

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2476**

As Agreed to March 29, 2022

**Brief\***

HB 2476 would add several types of distinctive license plates, would amend law governing eligibility for distinctive license plates for U.S. military veterans, and would amend vehicle registration law regarding eligibility for a license plate available to a veteran with a disability, or a person responsible for transporting a veteran with a disability, and create such license plates with and without the international symbol of access to physically disabled persons.

***New Distinctive License Plates***

The bill would authorize the creation and issuance of:

- The Silver Star license plate;
- The Bronze Star license plate;
- Four Kansas Department of Wildlife and Parks (KDWP) license plates;
- The City of Hutchinson (Hutchinson) license plate; and
- The Daughters of the American Revolution (DAR) license plate.

For each of these license plates, the bill would authorize issuance of the license plate on or after January 1, 2023, for use on a passenger vehicle, truck with a gross weight of 20,000 pounds or less, or motorcycle to a person having met the criteria for such plates.

The bill would require the application to be made at least 60 days prior to a person's renewal of registration date, on a form provided by the Director of Vehicles (Director), Kansas Department of Revenue (KDOR).

Except for license plates for recipients of the Silver Star or the Bronze Star, under continuing law, any of the license plates would not be issued unless there is a guarantee of an initial issuance of at least 250 license plates, and the sponsor would be required to submit a

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nonrefundable amount of no more than \$5,000 to defray costs of the Division for developing the distinctive license plate.

*Silver Star and Bronze Star License Plates (New Sections 1 and 2; Sections 7 and 9)*

The bill would authorize two distinctive license plates related to Silver Star and Bronze Star military honors. The bill would require an applicant to furnish proof satisfactory to the Director of having been awarded either the Bronze Star or Silver Star honor to the Director in order to be issued such license plate.

Neither type of license plate would be transferable to another person. In the event of the death of any person issued either of these distinctive license plates, the surviving spouse or other family member, if there is no surviving spouse, would be entitled to possession of the distinctive license plate but the license plate could not be displayed on any vehicle unless otherwise authorized by statute. These license plates would be exempt from requirements the person receiving the plate pay a distinctive license plate fee, for a minimum number to be ordered before issuance, and for payment of an amount to defray the costs of the Division of Vehicles, KDOR, to develop the license plate.

*Kansas Department of Wildlife and Parks License Plates (New Section 3; Section 10)*

The bill would authorize issuance of a KDWP license plate to any Kansas resident having proper registration, who has paid the regular license fee and the KDWP royalty fee. The Secretary of Wildlife and Parks would determine the amount of the annual royalty fee in an amount not less than \$40 nor more than \$100.

The license plates would not be transferable to another person. The bill would authorize the Director to transfer a plate from a leased vehicle to a purchased vehicle.

The license plates would be intended to depict and promote:

- State parks;
- Hunting;
- Fishing; and
- Nongame wildlife.

As a condition of receiving these license plates, the bill would require an applicant's consent for the Division of Vehicles, KDOR, to provide the applicant's motor vehicle information to KDWP and the State Treasurer.

The royalty payments from these license plates would be credited to different existing KDWP fee funds based upon the license plate selected:

- For the state parks license plate, all royalty funds would be credited to the Parks Fee Fund;

- For the hunting, fishing, or nongame wildlife license plates:
  - An amount equal to the cost of an annual park pass and recreation motor vehicle permit would be credited to the Parks Fee Fund; and
  - The remaining balance would be credited to the Wildlife Fee Fund.

The bill would amend law regarding parks and recreation motor vehicle permits to provide that the issuance of one of these distinctive license plates shall also constitute issuance of a park and recreation motor vehicle permit, giving the driver equivalent rights and access to state parks as an annual permit holder, so long as the registration is current and the plate is displayed on the vehicle as required by law.

*City of Hutchinson License Plates (New Section 4)*

The bill would authorize a Hutchinson license plate. The bill would allow the City of Hutchinson to authorize the image of its flag to be affixed on these license plates, and would require the royalty payment to be used to support the Hutch Rec Foundation and park development in Hutchinson.

