization statement
33 provided for in subsection (b) or the payment of the annual royalty
34 payment. If such statement is not presented at the time of registration or
35 faxed by the knights of Columbus, or the annual royalty payment is not
36 made to the county treasurer, the applicant shall be required to comply
37 with the provisions of K.S.A. 8-143, and amendments thereto, and return
38 the license plate to the county treasurer of such person's residence.

39 (g) The knights of Columbus shall provide to all county treasurers an
40 electronic mail address where applicants can contact the knights of
41 Columbus for information concerning the application process or the status
42 of such applicant's license plate application.

43 (h) The knights of Columbus, with the approval of the director of

1 vehicles, shall design a plate to be issued under the provisions of this
2 section.

3 (i) As a condition of receiving the knights of Columbus license plate
4 and any subsequent registration renewal of such license plate, the applicant
5 shall consent to the division authorizing the division's release of motor
6 vehicle record information, including the applicant's name, address,
7 royalty payment amount, plate number and vehicle type to the knights of
8 Columbus and the state treasurer.

9 (j) The collection and remittance of annual royalty payments by the
10 county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h),
11 and amendments thereto.

12 New Sec. 3. (a) On and after January 1, 2021, any owner or lessee of
13 one or more passenger vehicles or trucks registered for a gross weight of
14 20,000 pounds or less, who is a resident of Kansas, upon compliance with
15 the provisions of this section, may be issued one proud educator license
16 plate for each such passenger vehicle or truck. Such license plates shall be
17 issued for the same time as other license plates upon proper registration
18 and payment of the regular license fee as provided in K.S.A. 8-143, and
19 amendments thereto, and either the payment to the county treasurer of the
20 logo use royalty payment or the presentation of the annual logo use
21 authorization statement provided for in subsection (b).

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

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

34 (2) the county treasurer.

35 (c) Any applicant for a license plate authorized by this section may
36 make application for such license plate not less than 60 days prior to such
37 person's renewal of registration date, on a form prescribed and furnished
38 by the director of vehicles, and any applicant for such license plate shall
39 either provide the annual logo use authorization statement provided for in
40 subsection (b) or pay to the county treasurer the logo use royalty payment.
41 Application for registration of a passenger vehicle or truck and issuance of
42 the license plate under this section shall be made by the owner or lessee in
43 a manner prescribed by the director of vehicles upon forms furnished by

1 the director.

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

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

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

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

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

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

32 (j) The collection and remittance of annual royalty payments by the
33 county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h),
34 and amendments thereto.

35 Sec. 4. K.S.A. 2019 Supp. 8-1,141 is hereby amended to read as
36 follows: 8-1,141. (a) Any new distinctive license plate authorized for
37 issuance on and after July 1, 1994, shall be subject to the personalized
38 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
39 This section shall not apply to any distinctive license plate authorized prior
40 to July 1, 1994.

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

1 (c) The provisions of this section shall not apply to distinctive license
2 plates issued under the provisions of K.S.A. 8-1,145, *and amendments*
3 *thereto*, or K.S.A. 2019 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186,
4 8-1,187 or 8-1,188, and amendments thereto.

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

9 (e) The provisions of subsection (f) shall not apply to distinctive
10 license plates issued under the provisions of K.S.A. 2019 Supp. 8-1,160
11 and 8-1,183, and amendments thereto, except that the division shall delay
12 the manufacturing and issuance of such distinctive license plate until the
13 division has received not *less fewer* than ~~1,000~~ 100 orders for such plate,
14 including payment of the personalized license plate fee required under
15 subsection (a). Upon certification by the director of vehicles to the director
16 of accounts and reports that not *less fewer* than ~~1,000~~ 100 paid orders for
17 such plate have been received, the director of accounts and reports shall
18 transfer ~~\$40,000~~ \$4,000 from the state highway fund to the distinctive
19 license plate fund.

