

SENATE BILL No. 397

By Committee on Transportation

2-7

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the choose life license plate; amending K.S.A. 2017
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, 2019, any owner or lessee
7 of one or more passenger vehicles, trucks of a gross weight of 20,000
8 pounds or less, motorcycles or travel trailers, who is a resident of the state
9 of Kansas, may apply for and be issued one distinctive license plate for
10 each such passenger vehicle, truck, motorcycle or travel trailer, a choose
11 life license plate. Such license plates shall be issued for the same period of
12 time as other plates upon proper registration and payment of the regular
13 license fee as provided in K.S.A. 8-143, and amendments thereto.

14 (b) Any person may make application for such distinctive license
15 plates, not less than 60 days prior to such person's renewal of registration
16 date, on a form prescribed and furnished by the director of vehicles.
17 Application for the registration of a passenger vehicle, truck, motorcycle
18 or travel trailer and issuance of the license plates under this section shall
19 be made by the owner or lessee in a manner prescribed by the director of
20 vehicles upon forms furnished by the director.

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

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

31 (e) The choose life license plate shall have a background design, an
32 emblem or colors that designate the license plate as a choose life license
33 plate.

34 Sec. 2. K.S.A. 2017 Supp. 8-1,141 is hereby amended to read as
35 follows: 8-1,141. (a) Any new distinctive license plate authorized for
36 issuance on and after July 1, 1994, shall be subject to the personalized

1 license plate fee prescribed by ~~subsection (e)~~ of K.S.A. 8-132(c), and
2 amendments thereto. This section shall not apply to any distinctive license
3 plate authorized prior to July 1, 1994.

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

7 (c) The provisions of this section shall not apply to distinctive license
8 plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2017 Supp.
9 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

10 (d) The provisions of subsection (a), shall not apply to distinctive
11 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
12 and amendments thereto, or K.S.A. 2017 Supp. 8-1,153, 8-1,158 or 8-
13 1,161, and amendments thereto.

14 (e) The provisions of subsection (f) shall not apply to distinctive
15 license plates issued under the provisions of K.S.A. 2017 Supp. 8-1,160
16 *and section 1*, and amendments thereto, except that the division shall delay
17 the manufacturing and issuance of such distinctive license plate until the
18 division has received not less than 1,000 orders for such plate, including
19 payment of the personalized license plate fee required under subsection
20 (a). Upon certification by the director of vehicles to the director of
21 accounts and reports that not less than 1,000 paid orders for such plate
22 have been received, the director of accounts and reports shall transfer
23 \$40,000 from the state highway fund to the distinctive license plate fund.

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

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

40 (g) (1) Except for educational institution license plates issued under
41 K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall
42 discontinue the issuance of any distinctive license plate authorized prior to
43 July 1, 2004, and which is subject to the provisions 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 issued
4 for that distinctive license plate during any subsequent two-year period
5 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 for
9 that distinctive license plate by the end of the second year of sales; and

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

12 (h) An application for any distinctive license plate issued after
13 December 31, 2012, and the corresponding royalty fee may be collected
14 either by the county treasurer or the entity benefiting from the issuance of
15 the distinctive license plate. Annual royalty payments collected by the
16 county treasurers shall be remitted to the state treasurer in accordance with
17 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
18 of each such remittance the state treasurer shall deposit the entire amount
19 in the state treasury to the credit of a segregated royalty fund which shall
20 be administered by the state treasurer. All expenditures from the royalty
21 fund shall be made in accordance with appropriation acts upon warrants of
22 the director of accounts and reports issued pursuant to vouchers approved
23 by the state treasurer or the state treasurer's designee. Payments from the
24 royalty fund shall be made to the entity benefiting from the issuance of the
25 distinctive license plate on a 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. 3. K.S.A. 2017 Supp. 8-1,141 is hereby repealed.

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