

As Amended by House Committee

Session of 2018

HOUSE BILL No. 2599

By Committee on Transportation

2-1

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the special olympics Kansas license plate **and the choose**
3 **life license plate; amending K.S.A. 2017 Supp. 8-1,141 and**
4 **repealing the existing section.**

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 **New Section 1.** (a) On and after January 1, 2019, any owner or lessee
8 of one or more passenger vehicles or trucks registered for a gross weight
9 of 20,000 pounds or less, who is a resident of Kansas, upon compliance
10 with the provisions of this section, may be issued one special olympics
11 Kansas license plate for each such passenger vehicle or truck. Such license
12 plates shall be issued for the same time as other license plates upon proper
13 registration and payment of the regular license fee as provided in K.S.A. 8-
14 143, and amendments thereto, and either the payment to the county
15 treasurer of the logo use royalty payment established by special olympics
16 Kansas or the presentation of the annual logo use authorization statement
17 provided for in subsection (b).

18 (b) Special olympics Kansas may authorize the use of their logo to be
19 affixed on license plates as provided by this section. Any royalty payment
20 received pursuant to this section shall be used to support special olympics
21 Kansas. Any motor vehicle owner or lessee annually may apply to special
22 olympics Kansas for the use of such logo. Upon annual application and
23 payment to either: (1) Special olympics Kansas in an amount of not less
24 than \$25 nor more than \$100 as a logo use royalty payment for each
25 license plate to be issued, special olympics Kansas shall issue to the motor
26 vehicle owner or lessee, without further charge, a logo use authorization
27 statement, which shall be presented by the motor vehicle owner or lessee
28 at the time of registration; or (2) the county treasurer of the logo use
29 royalty payment for each license plate to be issued.

30 (c) Any applicant for a license plate authorized by this section may
31 make application for such plates 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 established by special olympics Kansas. Application for registration of a

1 passenger vehicle or truck and issuance of the license plate under this
2 section shall be made by the owner or lessee in a manner prescribed by the
3 director of vehicles upon forms furnished by 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 special olympics Kansas
7 license plates 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 either
12 provides to the county treasurer the annual logo use authorization
13 statement provided for in subsection (b) or the payment of the logo use
14 royalty payment as established by special olympics Kansas. If such logo
15 use authorization statement is not presented at the time of registration or
16 faxed by special olympics Kansas, or the annual logo use royalty payment
17 is not made to the county treasurer at the time of registration, the applicant
18 shall be required to comply with K.S.A. 8-143, and amendments thereto,
19 and return the license plate to the county treasurer of such person's
20 residence.

21 (g) Special olympics Kansas shall:

22 (1) Pay the initial cost of silk-screening for license plates authorized
23 by this section; and

24 (2) provide to all county treasurers a toll-free telephone number
25 where applicants can call special olympics Kansas for information
26 concerning the application process or the status of their license plate
27 application.

28 (h) Special olympics Kansas, with the approval of the director of
29 vehicles and subject to the availability of materials and equipment, shall
30 design a plate to be issued under the provisions of this section.

31 (i) As a condition of receiving the special olympics Kansas license
32 plate and any subsequent registration renewal of such plate, the applicant
33 must provide consent to the division authorizing the division's release of
34 motor vehicle record information, including the applicant's name, address,
35 logo use royalty payment amount, plate number and vehicle type to special
36 olympics Kansas and the state treasurer.

37 (j) Annual logo use royalty payments collected by county treasurers
38 under this section shall be remitted to the state treasurer in accordance
39 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
40 receipt of each such remittance the state treasurer shall deposit the entire
41 amount in the state treasury to the credit of the special olympics Kansas
42 royalty fund, which is hereby created in the state treasury and shall be
43 administered by the state treasurer. All expenditures from the special

1 olympics Kansas royalty fund shall be made in accordance with
2 appropriation acts upon warrants of the director of accounts and reports
3 issued pursuant to vouchers approved by the state treasurer or the state
4 treasurer's designee. Payments from the special olympics Kansas royalty
5 fund to the appropriate designee of special olympics Kansas shall be made
6 on a monthly basis.