20 (f) (1) Any person or organization sponsoring any distinctive license
21 plate authorized by the legislature on and after July 1, 2004, shall submit
22 to the division of vehicles a nonrefundable amount not to exceed ~~\$20,000~~,
23 \$5,000 to defray the division's cost for developing such distinctive license
24 plate.

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

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

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

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

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

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

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

11 (h) An application for any distinctive license plate issued after
12 December 31, 2012, and ~~the a~~ corresponding royalty-fee *payment* may be
13 collected either by the county treasurer or the entity benefiting from the
14 issuance of the distinctive license plate. Annual royalty payments collected
15 by the county treasurers shall be remitted to the state treasurer in
16 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 a segregated
19 royalty fund which shall be administered by the state treasurer. All
20 expenditures from the royalty fund shall be made in accordance with
21 appropriation acts upon warrants of the director of accounts and reports
22 issued pursuant to vouchers approved by the state treasurer or the state
23 treasurer's designee. Payments from the royalty fund shall be made to the
24 entity benefiting from the issuance of the distinctive license plate on a
25 monthly basis.

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

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

37 Sec. 5. K.S.A. 2019 Supp. 8-1,142 is hereby amended to read as
38 follows: 8-1,142. (a) As used in this section, "educational institution"
39 means:

40 (1) Any state educational institution under the control and supervision
41 of the state board of regents;

42 (2) any municipal university;

43 (3) any not-for-profit independent institution of higher education

1 ~~which~~ *that* is accredited by the north central association of colleges and
2 secondary schools accrediting agency based on its requirements as of April
3 1, 1985, is operated independently and not controlled or administered by
4 the state or any agency or subdivision thereof, maintains open enrollment
5 and the main campus or principal place of operation of which is located in
6 Kansas;

7 (4) any community college organized and operating under the laws of
8 this state; and

9 (5) Haskell Indian Nations university.

10 (b) Any owner or lessee of one or more passenger vehicles, trucks
11 registered for a gross weight of not more than 20,000 pounds or
12 motorcycles, who is a resident of Kansas, upon compliance with the
13 provisions of this section, may be issued one educational institution license
14 plate for each such passenger vehicle, truck or motorcycle. Such license
15 plates shall be issued for the same period of time as other license plates
16 upon proper registration and payment of the regular license fee as provided
17 in K.S.A. 8-143, and amendments thereto, plus the payment of an
18 additional fee of \$5 for each plate, and either the payment to the county
19 treasurer of the logo use royalty payment ~~established by the alumni-~~
20 ~~association or foundation~~ or the presentation of the annual emblem use
21 authorization statement provided for in subsection (c).

22 (c) Any educational institution may authorize through its officially
23 recognized alumni association or foundation the use of such institution's
24 official emblems to be affixed on license plates as provided by this section.
25 Any royalty payment derived from this section, except reasonable
26 administrative costs, shall be used for recognition of academic
27 achievement or excellence subject to the approval of the chancellor or
28 president of the educational institution. Any motor vehicle owner or lessee
29 may annually apply to the alumni association or foundation for the use of
30 the institution's emblems. Upon annual application and payment to either:
31 (1) The alumni association or foundation in an amount of not less than \$25
32 nor more than \$100 as an emblem use royalty payment for each
33 educational institution license plate to be issued, the alumni association or
34 foundation shall issue to the motor vehicle owner or lessee, without further
35 charge, an emblem use authorization statement, which shall be presented
36 by the motor vehicle owner or lessee at the time of registration; or (2) the
37 county treasurer of the logo use royalty payment for each license plate to
38 be issued.

39 (d) Any applicant for an educational institution license plate may
40 make application for such plates not less than 60 days prior to such
41 person's renewal of registration date, on a form prescribed and furnished
42 by the director of vehicles, and any applicant for the educational institution
43 license plates shall provide either the annual emblem use authorization

1 statement provided for in subsection (c) or pay to the county treasurer the
2 logo use royalty payment ~~established by the alumni association or~~
3 ~~foundation~~. Application for registration of a passenger vehicle, truck or
4 motorcycle and issuance of the license plates under this section shall be
5 made by the owner or lessee in a manner prescribed by the director of
6 vehicles upon forms furnished by the director.

