

SENATE BILL No. 127

By Committee on Transportation

2-2

1 AN ACT concerning drivers' licenses; relating to online renewals of
2 **commercial driver's licenses and** licenses for individuals up to 65
3 years of age; providing for the renewal of licenses to be delivered
4 electronically; eligibility for restricted driving privileges; **renewal of**
5 **expired licenses and identification cards;** amending K.S.A. 2020
6 Supp. 8-240, 8-247, **8-1325** and 8-2110 and repealing the existing
7 sections; also repealing K.S.A. 2020 Supp. 8-2110b.
8

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

10 Section 1. K.S.A. 2020 Supp. 8-240 is hereby amended to read as
11 follows: 8-240. (a) (1) Every application for an instruction permit shall be
12 made upon a form furnished by the division of vehicles and accompanied
13 by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes.
14 Every other application shall be made upon a form furnished by the
15 division and accompanied by an examination fee of \$3, unless a different
16 fee is required by K.S.A. 8-241, and amendments thereto, and by the
17 proper fee for the license for which the application is made. All
18 commercial class applicants shall be charged a \$15 driving test fee for the
19 drive test portion of the commercial driver's license application. If the
20 applicant is not required to take an examination or the commercial license
21 drive test, the examination or commercial drive test fee shall not be
22 required. The examination shall consist of three tests, as follows: (A)
23 Vision; (B) written; and (C) driving. For a commercial driver's license, the
24 drive test shall consist of three components, as follows: (A) Pre-trip; (B)
25 skills test; and (C) road test. If the applicant fails the vision test, the
26 applicant may have correction of vision made and take the vision test
27 again without any additional fee. If an applicant fails the written test, the
28 applicant may take such test again upon the payment of an additional
29 examination fee of \$1.50. If an applicant fails the driving test, the
30 applicant may take such test again upon the payment of an additional
31 examination fee of \$1.50. If an applicant for a commercial driver's license
32 fails any portion of the commercial drive test, the applicant may take such
33 test again upon the payment of an additional drive test fee of \$10. If an
34 applicant fails to pass all three of the tests within a period of six months
35 from the date of original application and desires to take additional tests,
36 the applicant shall file an application for reexamination upon a form

1 furnished by the division, which shall be accompanied by a reexamination
2 fee of \$3, except that any applicant who fails to pass the written or driving
3 portion of an examination four times within a six-month period, shall be
4 required to wait a period of six months from the date of the last failed
5 examination before additional examinations may be given. Upon the filing
6 of such application and the payment of such reexamination fee, the
7 applicant shall be entitled to reexamination in like manner and subject to
8 the additional fees and time limitation as provided for examination on an
9 original application. If the applicant passes the reexamination, the
10 applicant shall be issued the classified driver's license for which the
11 applicant originally applied, which license shall be issued to expire as if
12 the applicant had passed the original examination.

13 (2) Applicants for class M licenses who have completed prior
14 motorcycle safety training in accordance with department of defense
15 instruction 6055.04 (DoDI 6055.04) or the motorcycle safety foundation
16 are not required to complete further written and driving testing pursuant to
17 paragraph (1). An applicant seeking exemption from the written and
18 driving tests pursuant to this paragraph shall provide a copy of the
19 motorcycle safety foundation completion form to the division prior to
20 receiving a class M license.

21 (3) On and after January 1, 2017, an applicant for a class M license
22 who passes a driving examination on a three-wheeled motorcycle ~~which~~
23 *that* is not an autocycle shall have a restriction placed on such applicant's
24 license limiting the applicant to the operation of a registered three-wheeled
25 motorcycle. An applicant for a class M license who passes a driving
26 examination on a two-wheeled motorcycle may operate any registered
27 two-wheeled or three-wheeled motorcycle. The driving examination
28 required by this paragraph shall be administered by the division, by the
29 department of defense or as part of a curriculum recognized by the
30 motorcycle safety foundation.

31 (b) (1) For the purposes of obtaining any driver's license or
32 instruction permit, an applicant shall submit, with the application, proof of
33 age and proof of identity as the division may require. The applicant also
34 shall provide a photo identity document, except that a non-photo identity
35 document is acceptable if it includes both the applicant's full legal name
36 and date of birth, and documentation showing the applicant's name, the
37 applicant's address of principal residence and the applicant's social security
38 number. The applicant's social security number shall remain confidential
39 and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012,
40 and amendments thereto. If the applicant does not have a social security
41 number the applicant shall provide proof of lawful presence and Kansas
42 residency. The division shall assign a distinguishing number to the license
43 or permit.

