

**SENATE BILL No. 127**

By Committee on Transportation

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

7

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

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

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

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

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

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

43 (2) The division shall not issue any driver's license or instruction

1 permit to any person who fails to provide proof that the person is lawfully  
2 present in the United States. Before issuing a driver's license or instruction  
3 permit to a person, the division shall require valid documentary evidence  
4 that the applicant: (A) Is a citizen or national of the United States; (B) is an  
5 alien lawfully admitted for permanent or temporary residence in the  
6 United States; (C) has conditional permanent resident status in the United  
7 States; (D) has an approved application for asylum in the United States or  
8 has entered into the United States in refugee status; (E) has a valid,  
9 unexpired nonimmigrant visa or nonimmigrant visa status for entry into  
10 the United States; (F) has a pending application for asylum in the United  
11 States; (G) has a pending or approved application for temporary protected  
12 status in the United States; (H) has approved deferred action status; or (I)  
13 has a pending application for adjustment of status to that of an alien  
14 lawfully admitted for permanent residence in the United States or  
15 conditional permanent resident status in the United States.

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

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

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

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

40 (c) Every application shall state the full legal name, date of birth,  
41 gender and address of principal residence of the applicant, and briefly  
42 describe the applicant, and shall state whether the applicant has been  
43 licensed as a driver prior to such application, and, if so, when and by what

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

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

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

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

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

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

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

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

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

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

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

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

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

43 A fee of \$3 per year shall be charged for any renewal of a license issued

1 prior to the effective date of this act to a person less than 21 years of age.

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

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

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

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

18 (j) (1) For purposes of this subsection, the division may rely on the  
19 division's most recent, existing color digital image and signature image of  
20 the applicant for the class C or M driver's license if the division has the  
21 information on file. The determination on whether an electronic online  
22 renewal application or equivalent of a driver's license is permitted shall be  
23 made by the director of vehicles or the director's designee. The division  
24 shall not renew a driver's license through an electronic online or equivalent  
25 process if the license has been previously renewed through an electronic  
26 online application in the immediately preceding driver's license period. No  
27 renewal under this subsection shall be granted to any person who is: (A)  
28 Younger than 30 days from turning 21 years of age; (B) 65 years of age or  
29 older; (C) a registered offender pursuant to K.S.A. 22-4901 et seq., and  
30 amendments thereto; or (D) has a temporary driver's license issued  
31 pursuant to K.S.A. 8-240(b)(3), and amendments thereto, provided the  
32 license is not otherwise withdrawn.

33 (2) The vision examination requirements in K.S.A. 8-247(e), and  
34 amendments thereto, are not required for electronic online renewal  
35 applications, except that the electronic online renewal applicant must  
36 certify under penalty of law that the applicant's vision satisfies the  
37 requirements of K.S.A. 8-295, and amendments thereto, and has  
38 undergone an examination of eyesight by a licensed ophthalmologist or a  
39 licensed optometrist within the last year. As a condition for any electronic  
40 online renewal application, the applicant must: (A) Authorize the exchange  
41 of vision and medical information between the division and the applicant's  
42 ophthalmologist or optometrist; and (B) is at least 21 years of age, but less  
43 than ~~50~~ 65 years of age. The ophthalmologist or optometrist shall have

1 four business days to confirm or deny the vision and medical information  
2 of the applicant. If no response is received by the division, the division  
3 shall accept the vision and medical information provided for processing  
4 the renewal application. The waiver of vision examination for online  
5 renewal applications contained within this subsection shall expire on July  
6 1, 2022.

7 (3) The secretary of revenue shall adopt and administer rules and  
8 regulations to implement a program to permit an electronic online renewal  
9 of a driver's license, including, but not limited to, requirements that an  
10 electronic online renewal applicant shall have previously provided  
11 documentation of identity, lawful presence and residence to the division  
12 for electronic scanning.

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

17 Sec. 2. K.S.A. 2020 Supp. 8-247 is hereby amended to read as  
18 follows: 8-247. (a) (1) All original licenses issued on and after July 1,  
19 2018, shall expire as follows:

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

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

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

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

33 (E) licenses issued to persons who are less than 21 years of age shall  
34 expire on the licensee's 21<sup>st</sup> birthday.

35 (2) All renewals under: (A) Paragraph (1)(A) shall expire on every  
36 sixth anniversary of the date of birth of the licensee; (B) paragraph (1)(B)  
37 shall expire on every fourth anniversary of the date of birth of the licensee;  
38 (C) paragraph (1)(C) shall expire on every fifth anniversary of the date of  
39 birth of the licensee; (D) paragraph (1)(D) shall expire every year on the  
40 date of birth of the licensee; and (E) paragraph (1)(E), if a renewal license  
41 is issued, shall expire on the licensee's 21<sup>st</sup> birthday. No driver's license  
42 shall expire in the same calendar year ~~in which~~ when the original license or  
43 renewal license is issued, except that if the foregoing provisions of this

1 section shall require the issuance of a renewal license or an original license  
2 for a period of less than six calendar months, the license issued to the  
3 applicant shall expire in accordance with the provisions of this subsection.

