

Substitute for HOUSE BILL No. 2166

By Committee on Transportation

2-15

Proposed Amendment to Sub for HB 2166
For Senate Committee on Transportation
Prepared by: Office of Revisor of Statutes

Gadsden flag license plate

1 AN ACT concerning motor vehicles; relating to distinctive license plates;
2 providing for the Braden's hope for childhood cancer, proud educator
3 and alpha kappa alpha distinctive license plates; providing distinctive
4 license plates for current and veteran members of the United States
5 army, navy, marine corps, air force, coast guard and space force;
6 modifying requirements to begin production on distinctive license
7 plates; amending K.S.A. 2020 Supp. 8-1,141, 8-1,142 and 8-1,147 and
8 repealing the existing sections.
9

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

11 New Section 1. (a) On and after January 1, 2022, any owner or lessee
12 of one or more passenger vehicles or trucks registered for a gross weight
13 of 20,000 pounds or less, who is a resident of Kansas, upon compliance
14 with the provisions of this section, may be issued one Braden's hope for
15 childhood cancer license plate for each such passenger vehicle or truck.
16 Such license plate shall be issued for the same time as other license plates
17 upon proper registration and payment of the regular license fee as provided
18 in K.S.A. 8-143, and amendments thereto, and either the payment to the
19 county treasurer of the logo use royalty payment or the presentation of the
20 annual logo use authorization statement provided for in subsection (b).

21 (b) Braden's hope for childhood cancer may authorize the use of the
22 organization's logo to be affixed on license plates as provided by this
23 section. Any motor vehicle owner or lessee may apply annually to
24 Braden's hope for childhood cancer for use of such logo. Such owner or
25 lessee shall pay an amount of not less than \$25 nor more than \$100 to
26 Braden's hope for childhood cancer as a logo use royalty payment for each
27 such license plate to be issued. The logo use royalty payment shall be paid
28 to either:

29 (1) Braden's hope for childhood cancer, which shall issue to the motor
30 vehicle owner or lessee, without further charge, a logo use authorization
31 statement that shall be presented by the motor vehicle owner or lessee at
32 the time of registration; or

33 (2) the county treasurer.

34 (c) Any applicant for a license plate authorized by this section may
35 make application for such license plate not less than 60 days prior to such
36 person's renewal of registration date, on a form prescribed and furnished

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

3 (d) Renewals of registration under this section shall be made
4 annually, upon payment of the fee prescribed in subsection (a), in the
5 manner prescribed in K.S.A. 8-132(b), and amendments thereto. No
6 renewal of registration shall be made to any applicant until such applicant
7 has filed with the director a form as provided in subsection (b). If such
8 form is not filed, the applicant shall be required to comply with K.S.A. 8-
9 143, and amendments thereto, and return the distinctive license plate to the
10 county treasurer of such person's residence.

11 **{(e) Upon satisfactory proof submitted to the director of vehicles,
12 in accordance with rules and regulations adopted by the secretary of
13 revenue, any person issued a license plate under this section may
14 request that the license plate be printed to indicate that such person is
15 a retired member of the United States space force.}**

New Sec. 10. Insert Attachment 1

16 Sec. 10. K.S.A. 2020 Supp. 8-1,141 is hereby amended to read as
17 follows: 8-1,141. (a) Any new distinctive license plate authorized for
18 issuance on and after July 1, 1994, shall be subject to the personalized
19 license plate fee prescribed by K.S.A. 8-132(c), and amendments thereto.
20 This section shall not apply to any distinctive license plate authorized prior
21 to July 1, 1994.

22 (b) The director of vehicles shall not issue any new distinctive license
23 plate ~~authorized for issuance on and after July 1, 1995~~, unless there is a
24 guarantee of an initial issuance of at least ~~500~~ 250 license plates.

25 (c) The provisions of this section shall not apply to distinctive license
26 plates issued under the provisions of K.S.A. 8-1,145, *and amendments*
27 *thereto*, or K.S.A. 2020 Supp. 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186,
28 8-1,187-~~or~~, 8-1,188, *section 4, section 5, section 6, section 7, section 8 or*
29 *section 9*, and amendments thereto.

30 (d) The provisions of subsection (a), shall not apply to distinctive
31 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
32 and amendments thereto, or K.S.A. 2020 Supp. 8-1,153, 8-1,158 or 8-
33 1,161, and amendments thereto.

34 (e) The provisions of subsection (f) shall not apply to distinctive
35 license plates issued under the provisions of K.S.A. 2020 Supp. 8-1,160
36 and 8-1,183, and amendments thereto, except that the division shall delay
37 the manufacturing and issuance of such distinctive license plate until the
38 division has received not ~~less~~ *fewer* than ~~1,000~~ 100 orders for such plate,
39 including payment of the personalized license plate fee required under
40 subsection (a). Upon certification by the director of vehicles to the director
41 of accounts and reports that not less than ~~1,000~~ 100 paid orders for such
42 plate have been received, the director of accounts and reports shall transfer
43 ~~\$40,000~~ \$4,000 from the state highway fund to the distinctive license plate

ATTACHMENT 1

(a) On and after January 1, 2022, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers, who is a resident of the state of Kansas, may apply for and be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer, a Gadsden flag license plate. Such license plate shall be issued for the same period of time as other plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any applicant or renewal for a Gadsden flag license plate authorized by this section shall make an annual payment of a Gadsden flag license plate fee of \$25 to the county treasurer for each license plate to be issued. Any fee received pursuant to this section shall be used to support the Kansas state rifle association.

(c) Any applicant for a license plate authorized by this section may make application for such license plate 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. Application for the registration of a passenger vehicle, truck, motorcycle or travel trailer, and issuance of the license plates 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 the authority of this section shall be transferable to any other person.

(e) 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 has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plate to the county treasurer of such person's residence.

(f) The Gadsden flag license plate shall have a background design, an emblem or color that designate the license plate as a Gadsden flag license plate.

(g) Annual Gadsden flag license plate fee 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 Gadsden flag license plate fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Gadsden flag license plate 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 Gadsden flag license plate fund shall be made on a monthly basis to the appropriate designee of the Kansas state rifle association.