1 (2) The division shall not issue any driver's license or instruction
2 permit to any person who fails to provide proof that the person is lawfully
3 present in the United States. Before issuing a driver's license or instruction
4 permit to a person, the division shall require valid documentary evidence
5 that the applicant: (A) Is a citizen or national of the United States; (B) is an
6 alien lawfully admitted for permanent or temporary residence in the
7 United States; (C) has conditional permanent resident status in the United
8 States; (D) has an approved application for asylum in the United States or
9 has entered into the United States in refugee status; (E) has a valid,
10 unexpired nonimmigrant visa or nonimmigrant visa status for entry into
11 the United States; (F) has a pending application for asylum in the United
12 States; (G) has a pending or approved application for temporary protected
13 status in the United States; (H) has approved deferred action status; or (I)
14 has a pending application for adjustment of status to that of an alien
15 lawfully admitted for permanent residence in the United States or
16 conditional permanent resident status in the United States.

17 (3) If an applicant provides evidence of lawful presence set out in
18 subsections (b)(2)(E) through (2)(I), or is an alien lawfully admitted for
19 temporary residence under subsection (b)(2)(B), the division may only
20 issue a driver's license to the person under the following conditions: (A) A
21 driver's license issued pursuant to this subparagraph shall be valid only
22 during the period of time of the applicant's authorized stay in the United
23 States or, if there is no definite end to the period of authorized stay, a
24 period of one year; (B) a driver's license issued pursuant to this
25 subparagraph shall clearly indicate that it is temporary and shall state the
26 date on which it expires; (C) no driver's license issued pursuant to this
27 subparagraph shall be for a longer period of time than the time period
28 permitted by K.S.A. 8-247(a), and amendments thereto; and (D) a driver's
29 license issued pursuant to this subparagraph may be renewed, subject at
30 the time of renewal, to the same requirements and conditions as set out in
31 this subsection (b) for the issuance of the original driver's license.

32 (4) The division shall not issue any driver's license or instruction
33 permit to any person who is not a resident of the state of Kansas, except as
34 provided in K.S.A. 8-2,148, and amendments thereto.

35 (5) The division shall not issue a driver's license to a person holding a
36 driver's license issued by another state without making reasonable efforts
37 to confirm that the person is terminating or has terminated the driver's
38 license in the other state.

39 (6) The parent or guardian of an applicant under 16 years of age shall
40 sign the application for any driver's license submitted by such applicant.

41 (c) Every application shall state the full legal name, date of birth,
42 gender and address of principal residence of the applicant, and briefly
43 describe the applicant, and shall state whether the applicant has been

1 licensed as a driver prior to such application, and, if so, when and by what
2 state or country. Such application shall state whether any such license has
3 ever been suspended or revoked, or whether an application has ever been
4 refused, and, if so, the date of and reason for such suspension, revocation
5 or refusal. In addition, applications for commercial drivers' licenses and
6 instruction permits for commercial licenses must include the following:
7 The applicant's social security number; the person's signature; the person's:
8 (1) Digital color image or photograph; or (2) a laser engraved photograph;
9 certifications, including those required by 49 C.F.R. § 383.71(a), effective
10 January 1, 1991; a consent to release driving record information; and, any
11 other information required by the division. Each application for a driver's
12 license shall include a question asking if the applicant is willing to give
13 such applicant's authorization to be listed as an organ, eye or tissue donor
14 in the Kansas donor registry in accordance with the revised uniform
15 anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments
16 *thereto*. The gift would become effective upon the death of the donor.

17 (d) When an application is received from a person previously licensed
18 in another jurisdiction, the division shall request a copy of the driver's
19 record from the other jurisdiction. When received, the driver's record shall
20 become a part of the driver's record in this state with the same force and
21 effect as though entered on the driver's record in this state in the original
22 instance.

23 (e) When the division receives a request for a driver's record from
24 another licensing jurisdiction the record shall be forwarded without charge.

25 (f) A fee shall be charged as follows:

26 (1) For a class C driver's license issued to a person at least 21 years of
27 age, but less than 65 years of age, \$18;

28 (2) for a class C driver's license issued to a person 65 years of age or
29 older, \$12;

30 (3) for a class M driver's license issued to a person at least 21 years of
31 age, but less than 65 years of age, \$12.50;

32 (4) for a class M driver's license issued to a person 65 years of age or
33 older, \$9;

34 (5) for a class A or B driver's license issued to a person who is at least
35 21 years of age, but less than 65 years of age, \$24;

36 (6) for a class A or B driver's license issued to a person 65 years of
37 age or older, \$16;

38 (7) for any class of commercial driver's license issued to a person 21
39 years of age or older, \$18; or

40 (8) for class A, B, C or M, or a farm permit, or any commercial
41 driver's license issued to a person less than 21 years of age, \$20.

