

1 certifications, including those required by 49 C.F.R. § 383.71(a), effective
2 January 1, 1991; a consent to release driving record information; and, any
3 other information required by the division. *Each application for a driver's*
4 *license shall include a question asking if the applicant is willing to ~~make a~~*
5 *~~gift of all or any part of the applicant's body~~ in accordance with the*
6 *revised uniform anatomical gift act, K.S.A. 2017 Supp. 65-3220 through*
7 *65-3244, and amendments thereto. The gift would become effective upon*
8 *the death of the donor.*
9 (d) When an application is received from a person previously licensed
10 in another jurisdiction, the division shall request a copy of the driver's
11 record from the other jurisdiction. When received, the driver's record shall
12 become a part of the driver's record in this state with the same force and
13 effect as though entered on the driver's record in this state in the original
14 instance.
15 (e) When the division receives a request for a driver's record from
16 another licensing jurisdiction the record shall be forwarded without charge.
17 (f) A fee shall be charged as follows:
18 (1) For a class C driver's license issued to a person at least 21 years of
19 age, but less than 65 years of age, \$18;
20 (2) for a class C driver's license issued to a person 65 years of age or
21 older, \$12;
22 (3) for a class M driver's license issued to a person at least 21 years of
23 age, but less than 65 years of age, \$12.50;
24 (4) for a class M driver's license issued to a person 65 years of age or
25 older, \$9;
26 (5) for a class A or B driver's license issued to a person who is at least
27 21 years of age, but less than 65 years of age, \$24;
28 (6) for a class A or B driver's license issued to a person 65 years of
29 age or older, \$16;
30 (7) for any class of commercial driver's license issued to a person 21
31 years of age or older, \$18; or
32 (8) for class A, B, C or M, or a farm permit, or any commercial
33 driver's license issued to a person less than 21 years of age, \$20.
34 A fee of \$10 shall be charged for each commercial driver's license
35 endorsement, except air brake endorsements which shall have no charge.
36 A fee of \$3 per year shall be charged for any renewal of a license issued
37 prior to the effective date of this act to a person less than 21 years of age.
38 If one fails to make an original application or renewal application for a
39 driver's license within the time required by law, or fails to make
40 application within 60 days after becoming a resident of Kansas, a penalty
41 of \$1 shall be added to the fee charged for the driver's license.
42 (g) Any person who possesses an identification card as provided in
43 K.S.A. 8-1324, and amendments thereto, shall surrender such

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Office of Revisor of Statutes

give their authorization to be listed as an organ, eye and
tissue donor in the Kansas donor registry

1 regulations enacted by the legislature.

2 (d) (1) Except as provided in paragraph (2), every driver's license
3 shall be renewable on or before its expiration upon application and
4 payment of the required fee and successful completion of the examinations
5 required by subsection (e). Application for renewal of a valid driver's
6 license shall be made to the division in accordance with rules and
7 regulations adopted by the secretary of revenue. Such application shall
8 contain all the requirements of subsection (b) of K.S.A. 8-240, and
9 amendments thereto. *Such notice shall also include a question asking if
10 the applicant is willing to make a gift of all or any part of the applicant's
11 body in accordance with the revised uniform anatomical gift act, K.S.A.
12 2017 Supp. 65-3220 through 65-3244, and amendments thereto.* Upon
13 satisfying the foregoing requirements of this subsection, and if the division
14 makes the findings required by K.S.A. 8-235b, and amendments thereto,
15 for the issuance of an original license, the license shall be renewed without
16 examination of the applicant's driving ability. If the division finds that any
17 of the statements relating to revocation, suspension or refusal of licenses
18 required under ~~subsection (b)~~ of K.S.A. 8-240(b), and amendments
19 thereto, are in the affirmative, or if it finds that the license held by the
20 applicant is not a valid one, or if the applicant has failed to make
21 application for renewal of such person's license on or before the expiration
22 date thereof, the division may require the applicant to take an examination
23 of ability to exercise ordinary and reasonable control in the operation of a
24 motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

25 (2) Any licensee, whose driver's license expires on ~~their twenty-first~~
26 *the licensee's 21st* birthday, shall have 45 days from the date of expiration
27 of such license to make application to renew such licensee's license. Such
28 license shall continue to be valid for such 45 days or until such license is
29 renewed, whichever occurs sooner. A licensee who renews under the
30 provisions of this paragraph shall not be required by the division to take an
31 examination of ability to exercise ordinary and reasonable control in the
32 operation of a motor vehicle as provided in K.S.A. 8-235d, and
33 amendments thereto.

34 (e) (1) Prior to renewal of a driver's license, the applicant shall pass
35 an examination of eyesight. Such examination shall be equivalent to the
36 test required for an original driver's license under K.S.A. 8-235d, and
37 amendments thereto. A driver's license examiner shall administer the
38 examination without charge and shall report the results of the examination
39 on a form provided by the division.

