

## HOUSE BILL No. 2138

By Committee on Transportation

1-19

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9 AN ACT concerning the registration of vehicles; relating to license  
10 plates; establishing a license plate production fee; amending K.S.A.  
11 2006 Supp. 8-145, 8-147 and 8-1,142 and repealing the existing  
12 sections.  
13

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

15 New Section 1. On and after January 1, 2008, whenever the division  
16 of vehicles issues any license plate for the registration of a vehicle, except  
17 for license plates issued pursuant to K.S.A. 8-161, 8-177c and 8-1,145,  
18 and amendments thereto, the applicant for each such license plate shall  
19 pay a license plate production fee established pursuant to section 2, and  
20 amendments thereto. Such license plate production fee shall be in ad-  
21 dition to any other fee required to register a vehicle under the laws of  
22 this state.

23 The license plate production fee shall be paid only once during the  
24 registration period for which such license plate was issued and any sub-  
25 sequent renewals during the registration period shall be subject only to  
26 the registration fee prescribed by article 1 of chapter 8 of the Kansas  
27 Statutes Annotated.

28 New Sec. 2. (a) Prior to January 1, 2008, and prior to each January  
29 1 thereafter, the secretary of revenue shall establish by rules and regu-  
30 lations a license plate production fee for each type of license plate issued  
31 by the division, except for license plates issued pursuant to K.S.A. 8-161,  
32 8-177c and 8-1,145, and amendments thereto, in an amount determined  
33 by the secretary to be sufficient to cover the cost of producing and man-  
34 ufacturing each such license plate, rounded-up to the nearest whole  
35 dollar.

36 (b) There is hereby created in the state treasury the license plate  
37 production fee fund. All moneys credited to the license plate production  
38 fee fund shall be used by the department of revenue only for the purpose  
39 of funding the production and manufacturing of license plates. All ex-  
40 penditures from the license plate production fee fund shall be made in  
41 accordance with appropriation acts, upon warrants of the director of ac-  
42 counts and reports issued pursuant to vouchers approved by the secretary  
43 of the department of revenue.

1     Sec. 3. On and after January 1, 2008, K.S.A. 2006 Supp. 8-145 is  
2 hereby amended to read as follows: 8-145. (a) All registration and certif-  
3 icates of title fees shall be paid to the county treasurer of the county in  
4 which the applicant for registration resides or has an office or principal  
5 place of business within this state, and the county treasurer shall issue a  
6 receipt in triplicate, on blanks furnished by the division of vehicles, one  
7 copy of which shall be filed in the county treasurer's office, one copy shall  
8 be delivered to the applicant and the original copy shall be forwarded to  
9 the director of vehicles.

10     (b) The county treasurer shall deposit \$.75 of each license applica-  
11 tion, \$.75 out of each application for transfer of license plate and \$2 out  
12 of each application for a certificate of title, collected by such treasurer  
13 under this act, in a special fund, which fund is hereby appropriated for  
14 the use of the county treasurer in paying for necessary help and expenses  
15 incidental to the administration of duties in accordance with the provi-  
16 sions of this law and extra compensation to the county treasurer for the  
17 services performed in administering the provisions of this act, which com-  
18 pensation shall be in addition to any other compensation provided by any  
19 other law, except that the county treasurer shall receive as additional  
20 compensation for administering the motor vehicle title and registration  
21 laws and fees, a sum computed as follows: The county treasurer, during  
22 the month of December, shall determine the amount to be retained for  
23 extra compensation not to exceed the following amounts each year for  
24 calendar year 2006 or any calendar year thereafter: The sum of \$110 per  
25 hundred registrations for the first 5,000 registrations; the sum of \$90 per  
26 hundred registrations for the second 5,000 registrations; the sum of \$5  
27 per hundred for the third 5,000 registrations; and the sum of \$2 per  
28 hundred registrations for all registrations thereafter. In no event, how-  
29 ever, shall any county treasurer be entitled to receive more than \$15,000  
30 additional annual compensation.