42 A fee of \$10 shall be charged for each commercial driver's license
43 endorsement, except air brake endorsements which shall have no charge.

1 A fee of \$3 per year shall be charged for any renewal of a license issued
2 prior to the effective date of this act to a person less than 21 years of age.

3 If one fails to make an original application or renewal application for a
4 driver's license within the time required by law, or fails to make
5 application within 60 days after becoming a resident of Kansas, a penalty
6 of \$1 shall be added to the fee charged for the driver's license.

7 (g) Any person who possesses an identification card as provided in
8 K.S.A. 8-1324, and amendments thereto, shall surrender such
9 identification card to the division upon being issued a valid Kansas driver's
10 license or upon reinstatement and return of a valid Kansas driver's license.

11 (h) The division shall require that any person applying for a driver's
12 license submit to a mandatory facial image capture. The captured facial
13 image shall be displayed on the front of the applicant's driver's license.

14 (i) The director of vehicles may issue a temporary driver's license to
15 an applicant who cannot provide valid documentary evidence as defined
16 by subsection (b)(2), if the applicant provides compelling evidence
17 proving current lawful presence. Any temporary license issued pursuant to
18 this subsection shall be valid for one year.

19 (j) (1) For purposes of this subsection, the division may rely on the
20 division's most recent, existing color digital image and signature image of
21 the applicant for the class C or M driver's license *or any class of*
22 *commercial driver's license* if the division has the information on file. The
23 determination on whether an electronic online renewal application or
24 equivalent of a driver's license is permitted shall be made by the director of
25 vehicles or the director's designee. The division shall not renew a driver's
26 license through an electronic online or equivalent process if the license has
27 been previously renewed through an electronic online application in the
28 immediately preceding driver's license period. No renewal under this
29 subsection shall be granted to any person who is:

30 (A) Younger than 30 days from turning 21 years of age;

31 (B) 65 years of age or older;

32 (C) a registered offender pursuant to K.S.A. 22-4901 et seq., and
33 amendments thereto; ~~or~~

34 (D) ~~has a person issued~~ a temporary driver's license issued pursuant
35 to K.S.A. 8-240(b)(3), and amendments thereto, provided the license is not
36 otherwise withdrawn; *or*

37 (E) *a person issued a commercial driver's license that has a*
38 *hazardous materials endorsement.*

39 (2) The vision examination requirements in K.S.A. 8-247(e), and
40 amendments thereto, are not required for electronic online renewal
41 applications, except that the electronic online renewal applicant must
42 certify under penalty of law that the applicant's vision satisfies the
43 requirements of K.S.A. 8-295, and amendments thereto, and has

1 undergone an examination of eyesight by a licensed ophthalmologist or a
2 licensed optometrist within the last year. As a condition for any electronic
3 online renewal application, the applicant must: (A) Authorize the exchange
4 of vision and medical information between the division and the applicant's
5 ophthalmologist or optometrist; and (B) is at least 21 years of age, but less
6 than 65 years of age. The ophthalmologist or optometrist shall have
7 four business days to confirm or deny the vision and medical information
8 of the applicant. If no response is received by the division, the division
9 shall accept the vision and medical information provided for processing
10 the renewal application. The waiver of vision examination for online
11 renewal applications contained within this subsection shall expire on July
12 1, 2022.

13 (3) The secretary of revenue shall adopt and administer rules and
14 regulations to implement a program to permit an electronic online renewal
15 of a driver's license, including, but not limited to, requirements that an
16 electronic online renewal applicant shall have previously provided
17 documentation of identity, lawful presence and residence to the division
18 for electronic scanning.

19 (4) Prior to February 1, 2022, the division shall report to the house
20 and senate committees on transportation regarding the online renewal
21 process of this subsection and its effects to safety on the state's roads and
22 highways.

23 ***(5) Any person seeking to renew a commercial driver's license***
24 ***pursuant to this subsection shall be required to provide the division with***
25 ***a valid medical examiner's certificate and proof of completion of the***
26 ***truckers against trafficking training.***

27 Sec. 2. K.S.A. 2020 Supp. 8-247 is hereby amended to read as
28 follows: 8-247. (a) (1) All original licenses issued on and after July 1,
29 2018, shall expire as follows:

30 (A) Licenses issued to persons who are at least 21 years of age, but
31 less than 65 years of age shall expire on the sixth anniversary of the date of
32 birth of the licensee ~~which~~ that is nearest the date of application;

33 (B) licenses issued to persons who are 65 years of age or older shall
34 expire on the fourth anniversary of the date of birth of the licensee
35 ~~which~~ that is nearest the date of application;

36 (C) any commercial drivers license shall expire on the fifth
37 anniversary of the date of birth of the licensee ~~which~~ that is nearest the
38 date of application;

39 (D) licenses issued to an offender, as defined in K.S.A. 22-4902, and
40 amendments thereto, who is required to register pursuant to the Kansas
41 offender registration act, K.S.A. 22-4901 et seq., and amendments thereto,
42 shall expire every year on the date of birth of the licensee; or

43 (E) licenses issued to persons who are less than 21 years of age shall

1 expire on the licensee's 21st birthday.

