

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2132

By Committee on Veterans, Military and Homeland Security

1-31

1 AN ACT relating to motor vehicles; providing for the issuance of gold
2 star family license plates; amending K.S.A. 2010 Supp. 8-1,141 and
3 8-1,147 and repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) On and after January 1, 2012, any owner or
7 lessee of one or more passenger vehicles, trucks of a gross weight of
8 20,000 pounds or less or motorcycles, who is a resident of the state of
9 Kansas, and who submits satisfactory proof to the directory of vehicles,
10 in accordance with rules and regulations adopted by the secretary of
11 revenue, that such person is a gold star family member, upon
12 compliance with the provisions of this section, may be issued one
13 distinctive license plate for each such passenger vehicle, truck or
14 motorcycle designating such person as a gold star family member.
15 Such license plates shall be issued for the same period of time as other
16 license plates upon proper registration and payment of the regular
17 license fee as provided in K.S.A. 8-143, and amendments thereto.

18 (b) Any person who is a gold star family member may make
19 application for such distinctive license plates, not less than 60 days
20 prior to such person's renewal of registration date, on a form prescribed
21 and furnished by the director of vehicles, and any applicant for the
22 distinctive license plates shall furnish the director with proof as the
23 director shall require that the applicant is a gold star family member
24 pursuant to subsection (a). Application for the registration of a
25 passenger vehicle, truck or motorcycle and issuance of the license
26 plates under this section shall be made by the owner or lessee in a
27 manner prescribed by the director of vehicles upon forms furnished by
28 the director.

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

31 (d) Renewals of registration under this section shall be made
32 annually, upon payment of the fee prescribed in subsection (a), in the
33 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments

1 ~~thereto. No renewal of registration shall be made to any applicant until~~
2 ~~such applicant has filed with the director a form as provided in~~
3 ~~subsection (b).~~ If such form is not filed, the applicant shall be required
4 to comply with K.S.A. 8-143, and amendments thereto, and return the
5 distinctive license plates to the county treasurer of such person's
6 residence.

7 (e) The gold star family member license plate shall have a gold
8 star and the words "Gold Star Family" printed on the plate.

9 (f) As used in this section, "gold star family member" means any
10 person entitled to receive the gold star lapel button under 10 U.S.C. §
11 1126 or the lapel button for next of kin of deceased personnel.

12 Sec. 2. K.S.A. 2010 Supp. 8-1,141 is hereby amended to read as
13 follows: 8-1,141. (a) Any new distinctive license plate authorized for
14 issuance on and after July 1, 1994, shall be subject to the personalized
15 license plate fee prescribed by subsection (c) of K.S.A. 8-132, and
16 amendments thereto. This section shall not apply to any distinctive
17 license plate authorized prior to July 1, 1994.

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

21 (c) The provisions of this section shall not apply to distinctive
22 license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A.
23 2010 Supp. 8-177d ~~or~~, 8-1,163 *or section 1*, and amendments thereto.

24 (d) The provisions of subsection (a), shall not apply to distinctive
25 license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148,
26 and amendments thereto, or K.S.A. 2010 Supp. 8-1,153, 8-1,158 or 8-
27 1,161, and amendments thereto.

28 (e) The provisions of subsection (f) shall not apply to distinctive
29 license plates issued under the provisions of K.S.A. 2010 Supp. 8-
30 1,160, and amendments thereto, except that the division shall delay the
31 manufacturing and issuance of such distinctive license plate until the
32 division has received not less than 1,000 orders for such plate,
33 including payment of the personalized license plate fee required under
34 subsection (a). Upon certification by the director of vehicles to the
35 director of accounts and reports that not less than 1,000 paid orders for
36 such plate have been received, the director of accounts and reports shall
37 transfer \$40,000 from the state highway fund to the distinctive license
38 plate fund.

39 (f) (1) Any person or organization sponsoring any distinctive

1 license plate authorized by the legislature on and after July 1, 2004,
2 shall submit to the division of vehicles a nonrefundable amount not to
3 exceed \$20,000, to defray the division's cost for developing such
4 distinctive license plate.

5 (2) All moneys received under this subsection shall be remitted by
6 the secretary of revenue to the state treasurer in accordance with the
7 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt
8 of each such remittance, the state treasurer shall deposit the entire
9 amount in the state treasury to the credit of the distinctive license plate
10 fund which is hereby created in the state treasury. All moneys credited
11 to the distinctive license plate fund shall be used by the department of
12 revenue only for the purpose associated with the development of
13 distinctive license plates. All expenditures from the distinctive license
14 plate application fee fund shall be made in accordance with
15 appropriation acts, upon warrants of the director of accounts and
16 reports issued pursuant to vouchers approved by the secretary of the
17 department of revenue.

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

23 (A) Less than 500 license plates, including annual renewals, are
24 issued for that distinctive license plate by July 1, 2006; and

25 (B) less than 250 license plates, including annual renewals, are
26 issued for that distinctive license plate during any subsequent two-year
27 period after July 1, 2006.

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

30 (A) Less than 500 plates, including annual renewals, are issued for
31 that distinctive license plate by the end of the second year of sales; and

32 (B) less than 250 license plates, including annual renewals, are
33 issued for that distinctive license plate during any subsequent two-year
34 period.

35 Sec. 3. K.S.A. 2010 Supp. 8-1,147 is hereby amended to read as
36 follows: 8-1,147. In the event of the death of any person issued
37 distinctive license plates under the provisions of K.S.A. 8-161, 8-177a,
38 8-177c, 8-1,139, 8-1,140, 8-1,145 or 8-1,146 or K.S.A. 2010 Supp. 8-
39 177d ~~or~~, 8-1,163 *or section 1*, and amendments thereto, the surviving

1 spouse or other family member, if there is no surviving spouse, shall be
2 entitled to possession of any such distinctive license plates. Such
3 license plates shall not be displayed on any vehicle unless otherwise
4 authorized by statute.

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

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