The purchase of a Hutchinson license plate would require a royalty of between \$25 and \$100 to the City of Hutchinson or the county treasurer. Payment of the regular license fee would be required. The registration or license plate would not be transferable to any other person. The bill would authorize the Director to transfer the plate from a leased vehicle to a purchased vehicle. The bill would require the City of Hutchinson to provide to county treasurers an email address for applicant use and, with the approval of the Director, to design the plate.

*Daughters of the American Revolution (New Section 5)*

The bill would authorize a DAR license plate. The purchase of a DAR license plate would require a royalty of between \$25 and \$100 to the DAR or the county treasurer. Payment of the regular license fee would be required.

The registration or license plate would not be transferable to any other person. The bill would authorize the Director to transfer the plate from a leased vehicle to a purchased vehicle. The bill would require the DAR to provide to county treasurers an email address for applicant use and, with the approval of the Director to design the plate.

***Eligibility for Disabled Veteran License Plate (Section 6)***

The bill would amend vehicle registration law regarding eligibility for a license plate available to a veteran with a disability, or a person responsible for transporting a veteran with a disability, and creating such license plates with and without the international symbol of access to physically disabled persons.

The bill would prohibit a disabled veteran distinctive license plate from being printed with the international symbol of access unless the veteran meets the definition of “person with a disability” in law specifying eligibility for accessible parking.

A motor vehicle displaying a distinctive disabled veteran license plate with an international symbol of access would be authorized to park in any parking space clearly marked as being reserved for the use of persons with a disability, except a parking space on private property clearly marked as reserved for the use of a specified person with a disability. A vehicle displaying this license plate without the international symbol of access would not be permitted to park in a parking space reserved for the use of persons with a disability. Additional parking privileges for a vehicle displaying this license plate, regarding parking in metered zones and in parking spaces reserved for persons with disability in public parking facilities with parking attendants, would continue.

### ***Proof of Veteran Status (Section 8)***

The bill would amend law governing distinctive license plates for U.S. military veterans or active-duty servicemembers.

The bill would state that in an application for a distinctive military license plate, an applicant may provide proof of military veteran status to the Director through a DD214 Form, a DD Form 2 (Retired), or a Kansas driver's license with a veteran designation and would remove a reference to providing such proof in accordance with rules and regulations adopted by the Secretary of Revenue.

[*Note:* A DD214 Form is issued by the U.S. Department of Defense to certify a person has been discharged from active military duty. A DD Form 2 is issued by the U.S. Department of Defense to identify a person as reserved, retired, or reserve-retired member of the U.S. Armed Forces.]

The bill also would add the U.S. Space Force to the list of military branches for which a veteran or current member may apply for such distinctive license plates, remove an outdated statutory reference, and make technical changes.

### **Conference Committee Action**

The Conference Committee agreed to the contents of HB 2476, as amended by the Senate Committee on Transportation, regarding Silver Star, Bronze Star, and KDWP license plates. The Conference Committee further agreed to:

- Add the provisions of HB 2483 regarding DAR license plates;
- Add the provisions of Sub. for HB 2504 regarding disabled veteran license plates;
- Add the provisions of HB 2633, as amended by the House Committee on Transportation, regarding City of Hutchinson license plates; and
- Add the provisions of HB 2529, regarding proof of military veteran status.

## **Background**

The Conference Committee report contains the contents of HB 2476, as amended by the Senate Committee on Transportation and the above-described provisions of HB 2483, Sub. for HB 2504, HB 2633, and HB 2529.

### ***HB 2476 (Silver Star and Bronze Star License Plates)***

HB 2476 was introduced by Representatives Timothy Johnson, Ellis, French, and Neelly.

#### *House Committee on Transportation*

In the House Committee hearing, Representative Timothy Johnson and two veterans who stated they had been awarded Bronze Star medals testified as proponents. They stated the license plates would honor those who have received either of these military awards. No other testimony was provided.

#### *Senate Committee on Transportation*

In the Senate Committee hearing, Representative Johnson provided **proponent** testimony. The proponent explained the requirements that had to be met to receive these awards. No other testimony was provided.