7 **New Sec. 2. (a) On and after January 1, 2019, any owner or lessee**
8 **of one or more passenger vehicles, trucks of a gross weight of 20,000**
9 **pounds or less, motorcycles or travel trailers, who is a resident of the**
10 **state of Kansas, may apply for and be issued one distinctive license**
11 **plate for each such passenger vehicle, truck, motorcycle or travel**
12 **trailer, a choose life license plate. Such license plates shall be issued for**
13 **the same period of time as other plates upon proper registration and**
14 **payment of the regular license fee as provided in K.S.A. 8-143, and**
15 **amendments thereto.**

16 **(b) Any person may make application for such distinctive license**
17 **plates, not less than 60 days prior to such person's renewal of**
18 **registration date, on a form prescribed and furnished by the director**
19 **of vehicles. Application for the registration of a passenger vehicle,**
20 **truck, motorcycle or travel trailer and issuance of the license plates**
21 **under this section shall be made by the owner or lessee in a manner**
22 **prescribed by the director of vehicles upon forms furnished by the**
23 **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**
27 **annually, upon payment of the fee prescribed in subsection (a), in the**
28 **manner prescribed in K.S.A. 8-132(b), and amendments thereto. No**
29 **renewal of registration shall be made to any applicant until such**
30 **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**
32 **with K.S.A. 8-143, and amendments thereto, and return the distinctive**
33 **license plates to the county treasurer of such person's residence.**

34 **(e) The choose life license plate shall have a background design,**
35 **an emblem or colors that designate the license plate as a choose life**
36 **license plate.**

37 **Sec. 3. K.S.A. 2017 Supp. 8-1,141 is hereby amended to read as**
38 **follows: 8-1,141. (a) Any new distinctive license plate authorized for**
39 **issuance on and after July 1, 1994, shall be subject to the personalized**
40 **license plate fee prescribed by ~~subsection (e) of K.S.A. 8-132(c), and~~**
41 **amendments thereto. This section shall not apply to any distinctive**
42 **license plate authorized prior to July 1, 1994.**

43 **(b) The director of vehicles shall not issue any new distinctive**

1 license plate authorized for issuance on and after July 1, 1995, unless
2 there is a guarantee of an initial issuance of at least 500 license plates.

3 (c) The provisions of this section shall not apply to distinctive
4 license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A.
5 2017 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

6 (d) The provisions of subsection (a), shall not apply to distinctive
7 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
8 and amendments thereto, or K.S.A. 2017 Supp. 8-1,153, 8-1,158 or 8-
9 1,161, and amendments thereto.

10 (e) The provisions of subsection (f) shall not apply to distinctive
11 license plates issued under the provisions of K.S.A. 2017 Supp. 8-1,160
12 *and section 2*, and amendments thereto, except that the division shall
13 delay the manufacturing and issuance of such distinctive license plate
14 until the division has received not less than 1,000 orders for such plate,
15 including payment of the personalized license plate fee required under
16 subsection (a). Upon certification by the director of vehicles to the
17 director of accounts and reports that not less than 1,000 paid orders
18 for such plate have been received, the director of accounts and reports
19 shall transfer \$40,000 from the state highway fund to the distinctive
20 license plate fund.

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

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

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

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

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

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

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

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

14 (h) An application for any distinctive license plate issued after
15 December 31, 2012, and the corresponding royalty fee may be
16 collected either by the county treasurer or the entity benefiting from
17 the issuance of the distinctive license plate. Annual royalty payments
18 collected by the county treasurers shall be remitted to the state
19 treasurer in accordance with the provisions of K.S.A. 75-4215, and
20 amendments thereto. Upon receipt of each such remittance the state
21 treasurer shall deposit the entire amount in the state treasury to the
22 credit of a segregated royalty fund which shall be administered by the
23 state treasurer. All expenditures from the royalty fund shall be made
24 in accordance with appropriation acts upon warrants of the director
25 of accounts and reports issued pursuant to vouchers approved by the
26 state treasurer or the state treasurer's designee. Payments from the
27 royalty fund shall be made to the entity benefiting from the issuance of
28 the distinctive license plate on a monthly basis.

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

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

40 **Sec. 4. K.S.A. 2017 Supp. 8-1,141 is hereby repealed.**

41 ~~Sec. 5.~~ **5.** This act shall take effect and be in force from and after its
42 publication in the statute book.