2 (2) All renewals under: (A) Paragraph (1)(A) shall expire on every
3 sixth anniversary of the date of birth of the licensee; (B) paragraph (1)(B)
4 shall expire on every fourth anniversary of the date of birth of the licensee;
5 (C) paragraph (1)(C) shall expire on every fifth anniversary of the date of
6 birth of the licensee; (D) paragraph (1)(D) shall expire every year on the
7 date of birth of the licensee; and (E) paragraph (1)(E), if a renewal license
8 is issued, shall expire on the licensee's 21st birthday. No driver's license
9 shall expire in the same calendar year ~~in which~~ when the original license or
10 renewal license is issued, except that if the foregoing provisions of this
11 section shall require the issuance of a renewal license or an original license
12 for a period of less than six calendar months, the license issued to the
13 applicant shall expire in accordance with the provisions of this subsection.

14 (b) If the driver's license of any person expires while such person is
15 outside of the state of Kansas and such person is on active duty in the
16 armed forces of the United States, or is the spouse or a person who is
17 residing with and is a dependent of such person on active duty, the license
18 of such person shall be renewable, without examination, at any time prior
19 to the end of the sixth month following the discharge of such person from
20 the armed forces, or within 90 days after residence within the state is
21 reestablished, whichever time is sooner. If the driver's license of any
22 person under this subsection expires while such person is outside the
23 United States, the division shall provide for renewal by mail, as long as the
24 division has a photograph or digital image of such person maintained in
25 the division's records. A driver's license renewed under the provisions of
26 this subsection shall be renewed by mail only once.

27 (c) At least 30 days prior to the expiration of a person's license the
28 division shall mail, *or send electronically if authorized by the person*, a
29 notice of expiration or renewal application to such person at the address
30 shown on the license *or the electronic mail address provided to the*
31 *division*. The division shall include with such notice a written explanation
32 of substantial changes to traffic regulations enacted by the legislature.

33 (d) (1) Except as provided in paragraph (2) **and (3)**, every driver's
34 license shall be renewable on or before its expiration upon application and
35 payment of the required fee and successful completion of the examinations
36 required by subsection (e). Application for renewal of a valid driver's
37 license shall be made to the division in accordance with rules and
38 regulations adopted by the secretary of revenue. Such application shall
39 contain all the requirements of K.S.A. 8-240(b), and amendments thereto.
40 Such notice shall also include a question asking if the applicant is willing
41 to give such applicant's authorization to be listed as an organ, eye and
42 tissue donor in the Kansas donor registry in accordance with the revised
43 uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and

1 amendments thereto. Upon satisfying the foregoing requirements of this
2 subsection, and if the division makes the findings required by K.S.A. 8-
3 235b, and amendments thereto, for the issuance of an original license, the
4 license shall be renewed without examination of the applicant's driving
5 ability. If the division finds that any of the statements relating to
6 revocation, suspension or refusal of licenses required under K.S.A. 8-
7 240(b), and amendments thereto, are in the affirmative, or if it finds that
8 the license held by the applicant is not a valid one, or if the applicant has
9 failed to make application for renewal of such person's license on or before
10 the expiration date thereof, the division may require the applicant to take
11 an examination of ability to exercise ordinary and reasonable control in the
12 operation of a motor vehicle as provided in K.S.A. 8-235d, and
13 amendments thereto.

14 (2) Any licensee, whose driver's license expires on the licensee's 21st
15 birthday, shall have 45 days from the date of expiration of such license to
16 make application to renew such licensee's license. Such license shall
17 continue to be valid for such 45 days or until such license is renewed,
18 whichever occurs sooner. A licensee who renews under the provisions of
19 this paragraph shall not be required by the division to take an examination
20 of ability to exercise ordinary and reasonable control in the operation of a
21 motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

22 ***(3) Any licensee, whose driver's license has expired after March 12,***
23 ***2020, and before March 31, 2021, shall have until June 30, 2021, to***
24 ***renew such licensee's driver's license.***

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

31 (2) In lieu of the examination of the applicant's eyesight by the
32 examiner, the applicant may submit a report on the examination of
33 eyesight by a physician licensed to practice medicine and surgery or by a
34 licensed optometrist. The report shall be based on an examination of the
35 applicant's eyesight not more than three months prior to the date the report
36 is submitted, and it shall be made on a form furnished by the division to
37 the applicant.