31     If more than one person shall hold the office of county treasurer during  
32 any one calendar year, such compensation shall be prorated among such  
33 persons in proportion to the number of weeks served. The total amount  
34 of compensation paid the treasurer together with the amounts expended  
35 in paying for other necessary help and expenses incidental to the admin-  
36 istration of the duties of the county treasurer in accordance with the  
37 provisions of this act, shall not exceed the amount deposited in such spe-  
38 cial fund. Any balance remaining in such fund at the close of any calendar  
39 year shall be withdrawn and credited to the general fund of the county  
40 prior to June 1 of the following calendar year.

41     (c) The county treasurer shall remit the remainder of all such fees  
42 collected, together with the original copy of all applications, to the sec-  
43 retary of revenue. The secretary of revenue shall remit all such fees re-

1 mitted to the state treasurer in accordance with the provisions of K.S.A.  
2 75-4215, and amendments thereto. Upon receipt of each such remittance,  
3 the state treasurer shall deposit the entire amount in the state treasury  
4 to the credit of the state highway fund, except as provided in subsection  
5 (d).

6 (d) (1) Three dollars and fifty cents of each certificate of title fee  
7 collected and remitted to the secretary of revenue, shall be remitted to  
8 the state treasurer who shall credit such \$3.50 to the Kansas highway  
9 patrol motor vehicle fund. Three dollars of each certificate of title fee  
10 collected and remitted to the secretary of revenue, shall be remitted to  
11 the state treasurer who shall credit such \$3 to the VIPS/CAMA technology  
12 hardware fund.

13 (2) For repossessed vehicles, \$3 of each certificate of title fee col-  
14 lected and remitted to the secretary of revenue, shall be remitted to the  
15 state treasurer who shall credit such \$3 to the repossessed certificates of  
16 title fee fund.

17 (3) Three dollars and fifty cents of each reassignment form fee col-  
18 lected and remitted to the secretary of revenue, shall be remitted to the  
19 state treasurer who shall credit such \$3.50 to the Kansas highway patrol  
20 motor vehicle fund. Three dollars of each reassignment form fee collected  
21 and remitted to the secretary of revenue, shall be remitted to the state  
22 treasurer who shall credit such \$3 to the VIPS/CAMA technology hard-  
23 ware fund.

24 (4) *The entire amount of each license plate production fee collected*  
25 *and remitted to the secretary of revenue shall be remitted to the state*  
26 *treasurer who shall credit such amount to the license plate production fee*  
27 *fund.*

28 Sec. 4. On and after January 1, 2008, K.S.A. 2006 Supp. 8-147 is  
29 hereby amended to read as follows: 8-147. As used in this section "license  
30 plate" means the plate used to externally evidence registration of a vehicle  
31 under chapter 8 of Kansas Statutes Annotated. Prior to November 1 of  
32 each year, the director of vehicles shall furnish the secretary of revenue  
33 with complete and detailed specifications for the manufacture of all li-  
34 cense plates and registration decals, together with the number required  
35 for delivery in the succeeding year for use during the following year, and  
36 the state corporation commission shall furnish the secretary of revenue  
37 with complete and detailed specifications for the manufacture of identi-  
38 fication tags together with the number required for delivery in the suc-  
39 ceeding year for use in the following year. The secretary of revenue shall  
40 cause to be manufactured all license plates and registration decals and  
41 state corporation commission identification tags based on such specifi-  
42 cations and estimates. For such purpose, the secretary of revenue shall  
43 enter into a contract for the manufacture of license plates, tags and decals

