

HOUSE BILL No. 2476

By Representatives T. Johnson, Ellis, French and Neelly

1-11

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the silver star medal and bronze star medal distinctive
3 license plates; ***providing for four distinctive license plates for the***
4 ***Kansas department of wildlife and parks***; amending ***K.S.A. 32-901***
5 ***and K.S.A. 2021 Supp. 8-1,141 and 8-1,147*** and repealing the existing
6 sections.

7

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

9 New Section 1. (a) On and after January 1, 2023, any owner or lessee
10 of one or more passenger vehicles, trucks of a gross weight of 20,000
11 pounds or less or motorcycles who is a resident of Kansas and submits
12 satisfactory proof to the director of vehicles, in accordance with rules and
13 regulations adopted by the secretary of revenue, that such person was
14 awarded a silver star medal by the United States government may be
15 issued one distinctive license plate for each such passenger vehicle, truck
16 or motorcycle designating such person as a silver star medal recipient.
17 Such license plate shall be issued for the same period of time as other
18 license plates upon proper registration and payment of the regular license
19 fee as provided in K.S.A. 8-143, and amendments thereto.

20 (b) Any silver star medal recipient may make application for such
21 distinctive license plate, not less than 60 days prior to such person's
22 renewal of registration date, on a form prescribed and furnished by the
23 director of vehicles. Any applicant for the distinctive license plate shall
24 furnish the director with proof as the director shall require that the
25 applicant was a silver star medal recipient. Application for the registration
26 of a passenger vehicle, truck or motorcycle and the issuance of the license
27 plate under this section shall be made by the owner or lessee in a manner
28 prescribed by the director of vehicles upon forms furnished by the director.

29 (c) No registration or distinctive license plate issued under the
30 authority of this section shall be transferable to any other person.

31 (d) Renewals of registration under this section shall be made
32 annually, upon payment of the fee prescribed in K.S.A. 8-143, and
33 amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and
34 amendments thereto. No renewal of registration shall be made to any
35 applicant until such applicant has filed with the director a form as provided
36 in subsection (b). If such form is not filed, the applicant shall be required

1 to comply with K.S.A. 8-143, and amendments thereto, and return the
2 distinctive license plate to the county treasurer of such person's residence.

3 New Sec. 2. (a) On and after January 1, 2023, any owner or lessee of
4 one or more passenger vehicles, trucks of a gross weight of 20,000 pounds
5 or less or motorcycles who is a resident of Kansas and submits satisfactory
6 proof to the director of vehicles, in accordance with rules and regulations
7 adopted by the secretary of revenue, that such person was awarded a
8 bronze star medal by the United States government may be issued one
9 distinctive license plate for each such passenger vehicle, truck or
10 motorcycle designating such person as a bronze star medal recipient. Such
11 license plate shall be issued for the same period of time as other license
12 plates upon proper registration and payment of the regular license fee as
13 provided in K.S.A. 8-143, and amendments thereto.

14 (b) Any person who is a bronze star medal recipient may make
15 application for such distinctive license plate, not less than 60 days prior to
16 such person's renewal of registration date, on a form prescribed and
17 furnished by the director of vehicles. Any applicant for the distinctive
18 license plate shall furnish the director with proof as the director shall
19 require that the applicant was a bronze star medal recipient. Application
20 for the registration of a passenger vehicle, truck or motorcycle and the
21 issuance of the license plate under this section shall be made by the owner
22 or lessee in a manner prescribed by the director of vehicles upon forms
23 furnished by the director.

24 (c) No registration or distinctive license plate issued under the
25 authority of this section shall be transferable to any other person.

26 (d) Renewals of registration under this section shall be made annually
27 upon payment of the fee prescribed in K.S.A. 8-143, and amendments
28 thereto, and in the manner prescribed in K.S.A. 8-132(b), and amendments
29 thereto. No renewal of registration shall be made to any applicant until
30 such applicant has filed with the director a form as provided in subsection
31 (b). If such form is not filed, the applicant shall be required to comply with
32 K.S.A. 8-143, and amendments thereto, and return the distinctive license
33 plate to the county treasurer of such person's residence.

