



**Chairman Proehl and Honorable Members of the House Transportation Committee:**

**I write in opposition to HB 2504.**

HB 2504's language would restrict the number of disabled veterans eligible for a disabled veteran plate. Currently, the benefits accrued by this plate are accessible parking privileges and that the plate is free of the \$30 to \$100 registration fee, but not the vehicle property tax. Each disabled veteran must submit a KDOR Form TR-103, Disabled Veteran Plate Application, documenting their Veterans Administration disability case number which is authenticated by the Regional Director of the Veterans Administration.

The bill creates the unfortunate presumption that some seriously disabled veterans are less worthy than others for the benefit of a free license plate and the parking privileges under K.S.A. 8-161(2) et seq. Candidly, Mr. Chairman and Honorable Committee Members, such a presumption is badly flawed and unworthy of the leadership of our state. This bill is an affront to the privacy rights of disabled veterans. Disclosure of medical diagnoses to non-medical personnel at the county treasurer's office is just one obvious example. The fiscal note for this bill notes no fiscal impact.

I suggest to the committee that the bill would necessitate the creation of an evaluation system in all 105 county treasurer's offices to reconsider a veteran's entire medical history and their already carefully vetted and approved federal VA disability benefits case decision. The Kansas Department of Revenue would need to develop the complex rules to evaluate the terms "physical" and "producing limited mobility" cross referenced to the complex and voluminous administrative rules and statutory interpretation of the federal disability compensation laws administered by the United States Department of Veterans Affairs.

HB 2504 creates a novel taxonomy of veterans' disabilities potentially inconsistent with federal laws. The passage of HB 2504 redefinition of a disabled veteran would create more work for attorneys. Imposition of new workload on the judicial system of our state is entirely avoidable. Veterans, determined to be disabled at a rating of 50% or more through the disability case review process under Title 38 Book C of the Code of Federal Regulations and denied a free license plate under this new language could be motivated to litigate. Such litigation might reference Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination against disabled individuals using federally funded facilities. Since many automobile-related facilities are supported by federal highway appropriations, the nexus to this federal law is non-frivolous. (Caveat: I am not an attorney, and I am not attempting to practice law.)

I respectfully urge the committee on behalf of our Kansas Council of Chapters to vote **NO** on this bill in its current form when considered for final committee action. The Kansas Council of Chapters of the Military Officers Association of America is an advocate for our military members and their family members. We advocate for those currently serving and those who have served in the past. Thank you for your careful consideration of these views.

Michael K. Kelly  
Colonel, USAF (retired)  
Legislative Chair  
MOAA Kansas Council of Chapters