

HOUSE BILL No. 2346

AN ACT concerning motor vehicles; relating to license plates; providing for the back the blue license plate and the city of Topeka distinctive license plate; allowing distinctive license plates to be personalized license plates; amending K.S.A. 8-1,141 and repealing the existing section.

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

New Section 1. (a) On and after January 1, 2024, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one back the blue license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same 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, and payment to the county treasurer of the law enforcement support fee as provided for in subsection (b).

(b) Any applicant or renewal of registration for a back the blue license plate authorized by this section shall make payment of a law enforcement support fee to the county treasurer of \$30 for each license plate to be issued. Any law enforcement support fee payment received pursuant to this section shall be used to support the purposes of the Kansas chapter of concerns of police survivors (COPS), inc.

(c) Any applicant for a license plate authorized by this section may make application for such license plate 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 such license plate shall pay to the county treasurer the law enforcement training support fee as provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate 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.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer back the blue license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant pays the law enforcement support fee to the county treasurer as provided for in subsection (b). If the annual law enforcement support fee payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Kansas chapter of concerns of police survivors (COPS), inc. shall provide to all county treasurers an electronic mail address where applicants can contact the Kansas chapter of concerns of police survivors (COPS), inc. for information concerning the application process or the status of such applicant's license plate application.

(h) The back the blue license plate shall have a background design, an emblem or colors that designate the license plate as a back the blue license plate.

(i) As a condition of receiving the back the blue license plate and any subsequent registration renewal of such license plate, the applicant shall provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, law enforcement support fee payment amount, plate number and vehicle type to the Kansas chapter of concerns of police survivors (COPS), inc. and the state treasurer.

(j) The collection and remittance of annual law enforcement support fee payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto, except that payments from the back the blue royalty fund shall be made on a

monthly basis to the Kansas chapter of concerns of police survivors (COPS), inc.

New Sec. 2. (a) On and after January 1, 2024, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one city of Topeka license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same 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, and payment to the county treasurer of the flag image payment provided for in subsection (b).

(b) Any motor vehicle owner or lessee may apply annually to use the city of Topeka flag image on a license plate as provided for in this section. Such owner or lessee shall pay an amount of not less than \$25 but not more than \$100 for each such license plate to be issued. The flag image payment shall be paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate, 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. Any applicant for such license plate shall pay to the county treasurer the flag image payment. Application for registration of a passenger vehicle or truck and the issuance of the license plate 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.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a city of Topeka license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the flag image payment. If the annual flag image payment is not provided to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The city of Topeka flag image referred to in subsection (b) was adopted by the city of Topeka governing body on November 12, 2019. The flag was designed through a community input process managed by the greater Topeka partnership, inc. No individual or entity claims intellectual property rights to the city of Topeka flag image. Use of the city of Topeka flag image to be displayed on a license plate shall be designed with the approval of the director of vehicles.

(h) As a condition of receiving the city of Topeka license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, flag image payment amount, plate number and vehicle type to the city of Topeka and the state treasurer.

(i) The collection and remittance of annual flag image payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto, except that payments from the city of Topeka flag image fund shall be made on a monthly basis to the greater Topeka partnership, inc. A change of the city's designee shall occur only by mutual agreement by the city of Topeka and the greater Topeka partnership, inc.

Sec. 3. K.S.A. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) (1) *Except as provided in paragraph (2)*, 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 K.S.A. 8-132(e)(d), and amendments thereto. This section shall not

apply to any distinctive license plate authorized prior to July 1, 1994.

(2) *On and after January 1, 2025, any distinctive license plate may be a personalized license plate subject to the provisions of K.S.A. 8-132, and amendments thereto. Any personalized distinctive license plate shall be subject to a fee that is double the amount prescribed by K.S.A. 8-132(d), and amendments thereto.*

(b) The director of vehicles shall not issue any new distinctive license plate unless there is a guarantee of an initial issuance of at least 250 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of ~~K.S.A. 8-1,145, and amendments thereto, or~~ K.S.A. 8-177d, 8-1,145, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198, 8-1,199, 8-1,204 or 8-1,205, and amendments thereto, *except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), 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. 8-1,146, 8-1,148, 8-1,153, 8-1,158 or 8-1,161, and amendments thereto, *except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto.*

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,160 ~~and~~, 8-1,183 *and section 1*, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not fewer than 100 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 100 paid orders for such plate have been received, the director of accounts and reports shall transfer \$4,000 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 shall submit to the division of vehicles a nonrefundable amount not to exceed \$5,000, 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) The director of vehicles shall discontinue the issuance of any distinctive license plate if:

(1) Fewer than 250 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(2) fewer than 125 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive

license plate. Annual royalty payments collected by the county treasurers shall be remitted 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 a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty 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 state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

(i) Notwithstanding any other provision of law, for any distinctive license plate, the division shall produce such distinctive license plate for a motorcycle upon request to the division by the organization sponsoring the distinctive license plate.

(j) In addition to any residency requirements for all distinctive license plates, any person not a resident of Kansas, serving as a member of the armed forces stationed in this state shall be eligible to apply for any distinctive license plate as if the individual was a resident of this state. Such person shall be eligible to renew the distinctive license plate registration as long as the person is still stationed in this state at the time the registration is renewed.

Sec. 4. K.S.A. 8-1,141 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.