

## Senate Substitute for HOUSE BILL No. 2132

By Committee on Transportation

3-16

---

1 AN ACT relating to motor vehicles; providing for the issuance of the  
2 families of the fallen license plate; amending K.S.A. 2010 Supp. 8-  
3 1,141 and 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 director of vehicles, in  
10 accordance with rules and regulations adopted by the secretary of revenue,  
11 that such person is a department of defense-recognized next of kin of  
12 deceased military personnel, upon compliance with the provisions of this  
13 section, may be issued one distinctive license plate for each such  
14 passenger vehicle, truck or motorcycle, with the designation "families of  
15 the fallen." Such license plates shall be issued for the same period of time  
16 as other 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 department of defense-recognized next of  
19 kin of deceased military personnel may make application for such  
20 distinctive license plates, not less than 60 days prior to such person's  
21 renewal of registration date, on a form prescribed and furnished by the  
22 director of vehicles, and any applicant for the distinctive license plates  
23 shall furnish the director with proof as the director shall require that the  
24 applicant is a department of defense-recognized next of kin of deceased  
25 military personnel pursuant to subsection (a). Application for the  
26 registration of a passenger vehicle, truck or motorcycle and issuance of the  
27 license plates under this section shall be made by the owner or lessee in a  
28 manner prescribed by the director of vehicles upon forms furnished by the  
29 director.

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

32 (d) Renewals of registration under this section shall be made  
33 annually, upon payment of the fee prescribed in subsection (a), in the  
34 manner prescribed in subsection (b) of K.S.A. 8-132, and amendments  
35 thereto. If such form is not filed, the applicant shall be required to comply

1 with K.S.A. 8-143, and amendments thereto, and return the distinctive  
2 license plates to the county treasurer of such person's residence.

3 (e) The families of the fallen license plate shall have a gold star  
4 design printed on the plate.

5 (f) As used in this section, "department of defense-recognized next of  
6 kin of deceased military personnel" means any person entitled to receive  
7 the gold star lapel button under 10 U.S.C. § 1126 or the lapel button for  
8 next of kin of deceased personnel.

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

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

18 (c) The provisions of this section shall not apply to distinctive license  
19 plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2010 Supp.  
20 8-177d ~~or~~, 8-1,163 *or section 1*, and amendments thereto.

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

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

35 (f) (1) Any person or organization sponsoring any distinctive license  
36 plate authorized by the legislature on and after July 1, 2004, shall submit  
37 to the division of vehicles a nonrefundable amount not to exceed \$20,000,  
38 to defray the division's cost for developing such distinctive license plate.

39 (2) All moneys received under this subsection shall be remitted by the  
40 secretary of revenue to the state treasurer in accordance with the  
41 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
42 each such remittance, the state treasurer shall deposit the entire amount in  
43 the state treasury to the credit of the distinctive license plate fund which is

1 hereby created in the state treasury. All moneys credited to the distinctive  
2 license plate fund shall be used by the department of revenue only for the  
3 purpose associated with the development of distinctive license plates. All  
4 expenditures from the distinctive license plate application fee fund shall be  
5 made in accordance with appropriation acts, upon warrants of the director  
6 of accounts and reports issued pursuant to vouchers approved by the  
7 secretary of the department of revenue.

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

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

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

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

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

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

23 Sec. 3. K.S.A. 2010 Supp. 8-1,147 is hereby amended to read as  
24 follows: 8-1,147. In the event of the death of any person issued distinctive  
25 license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-  
26 1,139, 8-1,140, 8-1,145 or 8-1,146 or K.S.A. 2010 Supp. 8-177d ~~or~~, 8-  
27 1,163 *or section 1*, and amendments thereto, the surviving spouse or other  
28 family member, if there is no surviving spouse, shall be entitled to  
29 possession of any such distinctive license plates. Such license plates shall  
30 not be displayed on any vehicle unless otherwise authorized by statute.

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

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