

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2011

By Legislative Educational Planning Committee

1-14

1 AN ACT concerning distinctive license plates; ~~relating making~~ **making**
2 **educational institution plates available** to motorcycles;
3 **transferability of certain plates**; amending **K.S.A. 8-177a and K.S.A.**
4 2012 Supp. 8-1,142 and repealing the existing ~~section~~ **sections**.

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

7 Section 1. K.S.A. 2012 Supp. 8-1,142 is hereby amended to read as
8 follows: 8-1,142. (a) As used in this section, "educational institution"
9 means:

10 (1) Any state educational institution under the control and supervision
11 of the state board of regents;

12 (2) any municipal university;

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

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

22 (5) Haskell Indian Nations university.

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

35 (c) Any educational institution may authorize through its officially
36 recognized alumni association or foundation the use of such institution's

1 official emblems to be affixed on license plates as provided by this section.
2 Any royalty payment derived from this section, except reasonable
3 administrative costs, shall be used for recognition of academic
4 achievement or excellence subject to the approval of the chancellor or
5 president of the educational institution. Any motor vehicle owner or lessee
6 may annually apply to the alumni association or foundation for the use of
7 the institution's emblems. Upon annual application and payment to either:
8 (1) The alumni association or foundation in an amount of not less than \$25
9 nor more than \$100 as an emblem use royalty payment for each
10 educational institution license plate to be issued, the alumni association or
11 foundation shall issue to the motor vehicle owner or lessee, without further
12 charge, an emblem use authorization statement, which shall be presented
13 by the motor vehicle owner or lessee at the time of registration; or (2) the
14 county treasurer of the logo use royalty payment for each license plate to
15 be issued.

16 (d) Any applicant for an educational institution license plate may
17 make application for such plates not less than 60 days prior to such
18 person's renewal of registration date, on a form prescribed and furnished
19 by the director of vehicles, and any applicant for the educational institution
20 license plates shall provide either the annual emblem use authorization
21 statement provided for in subsection (c) or pay to the county treasurer the
22 logo use royalty payment established by the alumni association or
23 foundation. Application for registration of a passenger vehicle ~~or~~, truck *or*
24 *motorcycle* and issuance of the license plates under this section shall be
25 made by the owner or lessee in a manner prescribed by the director of
26 vehicles upon forms furnished by the director.

27 (e) No registration or educational institution license plate issued
28 under this section shall be transferable to any other person.

29 (f) The director of vehicles may transfer educational institution
30 license plates from a leased vehicle to a purchased vehicle.

31 (g) Renewals of registration under this section shall be made
32 annually, upon payment of the fee prescribed in subsection (b), in the
33 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments
34 thereto. No renewal of registration shall be made to any applicant until
35 such applicant provides to the county treasurer either the annual emblem
36 use authorization statement provided for in subsection (c) or the payment
37 of the annual emblem use royalty payment established by the alumni
38 association or foundation. If such emblem use authorization statement is
39 not presented at the time of registration or faxed by the alumni association
40 or foundations, or the annual emblem use royalty payment is not made to
41 the county treasurer, the applicant shall be required to comply with K.S.A.
42 8-143, and amendments thereto, and return the educational institution
43 license plates to the county treasurer of such person's residence.

1 (h) The director of vehicles shall not issue any educational institution
2 license plates for any educational institution, unless such educational
3 institution's alumni association or foundation guarantees the initial
4 issuance of at least 500 license plates.

5 (i) The director of vehicles shall discontinue the issuance of an
6 educational institution's license plate authorized under this section if:

7 (1) Less than 500 educational institution license plates, including
8 annual renewals, are issued for an educational institution by the end of the
9 second year of sales; and

10 (2) less than 250 educational institution license plates, including
11 annual renewals, are issued for an educational institution during any
12 subsequent two-year period.

13 (j) Each educational institution's alumni association or foundation
14 shall:

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

17 (2) provide to all county treasurers a toll-free telephone number
18 where applicants can call the alumni association or foundation for
19 information concerning the application process or the status of their
20 license plate application.

21 (k) Each educational institution's alumni association or foundation,
22 with the approval of the director of vehicles and subject to the availability
23 of materials and equipment, shall design a license plate to be issued under
24 the provisions of this section.

