

Senate Substitute for HOUSE BILL No. 2174

By Committee on Transportation

3-21

1 AN ACT concerning motor vehicles; relating to registration, decals for
2 persons with disabilities; distinctive license plates; decals for certain
3 military medals or badges; amending K.S.A. 8-1,126 and K.S.A. 2016
4 Supp. 8-1,125 and 8-1,156 and repealing the existing sections.
5

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

7 New Section 1. (a) On and after January 1, 2018, any owner or lessee
8 of one or more passenger vehicles or trucks registered for a gross weight
9 of 20,000 pounds or less, who is a resident of Kansas, upon compliance
10 with the provisions of this section, may be issued one autism awareness
11 license plate for each such passenger vehicle or truck. Such license plates
12 shall be issued for the same time as other license plates upon proper
13 registration and payment of the regular license fee as provided in K.S.A. 8-
14 143, and amendments thereto, and either the payment to the county
15 treasurer of the logo use royalty payment established by autism hope for
16 families, inc., or the presentation of the annual logo use authorization
17 statement provided for in subsection (b).

18 (b) The board of directors of autism hope for families, inc., may
19 authorize the use of their logo to be affixed on license plates as provided
20 by this section. Any royalty payment received pursuant to this section shall
21 be used to support autism hope for families, inc. Any motor vehicle owner
22 or lessee annually may apply to autism hope for families, inc., for use of
23 such logo. Upon annual application and payment to either: (1) Autism
24 hope for families, inc., in an amount of not less than \$25 nor more than
25 \$100 as a logo use royalty payment for each such license plate to be
26 issued, autism hope for families, inc., shall issue to the motor vehicle
27 owner or lessee, without further charge, a logo use authorization statement,
28 which shall be presented by the motor vehicle owner or lessee at the time
29 of registration; or (2) the county treasurer of the logo use royalty payment
30 for each license plate to be issued.

31 (c) Any applicant for a license plate authorized by this section may
32 make application for such plates not less than 60 days prior to such
33 person's renewal of registration date, on a form prescribed and furnished
34 by the director of vehicles, and any applicant for such license plates shall
35 either provide the annual logo use authorization statement provided for in
36 subsection (b) or pay to the county treasurer the logo use royalty payment

1 established by autism hope for families, inc. Application for registration of
2 a passenger vehicle or truck and issuance of the license plate under this
3 section shall be made by the owner or lessee in a manner prescribed by the
4 director of vehicles upon forms furnished by the director.

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

7 (e) The director of vehicles may transfer autism awareness license
8 plates from a leased motor vehicle to a purchased motor vehicle.

9 (f) Renewals of registration under this section shall be made annually,
10 upon payment of the fee prescribed in subsection (a), in the manner
11 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
12 registration shall be made to any applicant until such applicant provides to
13 the county treasurer either the annual logo use authorization statement
14 provided for in subsection (b) or the payment of the annual royalty
15 payment established by autism hope for families, inc. If such statement is
16 not presented at the time of registration or faxed by autism hope for
17 families, inc., or the annual royalty payment is not made to the county
18 treasurer, the applicant shall be required to comply with the provisions of
19 K.S.A. 8-143, and amendments thereto, and return the license plate to the
20 county treasurer of such person's residence.

21 (g) Autism hope for families, inc., shall provide to all county
22 treasurers a toll-free telephone number where applicants can call autism
23 hope for families, inc., for information concerning the application process
24 or the status of such applicant's license plate application.

25 (h) As a condition of receiving the autism awareness license plate and
26 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 royalty payment amount, plate number and vehicle type to autism hope for
30 families, inc., and the state treasurer.