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

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

23 (d) (1) Except as provided in paragraph (2), every driver's license  
24 shall be renewable on or before its expiration upon application and  
25 payment of the required fee and successful completion of the examinations  
26 required by subsection (e). Application for renewal of a valid driver's  
27 license shall be made to the division in accordance with rules and  
28 regulations adopted by the secretary of revenue. Such application shall  
29 contain all the requirements of K.S.A. 8-240(b), and amendments thereto.  
30 Such notice shall also include a question asking if the applicant is willing  
31 to give such applicant's authorization to be listed as an organ, eye and  
32 tissue donor in the Kansas donor registry in accordance with the revised  
33 uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and  
34 amendments thereto. Upon satisfying the foregoing requirements of this  
35 subsection, and if the division makes the findings required by K.S.A. 8-  
36 235b, and amendments thereto, for the issuance of an original license, the  
37 license shall be renewed without examination of the applicant's driving  
38 ability. If the division finds that any of the statements relating to  
39 revocation, suspension or refusal of licenses required under K.S.A. 8-  
40 240(b), and amendments thereto, are in the affirmative, or if it finds that  
41 the license held by the applicant is not a valid one, or if the applicant has  
42 failed to make application for renewal of such person's license on or before  
43 the expiration date thereof, the division may require the applicant to take

1 an examination of ability to exercise ordinary and reasonable control in the  
2 operation of a motor vehicle as provided in K.S.A. 8-235d, and  
3 amendments thereto.

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

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

18 (2) In lieu of the examination of the applicant's eyesight by the  
19 examiner, the applicant may submit a report on the examination of  
20 eyesight by a physician licensed to practice medicine and surgery or by a  
21 licensed optometrist. The report shall be based on an examination of the  
22 applicant's eyesight not more than three months prior to the date the report  
23 is submitted, and it shall be made on a form furnished by the division to  
24 the applicant.

25 (3) The division shall determine whether the results of the eyesight  
26 examination or report is sufficient for renewal of the license and, if the  
27 results of the eyesight examination or report is insufficient, the division  
28 shall notify the applicant of such fact and return the license fee. In  
29 determining the sufficiency of an applicant's eyesight, the division may  
30 request an advisory opinion of the medical advisory board, ~~which and the~~  
31 *board* is hereby authorized to render such opinions.

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

37 (5) When the division has good cause to believe that an applicant for  
38 renewal of a driver's license is incompetent or otherwise not qualified to  
39 operate a motor vehicle in accord with the public safety and welfare, the  
40 division may require such applicant to submit to such additional  
41 examinations as are necessary to determine that the applicant is qualified  
42 to receive the license applied for. Subject to paragraph (6), in so evaluating  
43 such qualifications, the division may request an advisory opinion of the



1 medical advisory board—~~which~~, and the board is hereby authorized to  
2 render such opinions in addition to its duties prescribed by K.S.A. 8-  
3 255b(b), and amendments thereto. Any such applicant who is denied the  
4 renewal of such a driver's license because of a mental or physical disability  
5 shall be afforded a hearing in the manner prescribed by K.S.A. 8-255(c),  
6 and amendments thereto.

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

27 (f) If the driver's license of any person expires while such person is  
28 outside the state of Kansas, the license of such person shall be extended  
29 for a period not to exceed six months and shall be renewable, without a  
30 driving examination, at any time prior to the end of the sixth month  
31 following the original expiration date of such license or within 10 days  
32 after such person returns to the state, whichever time is sooner. This  
33 subsection shall not apply to temporary drivers' licenses issued pursuant to  
34 K.S.A. 8-240(b)(3), and amendments thereto.

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

38 ~~(+)~~(A) Information explaining the person's right to make an  
39 anatomical gift in accordance with K.S.A. 8-243, and amendments thereto,  
40 and the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-  
41 3244, and amendments thereto;

42 ~~(2)~~(B) information describing the organ donation registry program  
43 maintained by the Kansas federally designated organ procurement

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

7 ~~(3)~~(C) information giving the applicant the opportunity to be placed  
 8 on the organ donation registry described in ~~paragraph (2)~~; *subparagraph*  
 9 *(B)*; and

10 ~~(4)~~ inform the applicant *(D)* information that, if the applicant indicates  
 11 under this subsection a willingness to have such applicant's name placed  
 12 on the organ donor registry described in ~~paragraph (2)~~ *subparagraph (B)*,  
 13 the division will forward the applicant's name, gender, date of birth and  
 14 most recent address to the organ donation registry maintained by the  
 15 Kansas federally designated organ procurement organization, as required  
 16 by ~~paragraph (6)~~ *(3)*;