34 ***New Sec. 3. (a) On and after January 1, 2023, any owner or lessee***
35 ***of one or more passenger vehicles, motorcycles or trucks registered for a***
36 ***gross weight of 20,000 pounds or less, who is a resident of Kansas, upon***
37 ***compliance with the provisions of this section, may be issued a Kansas***
38 ***department of wildlife and parks license plate established pursuant to***
39 ***this section for each such passenger vehicle, motorcycle or truck. Such***
40 ***license plate shall be issued for the same time as other license plates***
41 ***upon proper registration and payment of the regular license fee as***
42 ***provided in K.S.A. 8-143, and amendments thereto, and the payment to***
43 ***the county treasurer of the wildlife and parks license plate royalty***

1 *payment established pursuant to this section.*

2 *(b) Any applicant or renewal for a Kansas department of wildlife*
3 *and parks license plate authorized by this section shall make an annual*
4 *payment of a wildlife and parks license plate royalty payment of an*
5 *amount determined by the secretary of the Kansas department of wildlife*
6 *and parks of not less than \$40 nor more than \$100. Payment of such*
7 *wildlife and parks license plate royalty payment shall be made to the*
8 *county treasurer for each such license plate to be issued.*

9 *(c) Subject to the approval of the director of vehicles, the Kansas*
10 *department of wildlife and parks is authorized to establish four new*
11 *distinctive license plates. Each such plate shall be subject to the*
12 *provisions of K.S.A. 8-1,141, and amendments thereto. The plates are*
13 *intended to depict and promote the following:*

- 14 *(1) State parks;*
- 15 *(2) hunting;*
- 16 *(3) fishing; and*
- 17 *(4) nongame wildlife.*

18 *(d) Any person may make an application for a license plate*
19 *authorized by this section not less than 60 days prior to such person's*
20 *renewal of registration date, on a form prescribed and furnished by the*
21 *director of vehicles, and any applicant for such license plate shall pay to*
22 *the county treasurer the wildlife and parks license plate royalty payment.*
23 *Application for registration of a passenger vehicle, motorcycle or truck*
24 *and issuance of the license plate under this section shall be made by the*
25 *owner or lessee in a manner prescribed by the director of vehicles upon*
26 *forms furnished by the director.*

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

29 *(f) The director of vehicles may transfer a Kansas department of*
30 *wildlife and parks license plate from a leased vehicle to a purchased*
31 *vehicle.*

32 *(g) Renewals of registration under this section shall be made*
33 *annually, upon payment of the regular license fee prescribed in*
34 *subsection (a), in the manner prescribed in K.S.A. 8-132(b), and*
35 *amendments thereto. No renewal of registration shall be made to any*
36 *applicant until such applicant provides to the county treasurer the*
37 *payment of the wildlife and parks license plate royalty payment. If such*
38 *annual wildlife and parks license plate royalty payment is not made to*
39 *the county treasurer, the applicant shall be required to comply with the*
40 *provisions of K.S.A. 8-143, and amendments thereto, and return the*
41 *license plate to the county treasurer of such person's residence.*

42 *(h) As a condition of receiving the Kansas department of wildlife*
43 *and parks license plate and any subsequent registration renewal of such*

1 *license plate, the applicant shall consent to the division authorizing the*
2 *division's release of motor vehicle record information, including the*
3 *applicant's name, address, royalty payment amount, plate number and*
4 *vehicle type, to the Kansas department of wildlife and parks and the state*
5 *treasurer.*

6 *(i) Annual wildlife and parks license plate royalty payments*
7 *collected by county treasurers under this section shall be remitted to the*
8 *state treasurer in accordance with the provisions of K.S.A. 75-4215, and*
9 *amendments thereto. Upon receipt of each such remittance, the state*
10 *treasurer shall deposit the entire amount in the state treasury. Of each*
11 *deposit, amounts shall be credited as follows:*

12 *(1) For license plates issued pursuant to subsection (c)(1), the*
13 *entire annual wildlife and parks license plate royalty payment shall be*
14 *credited to the parks fee fund created by K.S.A. 32-991, and amendments*
15 *thereto; and*

16 *(2) for license plates issued pursuant to subsections (c)(2), (3) and*
17 *(4):*

18 *(A) An amount equal to the current cost of an annual park and*
19 *recreation motor vehicle permit that is established according to K.S.A. 8-*
20 *134, and amendments thereto, shall be credited to the parks fee fund*
21 *created by K.S.A. 32-991, and amendments thereto; and*

22 *(B) the balance remaining after crediting pursuant to*
23 *subparagraph (A) shall be credited to the wildlife fee fund created by*
24 *K.S.A. 32-990, and amendments thereto.*

25 Sec. 4. K.S.A. 2021 Supp. 8-1,141 is hereby amended to read as
26 follows: 8-1,141. (a) Any new distinctive license plate authorized for
27 issuance on and after July 1, 1994, shall be subject to the personalized
28 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
29 This section shall not apply to any distinctive license plate authorized prior
30 to July 1, 1994.

31 (b) The director of vehicles shall not issue any new distinctive license
32 plate unless there is a guarantee of an initial issuance of at least 250
33 license plates.