25 (l) As a condition of receiving the educational institution license plate
26 and any subsequent registration renewal of such plate, the applicant must
27 provide consent to the division authorizing the division's release of motor
28 vehicle record information, including the applicant's name, address,
29 emblem use royalty payment amount, plate number and vehicle type to the
30 relevant educational institution and the state treasurer.

31 (m) Annual royalty payments collected by county treasurers under
32 this section shall be remitted to the state treasurer in accordance with the
33 provisions of K.S.A. 75-4215, and amendments thereto. In the case of an
34 educational institution that is a state educational institution as defined by
35 K.S.A. 76-711, and amendments thereto, upon receipt of each such
36 remittance, the state treasurer shall deposit the entire amount in the state
37 treasury to the credit of the appropriate account of the restricted fees fund
38 of such state educational institution. In the case of an educational
39 institution which is not a state educational institution as defined by K.S.A.
40 76-711, and amendments thereto, upon receipt of each such remittance, the
41 state treasurer shall remit the entire amount to the educational institutions
42 emblem royalty fund, which is hereby created in the state treasury and
43 shall be administered by the state treasurer. All expenditures from the

1 educational institutions emblem royalty fund shall be made in accordance
2 with appropriation acts upon warrants of the director of accounts and
3 reports issued pursuant to vouchers approved by the state treasurer or the
4 state treasurer's designee. Payments from the educational institutions
5 emblem royalty fund to the respective educational institutions shall be
6 made on a monthly basis.

7 **Sec. 2. K.S.A. 8-177a is hereby amended to read as follows: 8-**
8 **177a. (a) Any owner or lessee of one or more passenger vehicles or**
9 **trucks registered for a gross weight of not more than 20,000 pounds**
10 **who is a resident of the state of Kansas, and who is a regularly enlisted**
11 **or retired, warrant or commissioned member of the Kansas national**
12 **guard, upon compliance with the provisions of this section, may be**
13 **issued one distinctive license plate for each such motor vehicle or**
14 **truck that is not required to be registered with the state corporation**
15 **commission designating the owner or lessee of such vehicle as a**
16 **member or retired member of the Kansas national guard. Such license**
17 **plates shall be issued for the same period of time as other license**
18 **plates upon proper registration and payment of the regular license fee**
19 **as provided in K.S.A. 8-143, and amendments thereto.**

20 (b) Any such member or retired member of the Kansas national
21 guard may make application for such distinctive license plates, not less
22 than 60 days prior to such member's renewal of registration date, on a
23 form furnished by the director of vehicles, and any applicant for such
24 distinctive license plates shall furnish the director with such
25 applicant's armed forces of the United States identification card as
26 proof that the applicant is a member or a retired member of the
27 Kansas national guard. Application for the registration of passenger
28 vehicles or trucks and issuance of the distinctive license plates under
29 this section shall be made by the owner or lessee in a manner
30 prescribed by the director of vehicles upon forms furnished by the
31 director.

32 (c) No registration or distinctive license plate issued under this
33 section shall be transferable to any other person.

34 (d) Renewals of registration under this section shall be made
35 annually, upon payment of the fee prescribed in subsection (a), in the
36 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments
37 thereto. No renewal of registration shall be made to any applicant
38 until such applicant has filed with the director a form as provided in
39 subsection (b). If such form is not filed, the applicant shall be required
40 to comply with K.S.A. 8-143, and amendments thereto, and return the
41 distinctive license plates to the county treasurer of such person's
42 residence.

43 (e) The adjutant general, with the approval of the director of

1 **vehicles and subject to the availability of materials and equipment,**
2 **shall design a distinctive license plate for issuance to members and**
3 **retired members of the Kansas national guard.**

4 *(f) The secretary of revenue shall adopt rules and regulations to*
5 *establish a procedure for allowing the transfer of distinctive license plates*
6 *issued pursuant to this section from one vehicle to another for which such*
7 *distinctive plates were originally issued, when the title to the original*
8 *vehicle has not been transferred and the name or names of the owner or*
9 *owners listed on the titles to both vehicles are identical.*

10 ~~Sec.-2.~~ **3. K.S.A. 8-177a and K.S.A. 2012 Supp. 8-1,142 is are**
11 **hereby repealed.**

12 ~~Sec.-3.~~ **4. This act shall take effect and be in force from and after**
13 **January 1, 2014, and its publication in the statute book.**