The Senate Committee amended the bill to include the contents of HB 2597, to authorize the creation of four distinctive license plates for KDWP.

### ***HB 2597 (Kansas Department of Wildlife and Parks License Plates)***

HB 2597 was introduced by the House Committee on Transportation at the request of Representative Blex.

#### *House Committee on Transportation*

In the House Committee hearing, the Secretary of Wildlife and Parks provided **proponent** testimony. The proponent said Kansas is the only state in the country not to issue a distinctive license plate to benefit its conservation agency. The proponent further stated that the bill would make Kansas one of the few states where such a plate would provide the purchaser access to their state park system.

No other testimony was provided.

### *Senate Committee on Transportation*

In the Senate Committee hearing, a representative of KDWP provided **proponent** testimony. The representative explained how the funding in the bill would benefit KDWP. No other testimony was provided.

### ***HB 2483 (Daughters of the American Revolution License Plate)***

HB 2483 was introduced by the House Committee on Transportation at the request of Representative Hoheisel.

### *House Committee on Transportation*

In the House Committee hearing, written-only **proponent** testimony was received from a representative of the Kansas Society DAR. The Chairperson noted additional letters of support had been received. No other testimony was provided.

### *Senate Committee on Transportation*

In the Senate Committee hearing, written-only **proponent** testimony was provided by a representative of the Kansas Society DAR. No other testimony was provided.

The Senate Committee amended the bill to add the contents of SB 459, to authorize the creation of an Order of the Eastern Star license plate. [Note: These provisions were not retained by the Conference Committee.]

### ***HB 2633 (City of Hutchinson License Plate)***

HB 2633 was introduced by Representatives Probst, Clifford, Gartner, Helmer, Kuether, Miller, Murphy, Seiwert, Stogsdill, Waggoner, and Weigel.

### *House Committee on Transportation*

In the House Committee hearing, **proponent** testimony was provided by Representative Waggoner and a representative of the Hutch Rec Commission. The proponents stated the bill would provide residents a way to financially support improvements to Hutchinson parks and recreation and display community pride.

Written-only proponent testimony was provided by Representative Probst, a representative of the Hutchinson/Reno County Chamber of Commerce, a member of the Hutch Rec Foundation, and a private citizen.

**Opponent** testimony was provided by a representative of the City of Topeka. The opponent requested the City of Topeka license plate be removed from the bill because the City of Topeka does not own the Topeka flag image and does not wish to administer the program.

The House Committee amended the bill to remove authorization for the City of Topeka distinctive license plate and royalty payment to Friends of the Topeka Zoo, Inc.

#### *Senate Committee on Transportation*

In the Senate Committee hearing, Representative Waggoner and a representative of the Hutch Rec Commission provided **proponent** testimony. Written-only proponent testimony was provided by Representative Probst, a member of the Hutch Rec Foundation Board, a representative of the Hutchinson/Reno County Chamber of Commerce, and a private citizen. No other testimony was provided.

The Senate Committee amended the bill to add provisions regarding county designation decals on license plates. [*Note: The Conference Committee did not retain this amendment.*]

#### ***Sub. for HB 2504 (Eligibility for Disabled Veteran License Plate)***

HB 2504 was introduced by the House Committee on Transportation at the request of Representative Bergkamp. As introduced, the bill would have amended the definition of “disabled veteran” for purposes of the disabled veteran license plate to limit eligibility to a veteran with a physical disability producing limited mobility of at least 50 percent.

#### *House Committee on Transportation*

In the House Committee hearing, Representative Bergkamp and a representative of Paralyzed Veterans of America provided **proponent** testimony. The proponents discussed the challenges faced by veterans with physical disability causing mobility impairment in finding parking spaces reserved for people with disability at the Robert J. Dole VA Medical Center in Wichita.

A representative of the Military Officers Association of America provided **opponent** testimony, stating the bill would require a veteran to disclose private medical information. A private citizen provided written-only opponent testimony.

No other testimony was provided.

