

## Senate Substitute for HOUSE BILL No. 2011

By Committee on Transportation

3-19

---

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

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 New Sec. 2. Except as otherwise provided by statute, the secretary of  
8 revenue shall adopt rules and regulations to establish a procedure for  
9 allowing the transfer of distinctive license plates issued pursuant to article  
10 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto,  
11 from one vehicle to another for which such distinctive plates were  
12 originally issued, when the title to the original vehicle has not been  
13 transferred and the name or names of the owner or owners listed on the  
14 title to both vehicles are identical.

15 Sec. 3. K.S.A. 2012 Supp. 8-1,142 is hereby repealed.

16 Sec. 4. This act shall take effect and be in force from and after its  
17 publication in the statute book.