

HOUSE BILL No. 2784

By Committee on Appropriations

3-13

1 AN ACT concerning motor vehicles; repealing certain fees and surcharges;
2 VIPS/CAMA technology hardware fee; division of vehicles
3 modernization surcharge; driver's license photo fee; amending K.S.A.
4 2011 Supp. 8-145, 8-243 and 8-267 and repealing the existing sections.
5

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

7 Section 1. K.S.A. 2011 Supp. 8-145 is hereby amended to read as
8 follows: 8-145. (a) All registration and certificates of title fees shall be
9 paid to the county treasurer of the county in which the applicant for
10 registration resides or has an office or principal place of business within
11 this state, and the county treasurer shall issue a receipt in triplicate, on
12 blanks furnished by the division of vehicles, one copy of which shall be
13 filed in the county treasurer's office, one copy shall be delivered to the
14 applicant and the original copy shall be forwarded to the director of
15 vehicles.

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

1 If more than one person shall hold the office of county treasurer during
2 any one calendar year, such compensation shall be prorated among such
3 persons in proportion to the number of weeks served. The total amount of
4 compensation paid the treasurer together with the amounts expended in
5 paying for other necessary help and expenses incidental to the
6 administration of the duties of the county treasurer in accordance with the
7 provisions of this act, shall not exceed the amount deposited in such
8 special fund. Any balance remaining in such fund at the close of any
9 calendar year shall be withdrawn and credited to the general fund of the
10 county prior to June 1 of the following calendar year.

11 (c) The county treasurer shall remit the remainder of all such fees
12 collected, together with the original copy of all applications, to the
13 secretary of revenue. The secretary of revenue shall remit all such fees
14 remitted to the state treasurer in accordance with the provisions of K.S.A.
15 75-4215, and amendments thereto. Upon receipt of each such remittance,
16 the state treasurer shall deposit the entire amount in the state treasury to
17 the credit of the state highway fund, except as provided in subsection (d).

18 (d) (1) Three dollars and fifty cents of each certificate of title fee
19 collected and remitted to the secretary of revenue, shall be remitted to the
20 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
21 motor vehicle fund. ~~Three dollars of each certificate of title fee collected~~
22 ~~and remitted to the secretary of revenue, shall be remitted to the state~~
23 ~~treasurer who shall credit such \$3 to the VIPS/CAMA technology~~
24 ~~hardware fund.~~

25 (2) For repossessed vehicles, \$3 of each certificate of title fee
26 collected and remitted to the secretary of revenue, shall be remitted to the
27 state treasurer who shall credit such \$3 to the repossessed certificates of
28 title fee fund.

29 (3) Three dollars and fifty cents of each reassignment form fee
30 collected and remitted to the secretary of revenue, shall be remitted to the
31 state treasurer who shall credit such \$3.50 to the Kansas highway patrol
32 motor vehicle fund. ~~Three dollars of each reassignment form fee collected~~
33 ~~and remitted to the secretary of revenue, shall be remitted to the state~~
34 ~~treasurer who shall credit such \$3 to the VIPS/CAMA technology~~
35 ~~hardware fund.~~

36 (4) ~~Until January 1, 2013, \$4 of each division of vehicles~~
37 ~~modernization surcharge collected and remitted to the secretary of~~
38 ~~revenue, shall be remitted to the state treasurer who shall credit such \$4 to~~
39 ~~the division of vehicles modernization fund, on and after January 1, 2013,~~
40 ~~the state treasurer shall credit such \$4 to the state highway fund.~~

41 Sec. 2. K.S.A. 2011 Supp. 8-243 is hereby amended to read as
42 follows: 8-243.(a) Upon payment of the required fee, the division shall
43 issue to every applicant qualifying under the provisions of this act the

1 driver's license as applied for by the applicant. Such license shall bear the
2 class or classes of motor vehicles which the licensee is entitled to drive, a
3 distinguishing number assigned to the licensee, the full legal name, date of
4 birth, gender, address of principal residence and a brief description of the
5 licensee, a colored digital photograph of the licensee, a facsimile of the
6 signature of the licensee and the statement provided for in subsection (b).
7 No driver's license shall be valid until it has been signed by the licensee.
8 All drivers' licenses issued to persons under the age of 21 years shall be
9 readily distinguishable from licenses issued to persons age 21 years or
10 older. In addition, all drivers' licenses issued to persons under the age of 18
11 years shall also be readily distinguishable from licenses issued to persons
12 age 18 years or older. The secretary of revenue shall implement a vertical
13 format to make drivers' licenses issued to persons under the age of 21 more
14 readily distinguishable. Except as otherwise provided, no driver's license
15 issued by the division shall be valid until a colored digital photograph of
16 such licensee has been taken and verified before being placed on the
17 driver's license. The secretary of revenue shall *not* prescribe a fee ~~of not~~
18 ~~more than \$8 and upon the payment of such fee, the division shall cause~~
19 ~~for causing~~ a colored digital photograph of such applicant to be placed on
20 the driver's license. ~~Upon payment of such fee prescribed by the secretary~~
21 ~~of revenue, plus payment of the fee required by K.S.A. 8-246, and~~
22 ~~amendments thereto, for issuance of a new license, the division shall issue~~
23 ~~to such licensee a new license containing a colored digital photograph of~~
24 ~~such licensee.~~ A driver's license which does not contain the principal
25 address as required may be issued to persons who are program participants
26 pursuant to K.S.A. 2011 Supp. 75-455, and amendments thereto, upon
27 payment of the fee required by K.S.A. 8-246, and amendments thereto. All
28 Kansas drivers' licenses and identification cards shall have physical
29 security features designed to prevent tampering, counterfeiting or
30 duplication of the document for fraudulent purposes. The secretary of
31 revenue shall incorporate common machine-readable technology into all
32 Kansas drivers' licenses and identification cards.