38 (3) The division shall determine whether the results of the eyesight
39 examination or report is sufficient for renewal of the license and, if the
40 results of the eyesight examination or report is insufficient, the division
41 shall notify the applicant of such fact and return the license fee. In
42 determining the sufficiency of an applicant's eyesight, the division may
43 request an advisory opinion of the medical advisory board, ~~which~~ and the

1 *board* is hereby authorized to render such opinions.

2 (4) An applicant who is denied a license under this subsection—~~(e)~~
3 may reapply for renewal of such person's driver's license, except that if
4 such application is not made within 90 days of the date the division sent
5 notice to the applicant that the license would not be renewed, the applicant
6 shall proceed as if applying for an original driver's license.

7 (5) When the division has good cause to believe that an applicant for
8 renewal of a driver's license is incompetent or otherwise not qualified to
9 operate a motor vehicle in accord with the public safety and welfare, the
10 division may require such applicant to submit to such additional
11 examinations as are necessary to determine that the applicant is qualified
12 to receive the license applied for. Subject to paragraph (6), in so evaluating
13 such qualifications, the division may request an advisory opinion of the
14 medical advisory board—~~which~~, and *the board* is hereby authorized to
15 render such opinions in addition to its duties prescribed by K.S.A. 8-
16 255b(b), and amendments thereto. Any such applicant who is denied the
17 renewal of such a driver's license because of a mental or physical disability
18 shall be afforded a hearing in the manner prescribed by K.S.A. 8-255(c),
19 and amendments thereto.

20 (6) Seizure disorders—~~which~~ *that* are controlled shall not be
21 considered a disability. In cases where such seizure disorders are not
22 controlled, the director or the medical advisory board may recommend that
23 such person be issued a driver's license to drive class C or M vehicles and
24 restricted to operating such vehicles as the division determines to be
25 appropriate to assure the safe operation of a motor vehicle by the licensee.
26 Restricted licenses issued pursuant to this paragraph shall be subject to
27 suspension or revocation. For the purpose of this paragraph, seizure
28 disorders—~~which~~ *that* are controlled means that the licensee has not
29 sustained a seizure involving a loss of consciousness in the waking state
30 within six months preceding the application or renewal of a driver's license
31 and whenever a person licensed to practice medicine and surgery makes a
32 written report to the division stating that the licensee's seizures are
33 controlled. The report shall be based on an examination of the applicant's
34 medical condition not more than three months prior to the date the report is
35 submitted. Such report shall be made on a form furnished to the applicant
36 by the division. Any physician who makes such report shall not be liable
37 for any damages—~~which~~ *that* may be attributable to the issuance or renewal
38 of a driver's license and subsequent operation of a motor vehicle by the
39 licensee.

40 (f) If the driver's license of any person expires while such person is
41 outside the state of Kansas, the license of such person shall be extended
42 for a period not to exceed six months and shall be renewable, without a
43 driving examination, at any time prior to the end of the sixth month

1 following the original expiration date of such license or within 10 days
2 after such person returns to the state, whichever time is sooner. This
3 subsection shall not apply to temporary drivers' licenses issued pursuant to
4 K.S.A. 8-240(b)(3), and amendments thereto.

5 (g)(1) The division shall reference the website of the agency in a
6 person's notice of expiration or renewal under subsection (c). The division
7 shall provide the following information on the website of the agency:

8 (†)(A) Information explaining the person's right to make an
9 anatomical gift in accordance with K.S.A. 8-243, and amendments thereto,
10 and the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-
11 3244, and amendments thereto;

12 (‡)(B) information describing the organ donation registry program
13 maintained by the Kansas federally designated organ procurement
14 organization. The information required under this paragraph shall include,
15 in a type, size and format that is conspicuous in relation to the surrounding
16 material, the address and telephone number of Kansas' federally
17 designated organ procurement organization, along with an advisory to call
18 such designated organ procurement organization with questions about the
19 organ donor registry program;

20 (⊖)(C) information giving the applicant the opportunity to be placed
21 on the organ donation registry described in ~~paragraph (2)~~; *subparagraph*
22 *(B)*; and

23 ~~(4) inform the applicant~~(D) information that, if the applicant indicates
24 under this subsection a willingness to have such applicant's name placed
25 on the organ donor registry described in ~~paragraph (2) subparagraph (B)~~,
26 the division will forward the applicant's name, gender, date of birth and
27 most recent address to the organ donation registry maintained by the
28 Kansas federally designated organ procurement organization, as required
29 by ~~paragraph (6) (3)~~;