40 (2) In lieu of the examination of the applicant's eyesight by the
41 examiner, the applicant may submit a report on the examination of
42 eyesight by a physician licensed to practice medicine and surgery or by a
43 licensed optometrist. The report shall be based on an examination of the

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1 most recent address to the organ donor registry maintained by the Kansas
 2 federally designated organ procurement organization. The division may
 3 forward information under this subsection by mail or by electronic means.
 4 The division shall not maintain a record of the name or address of an
 5 individual who indicates a willingness to have such person's name placed
 6 on the organ donor registry after forwarding that information to the organ
 7 donor registry under this subsection. Information about an applicant's
 8 indication of a willingness to have such applicant's name placed on the
 9 organ donor registry that is obtained by the division and forwarded under
 10 this paragraph shall be confidential and not disclosed.

11 (h) Notwithstanding any other provisions of law, any offender under
 12 subsection (a)(1)(D) who held a valid driver's license on the effective date
 13 of this act may continue to operate motor vehicles until the next
 14 anniversary of the date of birth of such offender. Upon such date such
 15 driver's license shall expire and the offender shall be subject to the
 16 provisions of this section.

17 (i) The director of the division of vehicles shall submit a report to the
 18 legislature at the beginning of the regular session in 2012 regarding the
 19 impact of not requiring a written test for the renewal of a driver's license,
 20 including any cost savings to the division.

21 Sec. 4. K.S.A. 2017 Supp. 8-1324 is hereby amended to read as
 22 follows: 8-1324. (a) Any resident who does not hold a current valid
 23 Kansas driver's license may make application to the division of vehicles
 24 and be issued one identification card.

25 (b) (1) *Each application for an identification card shall include a*
 26 *question asking if the applicant is willing to ~~make a gift of all or any part~~*
 27 *of the applicant's body ~~in accordance with the revised uniform anatomical~~*
 28 *gift act, K.S.A. 2017 Supp. 65-3220 through 65-3244, and amendments*
 29 *thereto. The gift would become effective upon the death of the donor.*

30 (2) For the purpose of obtaining an identification card, an applicant
 31 shall submit, with the application, proof of age, proof of identity and proof
 32 of lawful presence. An applicant shall submit with the application a photo
 33 identity document, except that a non-photo identity document is acceptable
 34 if it includes both the applicant's full legal name and date of birth, and
 35 documentation showing the applicant's name, the applicant's address of
 36 principal residence and the applicant's social security account number. The
 37 applicant's social security number shall remain confidential and shall not
 38 be disclosed, except as provided pursuant to K.S.A. 74-2014, and
 39 amendments thereto. If the applicant does not have a social security
 40 number, the applicant shall provide proof of lawful presence and Kansas
 41 residency. The division shall assign a distinguishing number to the
 42 identification card. Before issuing an identification card to a person, the
 43 division shall make reasonable efforts to verify with the issuing agency the

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 tissue donor in the Kansas donor registry

1 or by that person's oral communication that is electronically recorded or is
2 contemporaneously reduced to a record and signed by the individual
3 receiving the oral communication.

4 (b) Subject to subsection (e) (d), an anatomical gift by a person
5 authorized under K.S.A. 2017 Supp. 65-3228, and amendments thereto,
6 may be amended or revoked orally or in a record by any member of a prior
7 class who is reasonably available. If more than one member of the prior
8 class is reasonably available, the gift made by a person authorized under
9 K.S.A. 2017 Supp. 65-3228, and amendments thereto, may be:

10 (1) Amended only if a majority of the reasonably available members
11 agree to the amending of the gift; or

12 (2) revoked only if a majority of the reasonably available members
13 agree to the revoking of the gift or if they are equally divided as to whether
14 to revoke the gift.

15 ~~(e) A parent or guardian shall not revoke a decedent minor's
16 anatomical gift if a document of gift is present or available~~

(c)

17 ~~[(4)] A revocation under subsection (b) is effective only if, before an
18 incision has been made to remove a part from the donor's body or before
19 invasive procedures have begun to prepare the recipient, the procurement
20 organization, transplant hospital, or physician or technician knows of the
21 revocation.~~

22 Sec. 8. K.S.A. 2017 Supp. 65-3237 is hereby amended to read as
23 follows: 65-3237. (a) A person or healthcare provider that acts in
24 accordance with this act or with the applicable anatomical gift law of
25 another state, or in good faith attempts to do so, is not liable for the act in a
26 civil action, criminal prosecution, or administrative proceeding.

27 (b) Neither the person making an anatomical gift nor the donor's
28 estate is liable for any injury or damage that results from the making or use
29 of the gift.

30 (c) In determining whether an anatomical gift has been made,
31 amended, or revoked under this act, a person may rely upon
32 representations of an individual listed in K.S.A. 2017 Supp. 65-3228 (a)
33 (2), (3), (4), (5), (6), (7), or (8), and amendments thereto, relating to the
34 individual's relationship to the donor or prospective donor unless the
35 person knows that the representation is untrue.

36 Sec. 9. K.S.A. 2017 Supp. 8-240, 8-243, 8-247, 8-1324, 65-3221, 65-
37 3228, 65-3229 and 65-3237 are hereby repealed.

38 Sec. 10. This act shall take effect and be in force from and after its
39 publication in the statute book.