The House Committee removed the contents of the bill as introduced, added the contents described above, and recommended a substitute bill.

#### ***HB 2529 (Proof of Veteran Status)***

HB 2529 was introduced by Representatives French, Clark, Collins, Dodson, Ellis, Timothy Johnson, Neelly, and Proctor.

## *House Committee on Veterans and Military*

In the House Committee hearing on February 3, 2022, an Assistant Revisor of Statutes provided a briefing on the bill. No other testimony was provided.

### **Fiscal Information**

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

#### ***HB 2476 (Silver Star and Bronze Star License Plates)***

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, KDOR indicates enactment of the bill would increase its expenditures by \$7,176 in FY 2023 for programming and administrative costs related to the new license plates.

#### ***HB 2597 (Kansas Department of Wildlife and Parks License Plates)***

According to the fiscal note prepared by the Division of the Budget on HB 2597, KDWP estimates the license plate would generate \$450,000 annually from the royalty payments. The agency estimates that many individuals who would pay the \$40 royalty fee are already paying for the \$15 annual park and recreation motor vehicle permits, resulting in a net increase of \$25 or 62.5 percent of the total payment. The agency estimates new income generated by enactment of the bill would be \$281,250 ( $\$450,000 \times 62.5 \text{ percent} = \$281,250$ ) per year. However, given the first issuance of the plate would not occur until January 1, 2023, FY 2023 revenues would be estimated at \$140,625. KDWP would also have to pay KDOR \$5,000 for production costs of each plate, totaling \$20,000.

KDOR estimates enactment of the bill would increase its expenditures by \$8,760 in FY 2023 for administrative costs related to quality assurance testing, user acceptance testing, updating policy and procedures, and plate design. KDOR estimates the bill would increase revenues by \$40,000 from a \$40 personalized plate fee assuming an initial issuance of 1,000 plates. Of that amount, \$39,250 would go to the State Highway Fund, and \$375 would go to county treasurers. KDOR also estimates the bill would increase revenues to the Distinctive License Plate Fund by \$20,000 for the nonrefundable fee required from KDWP.

#### ***HB 2633 (City of Hutchinson License Plate)***

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDOR estimates enactment of the bill would increase FY 2023 revenues by at least \$20,000, of which \$19,625 would be remitted to the State Highway Fund and \$375 would be retained by county treasurers. KDOR indicates the bill would increase revenues to the Distinctive License Plate Fund by \$5,000 per plate, to defray the costs to develop the new plate. KDOR estimates the bill would increase expenditures in FY 2023 by \$3,840, which includes \$1,200 for plate development and \$2,640 for plate testing, policy and procedure changes, training, and plate design costs.

[*Note:* The fiscal note was prepared before the City of Topeka license plate was removed from the bill. No fiscal information on the county of registration decal provisions was available when the Senate Committee took action on the bill; however, those provisions were not retained by the Conference Committee.]

***HB 2483 (Daughters of the American Revolution License Plate)***

According to the fiscal note prepared by the Division of the Budget on HB 2483 as introduced, KDOR estimates enactment of the bill would increase its expenditures by \$3,180 in FY 2023 for administrative costs related to designing and manufacturing the new license plate. KDOR estimates the bill would increase revenues to the State Highway Fund by \$9,813 from a personalized plate fee, which assumes an initial issuance of 250 license plates. The county treasurer of registration receives \$0.75 of each personalized plate fee. KDOR also estimates the bill would increase revenues to the Distinctive License Plate Fund from the nonrefundable fee required from the license plate sponsor.

***HB 2504 (Eligibility for Disabled Veteran License Plate)***

According to the fiscal note for the bill as introduced, enactment of the bill would have no fiscal effect.

***HB 2529 (Proof of Veteran Status)***

According to the fiscal note prepared by the Division of the Budget on the bill, KDOR estimates the costs associated with enactment of the bill would be negligible.

License plate; Silver Star medal; Bronze Star medal; Wildlife and Parks; hunting; fishing; vehicle; Daughters of the American Revolution; City of Hutchinson; Hutch Rec Foundation; county designation; veteran; physical disability

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