31 (i) Annual royalty payments collected by county treasurers under this
32 section shall be remitted to the state treasurer in accordance with the
33 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
34 each such remittance the state treasurer shall deposit the entire amount in
35 the state treasury to the credit of the autism awareness royalty fund, which
36 is hereby created in the state treasury and shall be administered by the state
37 treasurer. All expenditures from the autism awareness royalty fund shall be
38 made in accordance with appropriation acts upon warrants of the director
39 of accounts and reports issued pursuant to vouchers approved by the state
40 treasurer or the state treasurer's designee. Payments from the autism
41 awareness royalty fund to the appropriate designee of autism hope for
42 families, inc., shall be made on a monthly basis.

43 New Sec. 2. (a) On and after January 1, 2018, any owner or lessee of

1 one or more passenger vehicles or trucks registered for a gross weight of
2 20,000 pounds or less, who is a resident of Kansas, upon compliance with
3 the provisions of this section, may be issued one Kansas 4-H foundation
4 license plate for each such passenger vehicle or truck. Such license plates
5 shall be issued for the same time as other license plates upon proper
6 registration and payment of the regular license fee as provided in K.S.A. 8-
7 143, and amendments thereto, and either the payment to the county
8 treasurer of the logo use royalty payment established by the Kansas 4-H
9 foundation, inc. or the presentation of the annual logo use authorization
10 statement provided for in subsection (b).

11 (b) The Kansas 4-H foundation, inc. may authorize the use of the
12 organization's logo to be affixed on license plates as provided by this
13 section. Any royalty payment received pursuant to this section shall be
14 used to support the Kansas 4-H foundation, inc. Any motor vehicle owner
15 or lessee annually may apply to the Kansas 4-H foundation, inc. for use of
16 such logo. Upon annual application and payment to either: (1) The Kansas
17 4-H foundation, inc. in an amount of not less than \$25 nor more than \$100
18 as a logo use royalty payment for each such license plate to be issued, the
19 Kansas 4-H foundation, inc. shall issue to the motor vehicle owner or
20 lessee, without further charge, a logo use authorization statement that shall
21 be presented by the motor vehicle owner or lessee at the time of
22 registration; or (2) the county treasurer of the logo use royalty payment for
23 each license plate to be issued.

24 (c) Any applicant for a license plate authorized by this section may
25 make application for such license plate not less than 60 days prior to such
26 person's renewal of registration date, on a form prescribed and furnished
27 by the director of vehicles, and any applicant for such license plate shall
28 either provide the annual logo use authorization statement provided for in
29 subsection (b) or pay to the county treasurer the logo use royalty payment
30 established by the Kansas 4-H foundation, inc. Application for registration
31 of a passenger vehicle or truck and issuance of the license plate under this
32 section shall be made by the owner or lessee in a manner prescribed by the
33 director of vehicles upon forms furnished by the director.

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

36 (e) The director of vehicles may transfer Kansas 4-H foundation
37 license plates from a leased vehicle to a purchased vehicle.

38 (f) Renewals of registration under this section shall be made annually,
39 upon payment of the fee prescribed in subsection (a), in the manner
40 prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of
41 registration shall be made to any applicant until such applicant provides to
42 the county treasurer either the annual logo use authorization statement
43 provided for in subsection (b) or the payment of the annual royalty

1 payment established by the Kansas 4-H foundation, inc. If such statement
2 is not presented at the time of registration or faxed by the Kansas 4-H
3 foundation, inc., or the annual royalty payment is not made to the county
4 treasurer, the applicant shall be required to comply with the provisions of
5 K.S.A. 8-143, and amendments thereto, and return the license plate to the
6 county treasurer of such person's residence.

7 (g) The Kansas 4-H foundation, inc. shall provide to all county
8 treasurers an electronic mail address where applicants can contact the
9 Kansas 4-H foundation, inc. for information concerning the application
10 process or the status of such applicant's license plate application.

11 (h) As a condition of receiving the Kansas 4-H foundation license
12 plate and any subsequent registration renewal of such license plate, the
13 applicant must provide consent to the division authorizing the division's
14 release of motor vehicle record information, including the applicant's
15 name, address, royalty payment amount, plate number and vehicle type to
16 the Kansas 4-H foundation, inc. and the state treasurer.