1 with any organization or institution designated in K.S.A. 39-1208, and  
2 amendments thereto. Any such contract may provide that the secretary  
3 of revenue shall furnish or cause to be furnished the materials and sup-  
4 plies necessary for the manufacture and distribution of license plates, tags  
5 and decals if, in the opinion of the secretary of revenue, a reduction in  
6 the cost of manufacturing and distribution of the license plates, tags and  
7 decals under such contract will be achieved. Subject to the foregoing, the  
8 cost to the state for the manufacture of the license plates, tags and decals  
9 pursuant to any contract entered into under this section shall be substan-  
10 tially equivalent to such costs under prior contracts, with the cost of li-  
11 cense plates increased in the amount of the cost of coating with reflective  
12 material, but any such contract shall not be subject to the provisions of  
13 K.S.A. 75-3739, and amendments thereto. Except as authorized by other  
14 provisions of law, license plates, beginning in the year in which new li-  
15 cense plates are issued pursuant to K.S.A. 8-132, and amendments  
16 thereto, shall be lettered, numbered and designed as provided in this  
17 section. Each license plate shall contain a combination of three letters  
18 followed by a combination of three numerals, except that once all allow-  
19 able combinations of letters and numerals have been used, each license  
20 plate shall contain an arrangement of numerals or letters, or both, as shall  
21 be assigned by the secretary of revenue. The arrangement of numerals  
22 and letters of license plates shall be uniform throughout each classifica-  
23 tion of registration. The secretary may provide for the arrangement of  
24 the numerals and letters in groups or otherwise and for other distinguish-  
25 ing marks on such license plates. The secretary of revenue shall design  
26 decals to be affixed to the license plates to identify the county by two  
27 letters chosen from the name of the county distinctly indicative of the  
28 name of the county in which the vehicle is registered and the date reg-  
29 istration is to expire. The letters and numerals of such license plates shall  
30 be in such contrast of colors to the background of the license plate as to  
31 make such letters and numerals easily read. As new license plates are  
32 issued, the face of every license plate shall be completely coated with a  
33 reflective material. The reflectorized material shall be of such nature as  
34 to provide effective and dependable performance in the promotion of  
35 highway safety and vehicle identification throughout the service period  
36 for which the license plates are issued. ~~The sum of \$.50 shall be added~~  
37 ~~to the cost of each reflectorized license plate.~~ The director shall change  
38 the color of such license plates every time new license plates are issued  
39 under subsection (b) of K.S.A. 8-132, and amendments thereto. The  
40 quantity of license plates and registration decals to be furnished each  
41 county shall be computed upon the basis of the number of motor vehicles  
42 registered and reregistered in such county for the preceding year, and  
43 additional license plates and decals shall be furnished as required. Any

1 contract entered into pursuant to this section for the manufacture of  
2 license plates and decals shall provide that the license plates and decals,  
3 other than prorate license plates and prorate backing plates, shall be  
4 shipped directly to the treasurer of the county where they are to be used.  
5 Any such contract for the manufacture of state corporation commission  
6 identification tags shall provide that such tags shall be shipped directly to  
7 the state corporation commission.

8 Sec. 5. On and after January 1, 2008, K.S.A. 2006 Supp. 8-1,142 is  
9 hereby amended to read as follows: 8-1,142. (a) As used in this section,  
10 “educational institution” means:

11 (1) Any state educational institution under the control and supervi-  
12 sion of the state board of regents;

13 (2) any municipal university;

14 (3) any not-for-profit independent institution of higher education  
15 which is accredited by the north central association of colleges and sec-  
16 ondary schools accrediting agency based on its requirements as of April  
17 1, 1985, is operated independently and not controlled or administered by  
18 the state or any agency or subdivision thereof, maintains open enrollment  
19 and the main campus or principal place of operation of which is located  
20 in Kansas;

21 (4) any community college organized and operating under the laws  
22 of this state; and

23 (5) Haskell Indian Nations university.

