

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2563

As Amended by House Committee on
Transportation

Brief*

HB 2563 would add a \$50 nonrefundable fee to accompany an application for a license to operate a motorized bicycle from a person who has had driving privileges suspended. Under continuing law, such a license is available only if the violation leading to the suspension was for a violation other than driving a commercial vehicle under the influence of alcohol or drugs (DUI) or a second or subsequent DUI violation in any vehicle. Also under continuing law, the applicant must have completed a mandatory period of suspension for test refusal, test failure, or alcohol- or drug-related conviction, and the class C license to be issued clearly indicates it is valid only for the operation of motorized bicycles. Moneys raised by the fee would be deposited in the Division of Vehicles Operating Fund, to be applied to costs to implement restricted driving privileges.

Background

The Manager of Driver Solutions, Division of Vehicles, Department of Revenue, testified as a proponent of the bill in the hearing before the House Committee on Transportation. She stated moneys from the application fee are needed to cover the costs of the extensive records review necessary to determine eligibility for this restricted license and to increase awareness of this licensing option for qualifying people. There was no other testimony.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee amended the bill to add a reference to the definition of “motorized bicycle” in KSA 2015 Supp. 8-126: a device having two tandem wheels or three wheels, propelled by human power or helper motor or both, and having a motor which produces not more than 3.5 brake horsepower, a cylinder capacity of not more than 130 cubic centimeters, an automatic transmission, and a maximum design speed of no more than 30 miles per hour.

According to the fiscal note prepared by the Division of the Budget, the Department of Revenue estimates \$12,040 in administrative costs to implement the bill, including updating instructions for county officials and examination stations, and to modify the driver’s license processing system. If the combined effect of implementing this bill and other enacted legislation exceeds the Department’s programming resources, or if the time for implementing the changes is too short, expenditures for outside contract programmer services beyond the Department’s current budget may be required. The Department of Revenue indicates the bill, as introduced, would increase revenues to the Division of Vehicles Operating Fund, but any additional revenues would cover the costs to process applications and to issue the licenses. Any fiscal effect associated with the bill is not reflected in *The FY 2017 Governor’s Budget Report*.