17 (i) Annual royalty payments collected by county treasurers under this
18 section shall be remitted to the state treasurer in accordance with the
19 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
20 each such remittance the state treasurer shall deposit the entire amount in
21 the state treasury to the credit of the Kansas 4-H foundation royalty fund,
22 which is hereby created in the state treasury and shall be administered by
23 the state treasurer. All expenditures from the Kansas 4-H foundation
24 royalty fund shall be made in accordance with appropriation acts upon
25 warrants of the director of accounts and reports issued pursuant to
26 vouchers approved by the state treasurer or the state treasurer's designee.
27 Payments from the Kansas 4-H foundation royalty fund to the appropriate
28 designee of the Kansas 4-H foundation, inc. shall be made on a monthly
29 basis.

30 Sec. 3. On and after January 1, 2018, K.S.A. 2016 Supp. 8-1,125 is
31 hereby amended to read as follows: 8-1,125. (a) Any Kansas resident who
32 submits satisfactory proof to the director of vehicles, on a form provided
33 by the director, that such person is a person with a disability or is
34 responsible for the transportation of a person with a disability shall be
35 issued a special license plate or a permanent placard for any motor vehicle
36 owned by such person or shall be issued a temporary placard. Satisfactory
37 proof of disability, condition or impairment shall include a statement from
38 a person licensed to practice the healing arts in any state, a licensed
39 optometrist, an advanced practice registered nurse licensed under K.S.A.
40 65-1131, and amendments thereto, a licensed physician assistant or a
41 Christian Science practitioner listed in The Christian Science Journal
42 certifying that such person is a person with a disability. The placard shall
43 be suspended immediately below the rear view mirror of any motor

1 vehicle used for the transportation of a person with a disability so as to be
2 maximally visible from outside the vehicle. In addition to the special
3 license plate or permanent placard, the director of vehicles shall issue to
4 the person with a disability an individual identification card which must be
5 carried by the person with a disability when the motor vehicle being
6 operated by or used for the transportation of such person is parked in
7 accordance with the provisions of K.S.A. 8-1,126, and amendments
8 thereto. In addition to the temporary placard, a person issued such
9 temporary placard shall carry the state or county receipt showing the name
10 of the person who is issued such temporary placard. A person submitting
11 satisfactory proof that such person's disability, condition or impairment is
12 permanent in nature, and upon such person's request and payment of the
13 fees prescribed in subsection (b), shall be issued *an individual*
14 *identification card and: (1) A permanent placard* ~~or;~~ *(2) a permanent*
15 *placard and a special license plate* ~~and an individual identification card; or~~
16 *(3) a permanent placard and a wheelchair emblem decal to be affixed to a*
17 *distinctive license plate.* Upon proper request, one additional permanent
18 placard shall be issued to the applicant who has not requested and received
19 a special license plate. Upon proper request, one additional temporary
20 placard shall be issued to the applicant certified as temporarily disabled.
21 Temporary placards shall have an expiration date of not longer than six
22 months from the date of issuance. The special license plates, *decals* and
23 placards shall display the international symbol of access to the physically
24 disabled.

25 (b) Special license plates issued pursuant to this section shall be
26 issued for the same period of time as other license plates are issued or for
27 the remainder of such period if an existing license plate is to be exchanged
28 for the special license plate. There shall be no fee for such special license
29 plates in addition to the regular registration fee. No person shall be issued
30 more than one special license plate, except that agencies or businesses
31 which provide transportation for persons with a disability as a service, may
32 obtain additional special license plates for vehicles which are utilized in
33 the provision of that service. Special license plates may be personalized
34 license plates subject to the provisions of K.S.A. 8-132, and amendments
35 thereto, including the payment of the additional fee.

36 (c) Placards and individual identification cards issued pursuant to this
37 section shall be valid as long as the person or a person responsible for the
38 transportation of a person with a disability is eligible for a special license
39 plate or permanent placard. The secretary of revenue shall promulgate the
40 rules and regulations necessary to remain compliant with 23 C.F.R. §
41 1235.4.