24 (b) Any owner or lessee of one or more passenger vehicles or trucks  
25 registered for a gross weight of not more than 20,000 pounds who is a  
26 resident of Kansas, upon compliance with the provisions of this section,  
27 may be issued one educational institution license plate for each such pas-  
28 senger vehicle or truck. Such license plates shall be issued for the same  
29 period of time as other license plates upon proper registration and pay-  
30 ment of the regular license fee as provided in K.S.A. 8-143, and amend-  
31 ments thereto, ~~plus the payment of an additional fee of \$5 for each plate,~~  
32 and the presentation of the annual emblem use authorization statement  
33 provided for in subsection (c).

34 (c) Any educational institution may authorize through its officially  
35 recognized alumni association or foundation the use of such institution’s  
36 official emblems to be affixed on license plates as provided by this section.  
37 Any royalty payment to such alumni association or foundation derived  
38 from this section, except reasonable administrative costs, shall be used  
39 for recognition of academic achievement or excellence subject to the ap-  
40 proval of the chancellor or president of the educational institution. Any  
41 motor vehicle owner or lessee may annually apply to the alumni associ-  
42 ation or foundation for the use of the institution’s emblems. Upon annual  
43 application and payment to the alumni association or foundation in an

1 amount of not less than \$25 nor more than \$100 as an emblem use royalty  
2 payment for each educational institution license plate to be issued, the  
3 alumni association or foundation shall issue to the motor vehicle owner  
4 or lessee, without further charge, an emblem use authorization statement,  
5 which shall be presented by the motor vehicle owner or lessee at the time  
6 of registration.

7 (d) Any applicant for an educational institution license plate may  
8 make application for such plates not less than 60 days prior to such per-  
9 son's renewal of registration date, on a form prescribed and furnished by  
10 the director of vehicles, and any applicant for the educational institution  
11 license plates shall provide the annual emblem use authorization state-  
12 ment provided for in subsection (c). Application for registration of a pas-  
13 senger vehicle or truck and issuance of the license plates under this sec-  
14 tion shall be made by the owner or lessee in a manner prescribed by the  
15 director of vehicles upon forms furnished by the director.

16 (e) No registration or educational institution license plate issued un-  
17 der this section shall be transferable to any other person.

18 (f) Renewals of registration under this section shall be made annually,  
19 upon payment of the fee prescribed in subsection (b), in the manner  
20 prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto.  
21 No renewal of registration shall be made to any applicant until such ap-  
22 plicant provides the annual emblem use authorization statement provided  
23 for in subsection (c). If such emblem use authorization statement is not  
24 presented at the time of registration, the applicant shall be required to  
25 comply with K.S.A. 8-143, and amendments thereto, and return the ed-  
26 ucational institution license plates to the county treasurer of such person's  
27 residence.

28 (g) The director of vehicles shall not issue any educational institution  
29 license plates for any educational institution, unless such educational in-  
30 stitution's alumni association or foundation guarantees the initial issuance  
31 of at least 500 license plates.

32 (h) The director of vehicles shall discontinue the issuance of an ed-  
33 ucational institution's license plate authorized under this section if:

34 (1) Less than 500 educational institution license plates, including an-  
35 nual renewals, are issued for an educational institution by the end of the  
36 second year of sales; and

37 (2) less than 250 educational institution license plates, including an-  
38 nual renewals, are issued for an educational institution during any sub-  
39 sequent two-year period.

40 (i) Each educational institution's alumni association or foundation  
41 shall:

42 (1) Pay the initial cost of silk-screening for such educational license  
43 plates; and

1       (2) provide to all county treasurers a toll-free telephone number  
2 where applicants can call the alumni association or foundation for infor-  
3 mation concerning the application process or the status of their license  
4 plate application.

5       (j) Each educational institution's alumni association or foundation,  
6 with the approval of the director of vehicles and subject to the availability  
7 of materials and equipment, shall design a license plate to be issued under  
8 the provisions of this section.

9       Sec. 6. On and after January 1, 2008, K.S.A. 2006 Supp. 8-145, 8-  
10 147 and 8-1,142 are hereby repealed.

11       Sec. 7. This act shall take effect and be in force from and after its  
12 publication in the statute book.