

Substitute for HOUSE BILL No. 2473

AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Alzheimer's disease awareness license plate; decals for certain military medals or badges; abandoned and disabled vehicles, requirements, notices, ordinances; amending K.S.A. 2015 Supp. 8-1,156 and 8-1103 and repealing the existing sections; also repealing K.S.A. 8-1107.

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

New Section 1. (a) On and after January 1, 2017, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Alzheimer's disease awareness license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the Alzheimer's association or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The board of directors of the Alzheimer's association may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support the Alzheimer's association. Any motor vehicle owner or lessee annually may apply to the Alzheimer's association for use of such logo. Upon annual application and payment to either: (1) The Alzheimer's association in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued, the Alzheimer's association shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

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

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

(e) The director of vehicles may transfer Alzheimer's disease awareness license plates from a leased vehicle to a purchased vehicle.

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

(g) The Alzheimer's association shall provide to all county treasurers a toll-free telephone number where applicants can call the Alzheimer's association for information concerning the application process or the status of such applicant's license plate application.

(h) As a condition of receiving the Alzheimer's disease awareness license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Alzheimer's association and the state treasurer.

(i) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Alzheimer's disease awareness royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Alzheimer's disease awareness royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Alzheimer's disease awareness royalty fund to the appropriate designee of the Alzheimer's association shall be made on a monthly basis.

Sec. 2. On and after January 1, 2017, K.S.A. 2015 Supp. 8-1,156 is hereby amended to read as follows: 8-1,156. (a) Any person issued a *distinctive military* license plate ~~under the provisions of K.S.A. 8-1,140 or 8-1,146, and amendments thereto,~~ upon submitting satisfactory proof to the director of vehicles in accordance with rules and regulations adopted by the secretary; that such person was awarded a silver star or bronze star medal by the United States government, may request a decal for each license plate indicating the person was a recipient of a silver star or bronze star medal.

(b) ~~On and after January 1, 2006,~~ Any person issued a *distinctive military* license plate ~~under the provisions of K.S.A. 8-1,140 or 8-1,146, and amendments thereto,~~ upon submitting satisfactory proof to the director of vehicles in accordance with rules and regulations adopted by the secretary; that such person was awarded a combat medical badge, ~~army~~ combat infantry badge, *combat action badge*, navy/marine corps combat action ribbon, army distinguished service cross, navy cross, air force cross or distinguished flying cross by the United States government, may request a decal for each license plate indicating the person was a recipient of a combat medical badge, ~~army~~ combat infantry badge, *combat action badge*, navy/marine corps combat action ribbon, army distinguished service cross, navy cross, air force cross or distinguished flying cross.

(c) A fee of \$2 shall be paid for each decal issued. The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director. Not more than two decals authorized by this section shall be affixed to any one license plate.

(d) *As used in this section, "distinctive military license plate" means any distinctive license plate for which a person is required to submit proof of military service to the director of vehicles.*

Sec. 3. K.S.A. 2015 Supp. 8-1103 is hereby amended to read as follows: 8-1103. (a) Whenever any person providing wrecker or towing service, as defined by law, while lawfully in possession of a vehicle, at the direction of a law enforcement officer or the owner or as provided by a city ordinance or county resolution, renders any service to the owner thereof by the recovery, transportation, protection, storage or safekeeping thereof, a first and prior lien on the vehicle is hereby created in favor of such person rendering such service and the lien shall amount to the full amount and value of the service rendered. The lien may be foreclosed in the manner provided in this act. If the name of the owner of the vehicle is known to the person in possession of such vehicle, then within 15 days, notice shall be given to the owner that the vehicle is being held subject to satisfaction of the lien. Any vehicle remaining in the possession of a person providing wrecker or towing service for a period of 30 days after such wrecker or towing service was provided may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein, the costs of such sale, the costs of notice to the owner of the vehicle and publication after giving the notices required by this act, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial. If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing, and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order. Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery,

transportation or safekeeping have been paid, or satisfactory arrangements for payment have been made, except as provided under subsection (c) or for personal medical supplies which shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

(b) At the time of providing wrecker or towing service, any person providing such wrecker or towing service shall give written notice to the driver, if available, of the vehicle being towed that a fee will be charged for storage of such vehicle. Failure to give such written notice shall invalidate any lien established for such storage fee.

(c) A city ordinance or county resolution authorizing the towing of vehicles *from private property* shall specify in such ordinance or resolution: (1) The maximum rate such wrecker or towing service may charge for such wrecker or towing service and storage fees; (2) that an owner of a vehicle towed shall have access to personal property in such vehicle for 48 hours after such vehicle has been towed and such personal property shall be released to the owner; and (3) that the wrecker or towing service shall report the location of such vehicle to local law enforcement within two hours of such tow.

Sec. 4. K.S.A. 8-1107 and K.S.A. 2015 Supp. 8-1103 are hereby repealed.

Sec. 5. On and after January 1, 2017, K.S.A. 2015 Supp. 8-1,156 is hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

\_\_\_\_\_  
HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE  
as amended \_\_\_\_\_

SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*