42 (d) The color of the permanent placard shall be white on a blue
43 background and the temporary placard shall be white on a red background.

1 (e) In addition to such other information contained on individual
2 identification cards, cards shall have the date of birth and the sex of the
3 person to whom the card is issued.

4 (f) Permanent placards and individual identification cards shall be
5 returned to the department of revenue upon the death of the person with a
6 disability. Temporary placards shall be returned to the department of
7 revenue upon the expiration of the placard or upon the death of the person
8 with a disability. Special license plates shall be returned to the county
9 treasurer to be exchanged for another license plate upon the death of the
10 person with a disability. The individual identification cards issued with the
11 special license plates shall be returned to the department of revenue upon
12 the death of the person with a disability.

13 (g) Violation of subsection (f) is an unclassified misdemeanor
14 punishable by a fine of not more than \$50.

15 Sec. 4. On and after January 1, 2018, K.S.A. 8-1,126 is hereby
16 amended to read as follows: 8-1,126. When a motor vehicle which bears a
17 special license plate ~~or~~, placard *or decal* issued pursuant to K.S.A. 8-
18 1,125, and amendments thereto, is being operated by or used for the
19 transportation of a person with a disability, such motor vehicle:

20 (a) May be parked in any parking space, whether on public or private
21 property, which is clearly marked as being reserved for the use of persons
22 with a disability or persons responsible for the transportation of a person
23 with a disability, except a parking space on private property which is
24 clearly marked as being reserved for the use of a specified person with a
25 disability;

26 (b) may be parked for a period of time not to exceed 24 hours in any
27 parking zone which is restricted as to the length of parking time permitted,
28 except where stopping, standing or parking is prohibited to all vehicles,
29 where parking is reserved for special types of vehicles or where parking
30 would clearly present a traffic hazard; and

31 (c) shall be exempt from any parking meter fees of the state or any
32 city, county or other political subdivision.

33 Sec. 5. K.S.A. 2016 Supp. 8-1,156 is hereby amended to read as
34 follows: 8-1,156. (a) Any person issued a distinctive military license plate,
35 upon submitting satisfactory proof to the director of vehicles in accordance
36 with rules and regulations adopted by the secretary that such person was
37 awarded a silver star or bronze star medal by the United States
38 government, may request a decal for each license plate indicating the
39 person was a recipient of a silver star or bronze star medal.

40 (b) Any person issued a distinctive military license plate, upon
41 submitting satisfactory proof to the director of vehicles in accordance with
42 rules and regulations adopted by the secretary that such person was
43 awarded a combat medical badge, combat infantry badge, combat action

1 badge, navy/marine corps combat action ribbon, army distinguished
2 service cross, navy cross, air force cross—~~or~~, distinguished flying cross,
3 *army of occupation medal or navy occupation service medal* by the United
4 States government, may request a decal for each license plate indicating
5 the person was a recipient of a combat medical badge, combat infantry
6 badge, combat action badge, navy/marine corps combat action ribbon,
7 army distinguished service cross, navy cross, air force cross—~~or~~,
8 distinguished flying cross, *army of occupation medal or navy occupation*
9 *service medal*.

10 (c) A fee of \$2 shall be paid for each decal issued. The director of
11 vehicles shall design such decals. Such decals shall be affixed to the
12 license plate in the location required by the director. Not more than two
13 decals authorized by this section shall be affixed to any one license plate.

14 (d) As used in this section, "distinctive military license plate" means
15 any distinctive license plate for which a person is required to submit proof
16 of military service to the director of vehicles.

17 Sec. 6. K.S.A. 2016 Supp. 8-1,156 is hereby repealed.

18 Sec. 7. On and after January 1, 2018, K.S.A. 8-1,126 and K.S.A.
19 2016 Supp. 8-1,125 are hereby repealed.

20 Sec. 8. This act shall take effect and be in force from and after its
21 publication in the statute book.