30 (⊕)(2) the division may fulfill the requirements of ~~paragraph (4) (1)~~
31 *(D)* by one or more of the following methods:

32 (A) Providing such information on the website of the agency; or

33 (B) providing printed material to an applicant who personally appears
34 at an examining station; ~~and.~~

35 (‡)(3) If an applicant indicates a willingness under this subsection to
36 have such applicant's name placed on the organ donor registry, the division
37 shall within 10 days forward the applicant's name, gender, date of birth and
38 most recent address to the organ donor registry maintained by the Kansas
39 federally designated organ procurement organization. The division may
40 forward information under this subsection by mail or by electronic means.
41 The division shall not maintain a record of the name or address of an
42 individual who indicates a willingness to have such person's name placed
43 on the organ donor registry after forwarding that information to the organ

1 donor registry under this subsection. Information about an applicant's
2 indication of a willingness to have such applicant's name placed on the
3 organ donor registry that is obtained by the division and forwarded under
4 this paragraph shall be confidential and not disclosed.

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

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

15 ***Sec. 3. K.S.A. 2020 Supp. 8-1325 is hereby amended to read as***
16 ***follows: 8-1325. (a) Every identification card shall expire, unless earlier***
17 ***canceled or subsection (c) of K.S.A. 8-1324, and amendments thereto,***
18 ***applies, on the sixth birthday of the applicant following the date of***
19 ***original issue, except as otherwise provided by K.S.A. 8-1329, and***
20 ***amendments thereto. Renewal of any identification card shall be made***
21 ***for a term of six years and shall expire in a like manner as the originally***
22 ***issued identification card, unless surrendered earlier or subsection (c) of***
23 ***K.S.A. 8-1324, and amendments thereto, applies. For any person who***
24 ***has been issued an identification card, the division shall mail a notice of***
25 ***expiration or renewal at least 30 days prior to the expiration of such***
26 ***person's identification card at the address shown on such identification***
27 ***card. The division shall include with such notice, written information***
28 ***required under subsection (b). Any application for renewal received later***
29 ***than 90 days after expiration of the identification card shall be***
30 ***considered to be an application for an original identification card. The***
31 ***division shall require payment of a fee of \$14 for each identification***
32 ***card renewal, except that persons who are 65 or more years of age or***
33 ***who are persons with a disability, as defined in K.S.A. 8-1,124, and***
34 ***amendments thereto, shall be required to pay a fee of only \$10. Any***
35 ***identification card holder, whose identification card has expired after***
36 ***March 12, 2020, and before March 31, 2021, shall have until June 30,***
37 ***2021, to renew such identification card.***

38 ***(b) The division shall reference the website of the agency in a***
39 ***person's notice of expiration or renewal under subsection (a). The***
40 ***division shall provide the following information on the website of the***
41 ***agency:***

42 ***(1) Information explaining the person's right to make an***
43 ***anatomical gift in accordance with K.S.A. 8-1328, and amendments***

1 *thereto, and the revised uniform anatomical gift act, K.S.A. 65-3220*
2 *through 65-3244, and amendments thereto;*

3 *(2) information describing the organ donation registry program*
4 *maintained by the Kansas federally designated organ procurement*
5 *organization. The information required under this paragraph shall*
6 *include, in a type, size and format that is conspicuous in relation to the*
7 *surrounding material, the address and telephone number of Kansas'*
8 *federally designated organ procurement organization, along with an*
9 *advisory to call such designated organ procurement organization with*
10 *questions about the organ donor registry program;*

11 *(3) information giving the applicant the opportunity to be placed on*
12 *the organ donation registry described in paragraph (2);*

13 *(4) inform the applicant that, if the applicant indicates under this*
14 *subsection a willingness to have such applicant's name placed on the*
15 *organ donor registry described in paragraph (2), the division will*
16 *forward the applicant's name, gender, date of birth and most recent*
17 *address to the organ donation registry maintained by the Kansas*
18 *federally designated organ procurement organization, as required by*
19 *paragraph (6);*

20 *(5) the division may fulfill the requirements of paragraph (4) by*
21 *one or more of the following methods:*

22 *(A) Providing such information on the website of the agency; or*

23 *(B) providing printed material to an applicant who personally*
24 *applies for an identification card; and*

