

2023 Kansas Statutes

8-2,158. Driver's license, instruction permit or non-driver's identification card emergency contact information; confidentiality; procedure. (a) Not later than July 1, 2022, the division of vehicles shall maintain in its files a record of the name, address and telephone number of each individual that the holder of a valid driver's license, instruction permit or non-driver's identification card, as provided in K.S.A. 8-1324, and amendments thereto, authorizes to be contacted in the event that the holder is injured or dies in a vehicular accident or another emergency situation.

(b) (1) A record maintained by the division under subsection (a) shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2026, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2026.

(2) Upon request, such record may be disclosed only:

(A) To a law enforcement officer, as defined by K.S.A. 74-5602, and amendments thereto, in this or another state; and

(B) for the purpose, as applicable, of making contact with a named individual to report the injury to or death of the holder of the driver's license, instruction permit or non-driver's identification card.

(c) An application for an original, renewal or duplicate driver's license, instruction permit or non-driver's identification card shall:

(1) Be designed to allow, but not require, the applicant to provide the name, address and telephone number of not more than two individuals to be contacted if the applicant is injured or dies in a circumstance described by subsection (a); and

(2) include a statement that describes the confidential nature of the information and states that, by providing the division with the information, the applicant consents to the limited disclosure and use of the information.

(d) The division shall establish and maintain on the division's website forms and procedures that the holder of a driver's license, instruction permit or non-driver's identification card may use to request that the division:

(1) Add specific emergency contact information described in subsection (a) to the appropriate file maintained by the division; or

(2) amend or delete emergency contact information the holder previously provided to the division.

(e) The forms and procedures established and maintained under subsection (d) shall:

(1) Comply with the requirements of subsection (c); and

(2) allow the holder of a driver's license, instruction permit or non-driver's identification card, or an authorized agent of such holder, to add, amend or delete information described by subsection (d) by either:

(A) Submitting an electronic form on the division's website; or

(B) delivering or mailing a paper form to the division.

(f) Subsection (b) shall not prohibit the division from disclosing information to the holder of a driver's license, instruction permit or non-driver's identification card, or such holder's authorized agent, or as otherwise provided in K.S.A. 74-2012, and amendments thereto.

History: L. 2021, ch. 56, § 1; July 1.