34 (c) The provisions of this section shall not apply to distinctive license
35 plates issued under the provisions of K.S.A. 8-1,145, and amendments
36 thereto, or K.S.A. 2021 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186,
37 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198-~~or~~, 8-1,199,
38 *section 1 or section 2*, and 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. 2021 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. 2021 Supp. 8-1,160
2 and 8-1,183, and amendments thereto, except that the division shall delay
3 the manufacturing and issuance of such distinctive license plate until the
4 division has received not fewer than 100 orders for such plate, including
5 payment of the personalized license plate fee required under subsection
6 (a). Upon certification by the director of vehicles to the director of
7 accounts and reports that not less than 100 paid orders for such plate have
8 been received, the director of accounts and reports shall transfer \$4,000
9 from the state highway fund to the distinctive license plate fund.

10 (f) (1) Any person or organization sponsoring any distinctive license
11 plate authorized by the legislature shall submit to the division of vehicles a
12 nonrefundable amount not to exceed \$5,000, to defray the division's cost
13 for developing such distinctive license plate.

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

26 (g) The director of vehicles shall discontinue the issuance of any
27 distinctive license plate if:

28 (1) Fewer than 250 plates, including annual renewals, are issued for
29 that distinctive license plate by the end of the second year of sales; and

30 (2) fewer than 125 license plates, including annual renewals, are
31 issued for that distinctive license plate during any subsequent two-year
32 period.

33 (h) An application for any distinctive license plate issued and the
34 corresponding royalty fee may be collected either by the county treasurer
35 or the entity benefiting from the issuance of the distinctive license plate.
36 Annual royalty payments collected by the county treasurers shall be
37 remitted to the state treasurer in accordance with the provisions of K.S.A.
38 75-4215, and amendments thereto. Upon receipt of each such remittance
39 the state treasurer shall deposit the entire amount in the state treasury to
40 the credit of a segregated royalty fund which shall be administered by the
41 state treasurer. All expenditures from the royalty fund shall be made in
42 accordance with appropriation acts upon warrants of the director of
43 accounts and reports issued pursuant to vouchers approved by the state

1 treasurer or the state treasurer's designee. Payments from the royalty fund
2 shall be made to the entity benefiting from the issuance of the distinctive
3 license plate on a monthly basis.

4 (i) Notwithstanding any other provision of law, for any distinctive
5 license plate, the division shall produce such distinctive license plate for a
6 motorcycle upon request to the division by the organization sponsoring the
7 distinctive license plate.

8 (j) In addition to any residency requirements for all distinctive license
9 plates, any person not a resident of Kansas, serving as a member of the
10 armed forces stationed in this state shall be eligible to apply for any
11 distinctive license plate as if the individual was a resident of this state.
12 Such person shall be eligible to renew the distinctive license plate
13 registration as long as the person is still stationed in this state at the time
14 the registration is renewed.

15 ~~Sec. 4.~~ **5.** K.S.A. 2021 Supp. 8-1,147 is hereby amended to read as
16 follows: 8-1,147. In the event of the death of any person issued distinctive
17 license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-
18 1,139, 8-1,140, 8-1,145 or 8-1,146 or K.S.A. 2021 Supp. 8-177d, 8-1,163,
19 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-
20 1,197, 8-1,198-~~9~~, 8-1,199, *section 1 or section 2*, and amendments thereto,
21 the surviving spouse or other family member, if there is no surviving
22 spouse, shall be entitled to possession of any such distinctive license
23 plates. Such license plates shall not be displayed on any vehicle unless
24 otherwise authorized by statute.

25 **Sec. 6. K.S.A. 32-901 is hereby amended to read as follows: 32-901.**

26 ***(a) (1) Except as otherwise provided by law or rules and regulations of***
27 ***the secretary, a valid park and recreation motor vehicle permit is***
28 ***required to use a motor vehicle in any state park, or any portion thereof,***
29 ***or in any other area designated by the secretary pursuant to subsection***
30 ***(f), which is posted in accordance with subsection (g).***

31 ***(2) A motor vehicle issued a license plate pursuant to section 3, and***
32 ***amendments thereto, shall constitute a permit allowing the driver of the***
33 ***motor vehicle the rights and obligations to enter a state park as if the***
34 ***driver were an annual permit holder established pursuant to this section in***
35 ***the event that the motor vehicle:***

36 ***(A) Is currently registered and such registration is not expired; and***

37 ***(B) has been issued a license plate pursuant to section 3, and***
38 ***amendments thereto, and the vehicle displays such plate on the motor***
39 ***vehicle as required by law.***

40 ***(b) (1) The secretary shall issue annual and daily park and***
41 ***recreation motor vehicle permits, in addition to permits as provided in***
42 ***K.S.A. 8-134, and amendments thereto.***