25 *(6) if an applicant indicates a willingness under this subsection to*
26 *have such applicant's name placed on the organ donor registry*
27 *described, the division shall within 10 days forward the applicant's*
28 *name, gender, date of birth and address to the organ donor registry*
29 *maintained by the Kansas federally designated organ procurement*
30 *organization. The division may forward information under this*
31 *subsection by mail or by electronic means. The division shall not*
32 *maintain a record of the name or address of an individual who indicates*
33 *a willingness to have such person's name placed on the organ donor*
34 *registry after forwarding that information to the organ donor registry*
35 *under this subsection. Information about an applicant's indication of a*
36 *willingness to have such applicant's name placed on the organ donor*
37 *registry that is obtained by the division and forwarded under this*
38 *paragraph shall be confidential and not disclosed.*

39 ~~Sec. 4.~~ *4. K.S.A. 2020 Supp. 8-2110 is hereby amended to read as*
40 *follows: 8-2110. (a) Failure to comply with a traffic citation means failure*
41 *either to: (1) Appear before any district or municipal court in response to a*
42 *traffic citation and pay in full any fine and court costs imposed; or (2)*
43 *otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and*

1 amendments thereto. Failure to comply with a traffic citation is a
2 misdemeanor, regardless of the disposition of the charge for which such
3 citation was originally issued.

4 (b) (1) In addition to penalties of law applicable under subsection (a),
5 when a person fails to comply with a traffic citation, except for illegal
6 parking, standing or stopping, the district or municipal court in which the
7 person should have complied with the citation shall mail notice to the
8 person that if the person does not appear in district or municipal court or
9 pay all fines, court costs and any penalties within 30 days from the date of
10 mailing notice, the division of vehicles will be notified to suspend the
11 person's driving privileges. The district or municipal court may charge an
12 additional fee of \$5 for mailing such notice. Upon the person's failure to
13 comply within such 30 days of mailing notice, the district or municipal
14 court shall electronically notify the division of vehicles. Upon receipt of a
15 report of a failure to comply with a traffic citation under this subsection,
16 pursuant to K.S.A. 8-255, and amendments thereto, the division of
17 vehicles shall notify the violator and suspend the license of the violator
18 until satisfactory evidence of compliance with the terms of the traffic
19 citation has been furnished to the informing court. When the court
20 determines the person has complied with the terms of the traffic citation,
21 the court shall immediately electronically notify the division of vehicles of
22 such compliance. Upon receipt of notification of such compliance from the
23 informing court, the division of vehicles shall terminate the suspension or
24 suspension action.

25 (2) (A) In lieu of suspension under paragraph (1), the driver may
26 submit to the division of vehicles a written request for restricted driving
27 privileges, with a non-refundable \$25 application fee, to be applied by the
28 division of vehicles for additional administrative costs to implement
29 restricted driving privileges. The division shall remit all restricted driving
30 privilege application fees to the state treasurer in accordance with the
31 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
32 each such remittance, the state treasurer shall deposit the entire amount in
33 the state treasury to the credit of the division of vehicles operating fund.

34 (B) A person whose driver's license has expired during the period
35 when such person's driver's license has been suspended for failure to pay
36 fines for traffic citations, the driver may submit to the division of vehicles
37 a written request for restricted driving privileges, with a non-refundable
38 \$25 application fee, to be applied by the division of vehicles for additional
39 administrative costs to implement restricted driving privileges. The
40 division shall remit all restricted driving privilege application fees to the
41 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
42 amendments thereto. Upon receipt of each such remittance, the state
43 treasurer shall deposit the entire amount in the state treasury to the credit

1 of the division of vehicles operating fund. An individual shall not qualify
2 for restricted driving privileges pursuant to this section unless the
3 following conditions are met: (i) The suspended license that expired was
4 issued by the division of vehicles; (ii) the suspended license resulted from
5 the individual's failure to comply with a traffic citation pursuant to
6 subsection (b)(1); *and* (iii) the traffic citation that resulted in the failure to
7 comply pursuant to subsection (b)(1) was issued in this state; ~~and (iv) the~~
8 ~~individual has not previously received a stayed suspension as a result of a~~
9 ~~driving while suspended conviction.~~

10 (C) Upon review and approval of the driver's eligibility, the driving
11 privileges will be restricted by the division of vehicles for a period up to
12 one year or until the terms of the traffic citation have been complied with
13 and the court shall immediately electronically notify the division of
14 vehicles of such compliance. If the driver fails to comply with the traffic
15 citation within the one year restricted period, the driving privileges will be
16 suspended by the division of vehicles until the court determines the person
17 has complied with the terms of the traffic citation and the court shall
18 immediately electronically notify the division of vehicles of such
19 compliance. Upon receipt of notification of such compliance from the
20 informing court, the division of vehicles shall terminate the suspension
21 action. When restricted driving privileges are approved pursuant to this
22 section, the person's driving privileges shall be restricted to driving only
23 under the following circumstances: (i) In going to or returning from the
24 person's place of employment or schooling; (ii) in the course of the
25 person's employment; (iii) in going to or returning from an appointment
26 with a health care provider or during a medical emergency; and (iv) in
27 going to and returning from probation or parole meetings, drug or alcohol
28 counseling or any place the person is required to go by a court.

