

SENATE BILL No. 459

By Committee on Transportation

2-6

1 AN ACT concerning motor carriers; relating to the Kansas uniform
2 commercial drivers' license act; authorizing the director of vehicles to
3 adopt rules and regulations for participation in the federal motor carrier
4 safety administration's drug and alcohol clearinghouse program;
5 disqualifying a person's commercial driving privileges when such
6 person has violated or is in noncompliance with the requirements of the
7 clearinghouse.
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9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. (a) The director is authorized to adopt any rules and
11 regulations necessary for the participation in and implementation of the
12 federal motor carrier safety administration's drug and alcohol
13 clearinghouse program under 49 C.F.R. § 382, as in effect on July 1, 2024.

14 (b) Prior to issuing or renewing a commercial driver's license or
15 instruction permit, the director shall query the federal motor carrier safety
16 administration's drug and alcohol clearinghouse. The director shall review
17 the commercial driver's information when notified by the clearinghouse of
18 a status change to the commercial driver.

19 (c) The director shall disqualify a driver's commercial driving
20 privileges within 60 days of receiving notice from the federal motor carrier
21 safety administration's drug and alcohol clearinghouse that a driver is
22 found to be in violation of or noncompliance with the clearinghouse
23 requirements.

24 (d) A disqualification of commercial driving privileges pursuant to
25 this section shall be removed upon notification from the federal motor
26 carrier safety administration's drug and alcohol clearinghouse that the
27 driver is no longer in violation of or noncompliance with the clearinghouse
28 requirements.

29 (e) A disqualification of commercial driving privileges pursuant to
30 this section shall be removed, as expeditiously as possible, following
31 notification from the federal motor carrier safety administration's drug and
32 alcohol clearinghouse that the driver was erroneously identified as in
33 violation of or noncompliance with the clearinghouse requirements.

34 (f) This section shall be a part of and supplemental to the Kansas
35 uniform commercial drivers' license act.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.