43 ***(2) The annual permit shall be issued for each calendar year as***

1 *provided in K.S.A. 32-983, 32-984 and 32-985, and amendments thereto,*
2 *and shall not be transferable. The fee for an annual permit shall be*
3 *fixed by the secretary by rules and regulations adopted in accordance*
4 *with K.S.A. 32-805, and amendments thereto. A duplicate permit may be*
5 *issued upon proof of loss of the original permit for the remainder of the*
6 *calendar year for a fee fixed by the secretary by rules and regulations*
7 *adopted in accordance with K.S.A. 32-805, and amendments thereto. If*
8 *the motor vehicle for which an annual permit has been issued is sold or*
9 *traded during the calendar year for which the permit was issued and the*
10 *original permit is surrendered to the department, a new permit effective*
11 *for the remainder of the calendar year may be issued to the person who*
12 *sold or traded the motor vehicle for a fee fixed by the secretary by rules*
13 *and regulations adopted in accordance with K.S.A. 32-805, and*
14 *amendments thereto. Before any duplicate or new permit is issued, the*
15 *purchaser thereof must show by evidence that the purchaser was issued*
16 *the original permit and that the purchaser is the holder of a valid*
17 *certificate of title to the motor vehicle for which the duplicate or new*
18 *permit is issued.*

19 (3) *A daily permit shall be issued for a day, shall be issued for a*
20 *specific vehicle and shall not be transferable. The fee for such a daily*
21 *permit shall be fixed by the secretary by rules and regulations adopted in*
22 *accordance with K.S.A. 32-805, and amendments thereto.*

23 (c) *Except as provided in K.S.A. 8-134, and amendments thereto,*
24 *the following fees shall be applicable until changed by rules and*
25 *regulations of the secretary:*

26 (1) *Annual motor vehicle permit: \$22.50;*

27 (2) *daily motor vehicle permit: \$3.50; and*

28 (3) *the fee for a daily permit or annual permit for a motor vehicle*
29 *registered in Kansas by a resident who is 65 or more years of age or who*
30 *is a person with a disability and displays a special license plate or*
31 *placard issued pursuant to K.S.A. 8-1,125, and amendments thereto,*
32 *shall be an amount equal to 1/2 the fee fixed by the secretary for daily or*
33 *annual park and recreation motor vehicle permits. A nonresident shall*
34 *pay the full fee.*

35 (d) *The provisions of subsection (a) do not apply to:*

36 (1) *A motor vehicle used in the operation or maintenance of state*
37 *parks or other areas under the secretary's control, emergency motor*
38 *vehicles, state-owned motor vehicles, law enforcement motor vehicles or*
39 *private or government motor vehicles being operated on official business*
40 *for a governmental agency;*

41 (2) *a motor vehicle of a nonresident who secures a special fee,*
42 *license or permit required by rules and regulations adopted by the*
43 *secretary in accordance with K.S.A. 32-805, and amendments thereto,*

1 *relating to the use of the park or other area;*

2 *(3) a motor vehicle for which a special permit or pass has been*
3 *issued pursuant to subsection (d);*

4 *(4) a motor vehicle in a state park or other area to which subsection*
5 *(d) applies on dates designated pursuant to subsection (e); or*

6 *(5) a motor vehicle in an area or at a time not designated pursuant*
7 *to subsection (f) as an area or time which requires a permit.*

8 *(e) The secretary may issue a special permit or pass for a motor*
9 *vehicle used for the purpose of sightseeing, attending a church service,*
10 *attending an approved special event by members of the news media or*
11 *emergency reasons, as provided by rules and regulations adopted by the*
12 *secretary in accordance with K.S.A. 32-805, and amendments thereto.*

13 *(f) The secretary may designate by resolution two days each*
14 *calendar year during which persons may use motor vehicles in state*
15 *parks and other areas under the secretary's control without having a*
16 *valid park and recreation motor vehicle permit.*

17 *(g) (1) The secretary shall designate the state parks and other areas*
18 *under the secretary's control, or portions thereof, and the time periods in*
19 *which motor vehicle permits shall be required hereunder.*

20 *(2) The secretary shall cause signs to be posted and maintained at*
21 *the entrances to all such designated state parks or other areas, or*
22 *portions thereof, which signs shall display a legend that a motor vehicle*
23 *entering and using the state park or area, or portion thereof, is required*
24 *to display on the motor vehicle a permit of the type described in this*
25 *section.*

26 *(h) All fees, licenses and other charges, and rules and regulations*
27 *relating to the use of and conduct of persons in a state park or other*
28 *area under the secretary's control, or any facility therein, shall be posted*
29 *in a convenient and conspicuous place in each such park, area or*
30 *facility. Except as otherwise provided in this section, each and every*
31 *person using any such park, area or facility shall be charged the same*
32 *fees, licenses and every other charge.*

33 ~~Sec. 5.~~ 7. *K.S.A. 32-901 and K.S.A. 2021 Supp. 8-1,141 and 8-1,147*
34 *are hereby repealed.*

35 ~~Sec. 6.~~ 8. *This act shall take effect and be in force from and after its*
36 *publication in the statute book.*