29 ~~(c) (1) Prior to July 1, 2018, except as provided in subsection (d),~~
30 ~~when the district or municipal court notifies the division of vehicles of a~~
31 ~~failure to comply with a traffic citation pursuant to subsection (b), the~~
32 ~~court shall assess a reinstatement fee of \$59 for each charge on which the~~
33 ~~person failed to make satisfaction regardless of the disposition of the~~
34 ~~charge for which such citation was originally issued and regardless of any~~
35 ~~application for restricted driving privileges. Such reinstatement fee shall~~
36 ~~be in addition to any fine, restricted driving privilege application fee,~~
37 ~~district or municipal court costs and other penalties. The court shall remit~~
38 ~~all reinstatement fees to the state treasurer in accordance with the~~
39 ~~provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of~~
40 ~~each such remittance, the state treasurer shall deposit the entire amount in~~
41 ~~the state treasury and shall credit 42.37% of such moneys to the division of~~
42 ~~vehicles operating fund, 31.78% to the community alcoholism and~~
43 ~~intoxication programs fund created by K.S.A. 41-1126, and amendments~~

1 ~~thereto, 10.59% to the juvenile alternatives to detention fund created by~~
2 ~~K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial~~
3 ~~branch nonjudicial salary adjustment fund created by K.S.A. 2020 Supp.~~
4 ~~20-1a15, and amendments thereto.~~

5 (2) On and after July 1, 2018, except as provided in subsection (d),
6 when the district or municipal court notifies the division of vehicles of a
7 failure to comply with a traffic citation pursuant to subsection (b), the
8 court shall assess a reinstatement fee of \$100 for each charge on which the
9 person failed to make satisfaction regardless of the disposition of the
10 charge for which such citation was originally issued and regardless of any
11 application for restricted driving privileges. Such reinstatement fee shall
12 be in addition to any fine, restricted driving privilege application fee,
13 district or municipal court costs and other penalties. The court shall remit
14 all reinstatement fees to the state treasurer in accordance with the
15 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
16 each such remittance, the state treasurer shall deposit the entire amount in
17 the state treasury and shall credit the first \$15 of such reinstatement fee to
18 the judicial branch nonjudicial salary adjustment fund and of the
19 remaining amount, 29.41% of such moneys to the division of vehicles
20 operating fund, 22.06% to the community alcoholism and intoxication
21 programs fund created by K.S.A. 41-1126, and amendments thereto,
22 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-
23 4803, and amendments thereto, and 41.17% to the judicial branch
24 nonjudicial salary adjustment fund created by K.S.A. 2020 Supp. 20-1a15,
25 and amendments thereto.

26 (d) The district court or municipal court shall waive the reinstatement
27 fee provided for in subsection (c), if the failure to comply with a traffic
28 citation was the result of such person enlisting in or being drafted into the
29 armed services of the United States, being called into service as a member
30 of a reserve component of the military service of the United States, or
31 volunteering for such active duty, or being called into service as a member
32 of the state of Kansas national guard, or volunteering for such active duty,
33 and being absent from Kansas because of such military service.

34 (e) A person who is assessed a reinstatement fee pursuant to
35 subsection (c) may petition the court that assessed the fee at any time to
36 waive payment of the fee, any additional charge imposed pursuant to
37 subsection (f), or any portion thereof. If it appears to the satisfaction of the
38 court that payment of the amount due will impose manifest hardship on the
39 person or the person's immediate family, the court may waive payment of
40 all or part of the amount due or modify the method of payment.

41 (f) Except as provided further, the reinstatement fee established in
42 this section shall be the only fee collected or moneys in the nature of a fee
43 collected for such reinstatement. Such fee shall only be established by an

1 act of the legislature and no other authority is established by law or
2 otherwise to collect a fee. On and after ~~July 1, 2017, through June 30,~~
3 ~~2019 July 1, 2019, through June 30, 2025~~, the supreme court may impose
4 an additional charge, not to exceed \$22 per reinstatement fee, to fund the
5 costs of non-judicial personnel.

6 ~~Sec.-4:~~ **5.** K.S.A. 2020 Supp. 8-240, 8-247, ~~8-1325~~, 8-2110 and 8-
7 2110b are hereby repealed.

8 ~~Sec.-5:~~ **6.** This act shall take effect and be in force from and after its
9 publication in the ~~statute book~~ *Kansas register*.