33 (b) All Kansas drivers' licenses issued to any person 16 years of age
34 or older shall contain a form which provides a statement for making a gift
35 of all or any part of the body of the licensee in accordance with the revised
36 uniform anatomical gift act, K.S.A. 2011 Supp. 65-3220 through 65-3244,
37 and amendments thereto, except as otherwise provided by this subsection.
38 The statement to be effective shall be signed by the licensee in the
39 presence of two witnesses who shall sign the statement in the presence of
40 the donor. The gift becomes effective upon the death of the donor.
41 Delivery of the license during the donor's lifetime is not necessary to make
42 a valid gift. Any valid gift statement executed prior to July 1, 1994, shall
43 remain effective until invalidated. The word "Donor" shall be placed on

1 the front of a licensee's driver's license, indicating that the statement for
2 making an anatomical gift under this subsection has been executed by such
3 licensee.

4 (c) Any person who is deaf or hard of hearing may request that the
5 division issue to such person a driver's license which is readily
6 distinguishable from drivers' licenses issued to other drivers and upon such
7 request the division shall issue such license. Drivers' licenses issued to
8 persons who are deaf or hard of hearing and under the age of 21 years shall
9 be readily distinguishable from drivers' licenses issued to persons who are
10 deaf or hard of hearing and 21 years of age or older. Upon satisfaction of
11 subsection (a), the division shall issue a receipt of application permitting
12 the operation of a vehicle consistent with the requested class, if there are
13 no other restrictions or limitations, pending the division's verification of
14 the information and production of a driver's license.

15 (d) A driver's license issued to a person required to be registered
16 under K.S.A. 22-4901 *et seq.*, and amendments thereto, shall be assigned a
17 distinguishing number by the division which will readily indicate to law
18 enforcement officers that such person is a registered offender. The division
19 shall develop a numbering system to implement the provisions of this
20 subsection.

21 Sec. 3. K.S.A. 2011 Supp. 8-267 is hereby amended to read as
22 follows: 8-267. All moneys received under this act shall be remitted by the
23 secretary of revenue to the state treasurer in accordance with the
24 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
25 each such remittance, the state treasurer shall deposit the entire amount in
26 the state treasury and shall:

27 (a) Credit 37.5% of all moneys so received from class C driver's
28 licenses and 20% of all moneys so received from class M driver's licenses
29 and 20% of all moneys so received from class A or B driver's licenses and
30 20% of all moneys so received from all commercial driver licensee classes
31 remaining after the \$2 credit provided in subsection (c) to a special fund,
32 which is hereby created and shall be known as the state safety fund;

33 (b) credit 20% of all moneys so received from class M driver's
34 licenses to a special fund which is hereby created and shall be known as
35 the motorcycle safety fund;

36 (c) credit \$2 from each commercial driver's license fee to a special
37 fund which is hereby created and shall be known as the truck driver
38 training fund;

39 ~~(d) credit all photo fees collected under K.S.A. 8-243, and~~
40 ~~amendments thereto, to the photo fee fund;~~

41 (e) credit all hazardous materials endorsement fees collected under
42 K.S.A. 2011 Supp. 8-2,151, and amendments thereto, to the hazmat fee
43 fund; and

1 ~~(f)~~(e) credit the driver improvement clinic fees collected under K.S.A.
2 8-255, and amendments thereto, as follows:

3 (1) Credit 50% of each such fee to the division of vehicles operating
4 fund; and

5 (2) credit 50% of each such fee to the correctional services special
6 revenue fund.

7 Moneys in the state safety fund and in the motorcycle safety fund shall
8 be distributed to provide funds for driver training courses in the schools in
9 Kansas and for the administration of this act, as the legislature shall
10 provide. In addition, moneys in the motorcycle safety fund shall be
11 distributed to provide funds for courses in motorcycle safety in community
12 colleges in Kansas. Moneys in the truck driver training fund shall be
13 distributed to provide funds for courses in truck driver training in
14 community colleges, area vocational schools and area vocational-technical
15 schools in Kansas. Except as otherwise provided by K.S.A. 8-241, and
16 amendments thereto, the state treasurer shall credit the balance of all
17 moneys received under this act, including all moneys received from
18 commercial driver's license endorsements to the state highway fund.

19 Sec. 4. K.S.A. 2011 Supp. 8-145, 8-243 and 8-267 are hereby
20 repealed.

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

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