

As Amended by House Committee

Session of 2016

SENATE BILL No. 373

By Committee on Transportation

1-27

1 AN ACT concerning motor vehicles; relating to driver's licenses; operating  
2 vehicles with temporary registration; amending K.S.A. 2015 Supp. 8-  
3 235 and repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2015 Supp. 8-235 is hereby amended to read as  
7 follows: 8-235. (a) No person, except those expressly exempted, shall  
8 drive any motor vehicle upon a highway in this state unless such person  
9 has a valid driver's license. No person shall receive a driver's license  
10 unless and until such person surrenders or with the approval of the  
11 division, lists to the division all valid licenses in such person's possession  
12 issued to such person by any other jurisdiction. All surrendered licenses or  
13 the information listed on foreign licenses shall be returned by the division  
14 to the issuing department, together with information that the licensee is  
15 now licensed in a new jurisdiction. No person shall be permitted to have  
16 more than one valid license at any time.

17 (b) Any person licensed under the motor vehicle drivers' license act  
18 may exercise the privilege granted upon all streets and highways in this  
19 state and shall not be required to obtain any other license to exercise such  
20 privilege by any local authority. Nothing herein shall prevent cities from  
21 requiring licenses of persons who drive taxicabs or municipally franchised  
22 transit systems for hire upon city streets, to protect the public from drivers  
23 whose character or habits make them unfit to transport the public. If a  
24 license is denied, the applicant may appeal such decision to the district  
25 court of the county in which such city is located by filing within 14 days  
26 after such denial, a notice of appeal with the clerk of the district court and  
27 by filing a copy of such notice with the city clerk of the involved city. The  
28 city clerk shall certify a copy of such decision of the city governing body  
29 to the clerk of the district court and the matter shall be docketed as any  
30 other cause and the applicant shall be granted a trial of such person's  
31 character and habits. The matter shall be heard by the court de novo in  
32 accordance with the code of civil procedure. The cost of such appeal shall  
33 be assessed in such manner as the court may direct.

34 (c) Any person operating in this state a motor vehicle, except a  
35 motorcycle, which is registered in this state other than under a temporary  
36 ~~thirty-day 60-day~~ permit pursuant to K.S.A. 8-2409, and amendments

1 **thereto**, shall be the holder of a driver's license which is classified for the  
2 operation of such motor vehicle, and any person operating in this state a  
3 motorcycle which is registered in this state shall be the holder of a class M  
4 driver's license, except that any person operating in this state a motorcycle  
5 which is registered under a temporary ~~thirty-day~~ ~~60-day~~ permit **pursuant**  
6 **to K.S.A. 8-2409, and amendments thereto**, shall be the holder of a  
7 driver's license for any class of motor vehicles.

8 (d) No person shall drive any motorized bicycle upon a highway of  
9 this state unless such person: (1) Has a valid driver's license which entitles  
10 the licensee to drive a motor vehicle in any class or classes; (2) is at least  
11 ~~15~~ **16** years of age and has passed the written and visual examinations  
12 required for obtaining a class C driver's license, in which case the division  
13 shall issue to such person a class C license which clearly indicates such  
14 license is valid only for the operation of motorized bicycles; (3) has had  
15 their driving privileges suspended, for a violation other than a violation of  
16 K.S.A. 8-2,144, and amendments thereto, or a second or subsequent  
17 violation of K.S.A. 8-1567 or 8-1567a or K.S.A. 2015 Supp. 8-1025, and  
18 amendments thereto, and such person has completed the mandatory period  
19 of suspension as provided in K.S.A. 8-1014, and amendments thereto, and  
20 has made application to the division for the issuance of a class C license  
21 for the operation of motorized bicycles, in accordance with paragraph (2),  
22 in which case the division shall issue to such person a class C license  
23 which clearly indicates such license is valid only for the operation of  
24 motorized bicycles; or (4) has had their driving privileges revoked under  
25 K.S.A. 8-286, and amendments thereto, has not had a test refusal or test  
26 failure or alcohol or drug-related conviction, as those terms are defined in  
27 K.S.A. 8-1013, and amendments thereto, in the last five years, has not  
28 been convicted of a violation of ~~subsection (b) of~~ K.S.A. 8-1568(~~b~~), and  
29 amendments thereto, in the last five years and has made application to the  
30 division for issuance of a class C license for the operation of motorized  
31 bicycles, in accordance with paragraph (2), in which case the division shall  
32 issue such person a class C license which clearly indicates such license is  
33 valid only for the operation of motorized bicycles.

34 (e) Violation of this section shall constitute a class B misdemeanor.

35 Sec. 2. K.S.A. 2015 Supp. 8-235 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after  
37 **January 1, 2017, and** its publication in the statute book.