AN ACT relating to motor vehicles; providing for the issuance of the families of the fallen license plate; amending K.S.A. 2010 Supp. 8-1,141 and 8-1,147 and repealing the existing sections.

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

New Section 1. (a) On and after January 1, 2012, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person is a department of defense-recognized next of kin of deceased military personnel, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck or motorcycle, with the designation "families of the fallen." Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any person who is a department of defense-recognized next of kin of deceased military personnel may make application for such distinctive license plates, 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, and any applicant for the distinctive license plates shall furnish the director with proof as the director shall require that the applicant is a department of defense-recognized next of kin of deceased military personnel pursuant to subsection (a). Application for the registration of a passenger vehicle, truck or motorcycle 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.

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

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. 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 plates to the county treasurer of such person's residence.
(e) The families of the fallen license plate shall have a gold star
design printed on the plate.
(f) As used in this section, "department of defense-recognized next of
kin of deceased military personnel" means any person entitled to receive
the gold star lapel button under 10 U.S.C. § 1126 or the lapel button for
next of kin of deceased personnel.
Sec. 2. K.S.A. 2010 Supp. 8-1,141 is hereby amended to read as
follows: 8-1,141. (a) Any new distinctive license plate authorized for
issuance on and after July 1, 1994, shall be subject to the personalized
license plate fee prescribed by subsection (c) of K.S.A. 8-132, and
amendments thereto. This section shall not apply to any distinctive license
plate authorized prior to July 1, 1994.
(b) The director of vehicles shall not issue any new distinctive license
plate authorized for issuance on and after July 1, 1995, unless there is a
guarantee of an initial issuance of at least 500 license plates.
(c) The provisions of this section shall not apply to distinctive license
8-177d or, 8-1,163 or section 1, and amendments thereto.
(d) The provisions of subsection (a), shall not apply to distinctive
license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
and amendments thereto, or K.S.A. 2010 Supp. 8-1,153, 8-1,158 or 8-
1,161, and amendments thereto.
(e) The provisions of subsection (f) shall not apply to distinctive
license plates issued under the provisions of K.S.A. 2010 Supp. 8-1,160,
and amendments thereto, except that the division shall delay the
manufacturing and issuance of such distinctive license plate until the
division has received not less than 1,000 orders for such plate, including
payment of the personalized license plate fee required under subsection
(a). Upon certification by the director of vehicles to the director of
accounts and reports that not less than 1,000 paid orders for such plate
have been received, the director of accounts and reports shall transfer
$40,000 from the state highway fund to the distinctive license plate fund.
(f) (1) Any person or organization sponsoring any distinctive license
plate authorized by the legislature on and after July 1, 2004, shall submit
to the division of vehicles a nonrefundable amount not to exceed $20,000,
to defray the division's cost for developing such distinctive license plate.
(2) All moneys received under this subsection shall be remitted by the
secretary of revenue 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 distinctive license plate fund which is
hereby created in the state treasury. All moneys credited to the distinctive 
license plate fund shall be used by the department of revenue only for the 
purpose associated with the development of distinctive license plates. All 
expenditures from the distinctive license plate application fee 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 
secretary of the department of revenue.

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

(A) Less than 500 license plates, including annual renewals, are 
issued for that distinctive license plate by July 1, 2006; and
(B) less than 250 license plates, including annual renewals, are issued 
for that distinctive license plate during any subsequent two-year period 
after July 1, 2006.

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

(A) Less than 500 plates, including annual renewals, are issued for 
that distinctive license plate by the end of the second year of sales; and
(B) less than 250 license plates, including annual renewals, are issued 
for that distinctive license plate during any subsequent two-year period.

Sec. 3. K.S.A. 2010 Supp. 8-1,147 is hereby amended to read as 
follows: 8-1,147. In the event of the death of any person issued distinctive 
license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-
1,139, 8-1,140, 8-1,145 or 8-1,146 or K.S.A. 2010 Supp. 8-177d or, 8-
1,163 or section 1, and amendments thereto, the surviving spouse or other 
family member, if there is no surviving spouse, shall be entitled to 
possess of any such distinctive license plates. Such license plates shall 
not be displayed on any vehicle unless otherwise authorized by statute.

Sec. 4. K.S.A. 2010 Supp. 8-1,141 and 8-1,147 are hereby repealed.

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