7 (e) No registration or educational institution license plate issued
8 under this section shall be transferable to any other person.

9 (f) The director of vehicles may transfer educational institution
10 license plates from a leased vehicle to a purchased vehicle.

11 (g) Renewals of registration under this section shall be made
12 annually, upon payment of the fee prescribed in subsection (b), in the
13 manner prescribed in ~~subsection (b) of K.S.A. 8-132(b)~~, and amendments
14 thereto. No renewal of registration shall be made to any applicant until
15 such applicant provides to the county treasurer either the annual emblem
16 use authorization statement provided for in subsection (c) or the payment
17 of the annual emblem use royalty payment ~~established by the alumni~~
18 ~~association or foundation~~. If such emblem use authorization statement is
19 not presented at the time of registration or faxed by the alumni association
20 or foundations, or the annual emblem use royalty payment is not made to
21 the county treasurer, the applicant shall be required to comply with K.S.A.
22 8-143, and amendments thereto, and return the educational institution
23 license plates to the county treasurer of such person's residence.

24 (h) The director of vehicles shall not issue any educational institution
25 license plates for any educational institution, unless such educational
26 institution's alumni association or foundation guarantees the initial
27 issuance of at least ~~500~~ 100 license plates.

28 (i) The director of vehicles shall discontinue the issuance of an
29 educational institution's license plate authorized under this section if:

30 (1) ~~Less~~ Fewer than ~~500~~ 100 educational institution license plates,
31 including annual renewals, are issued for an educational institution by the
32 end of the second year of sales; and

33 (2) ~~less~~ fewer than ~~250~~ 50 educational institution license plates,
34 including annual renewals, are issued for an educational institution during
35 any subsequent two-year period.

36 (j) Each educational institution's alumni association or foundation
37 shall:

38 (1) Pay the initial cost of silk-screening for such educational license
39 plates; and

40 (2) provide to all county treasurers a toll-free telephone number
41 where applicants can call the alumni association or foundation for
42 information concerning the application process or the status of their
43 license plate application.

1 (k) Each educational institution's alumni association or foundation,
2 with the approval of the director of vehicles and subject to the availability
3 of materials and equipment, shall design a license plate to be issued under
4 the provisions of this section.

5 (l) As a condition of receiving the educational institution license plate
6 and any subsequent registration renewal of such plate, the applicant must
7 provide consent to the division authorizing the division's release of motor
8 vehicle record information, including the applicant's name, address,
9 emblem use royalty payment amount, plate number and vehicle type to the
10 relevant educational institution and the state treasurer.

11 (m) Annual royalty payments collected by county treasurers under
12 this section shall be remitted to the state treasurer in accordance with the
13 provisions of K.S.A. 75-4215, and amendments thereto. In the case of an
14 educational institution that is a state educational institution as defined by
15 K.S.A. 76-711, and amendments thereto, upon receipt of each such
16 remittance, the state treasurer shall deposit the entire amount in the state
17 treasury to the credit of the appropriate account of the restricted fees fund
18 of such state educational institution. In the case of an educational
19 institution which is not a state educational institution as defined by K.S.A.
20 76-711, and amendments thereto, upon receipt of each such remittance, the
21 state treasurer shall remit the entire amount to the educational institutions
22 emblem royalty fund, which is hereby created in the state treasury and
23 shall be administered by the state treasurer. All expenditures from the
24 educational institutions emblem royalty fund shall be made in accordance
25 with appropriation acts upon warrants of the director of accounts and
26 reports issued pursuant to vouchers approved by the state treasurer or the
27 state treasurer's designee. Payments from the educational institutions
28 emblem royalty fund to the respective educational institutions shall be
29 made on a monthly basis.

30 Sec. 6. K.S.A. 2019 Supp. 8-1,141 and 8-1,142 are hereby repealed.

31 Sec. 7. This act shall take effect and be in force from and after its
32 publication in the statute book.