17 ~~(5)~~*(2)* the division may fulfill the requirements of ~~paragraph (4)~~ *(1)*  
 18 *(D)* by one or more of the following methods:

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

20 (B) providing printed material to an applicant who personally appears  
 21 at an examining station; and

22 ~~(6)~~*(3)* If an applicant indicates a willingness under this subsection to  
 23 have such applicant's name placed on the organ donor registry, the division  
 24 shall within 10 days forward the applicant's name, gender, date of birth and  
 25 most recent address to the organ donor registry maintained by the Kansas  
 26 federally designated organ procurement organization. The division may  
 27 forward information under this subsection by mail or by electronic means.  
 28 The division shall not maintain a record of the name or address of an  
 29 individual who indicates a willingness to have such person's name placed  
 30 on the organ donor registry after forwarding that information to the organ  
 31 donor registry under this subsection. Information about an applicant's  
 32 indication of a willingness to have such applicant's name placed on the  
 33 organ donor registry that is obtained by the division and forwarded under  
 34 this paragraph shall be confidential and not disclosed.

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

41 ~~(i) The director of the division of vehicles shall submit a report to the~~  
 42 ~~legislature at the beginning of the regular session in 2012 regarding the~~  
 43 ~~impact of not requiring a written test for the renewal of a driver's license;~~

1 ~~including any cost savings to the division.~~

2 Sec. 3. K.S.A. 2020 Supp. 8-2110 is hereby amended to read as  
3 follows: 8-2110. (a) Failure to comply with a traffic citation means failure  
4 either to: (1) Appear before any district or municipal court in response to a  
5 traffic citation and pay in full any fine and court costs imposed; or (2)  
6 otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and  
7 amendments thereto. Failure to comply with a traffic citation is a  
8 misdemeanor, regardless of the disposition of the charge for which such  
9 citation was originally issued.

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

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

40 (B) A person whose driver's license has expired during the period  
41 when such person's driver's license has been suspended for failure to pay  
42 fines for traffic citations, the driver may submit to the division of vehicles  
43 a written request for restricted driving privileges, with a non-refundable

1 \$25 application fee, to be applied by the division of vehicles for additional  
2 administrative costs to implement restricted driving privileges. The  
3 division shall remit all restricted driving privilege application fees to the  
4 state treasurer in accordance with the provisions of K.S.A. 75-4215, and  
5 amendments thereto. Upon receipt of each such remittance, the state  
6 treasurer shall deposit the entire amount in the state treasury to the credit  
7 of the division of vehicles operating fund. An individual shall not qualify  
8 for restricted driving privileges pursuant to this section unless the  
9 following conditions are met: (i) The suspended license that expired was  
10 issued by the division of vehicles; (ii) the suspended license resulted from  
11 the individual's failure to comply with a traffic citation pursuant to  
12 subsection (b)(1); *and* (iii) the traffic citation that resulted in the failure to  
13 comply pursuant to subsection (b)(1) was issued in this state; ~~and (iv) the~~  
14 ~~individual has not previously received a stayed suspension as a result of a~~  
15 ~~driving while suspended conviction.~~

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

35 ~~(c) (1) Prior to July 1, 2018, except as provided in subsection (d),~~  
36 ~~when the district or municipal court notifies the division of vehicles of a~~  
37 ~~failure to comply with a traffic citation pursuant to subsection (b), the~~  
38 ~~court shall assess a reinstatement fee of \$59 for each charge on which the~~  
39 ~~person failed to make satisfaction regardless of the disposition of the~~  
40 ~~charge for which such citation was originally issued and regardless of any~~  
41 ~~application for restricted driving privileges. Such reinstatement fee shall~~  
42 ~~be in addition to any fine, restricted driving privilege application fee,~~  
43 ~~district or municipal court costs and other penalties. The court shall remit~~

1 all reinstatement fees to the state treasurer in accordance with the  
2 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
3 each such remittance, the state treasurer shall deposit the entire amount in  
4 the state treasury and shall credit 42.37% of such moneys to the division of  
5 vehicles operating fund, 31.78% to the community alcoholism and  
6 intoxication programs fund created by K.S.A. 41-1126, and amendments  
7 thereto, 10.59% to the juvenile alternatives to detention fund created by  
8 K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial  
9 branch nonjudicial salary adjustment fund created by K.S.A. 2020 Supp.  
10 20-1a15, and amendments thereto.

11 (2) On and after July 1, 2018, except as provided in subsection (d),  
12 when the district or municipal court notifies the division of vehicles of a  
13 failure to comply with a traffic citation pursuant to subsection (b), the  
14 court shall assess a reinstatement fee of \$100 for each charge on which the  
15 person failed to make satisfaction regardless of the disposition of the  
16 charge for which such citation was originally issued and regardless of any  
17 application for restricted driving privileges. Such reinstatement fee shall  
18 be in addition to any fine, restricted driving privilege application fee,  
19 district or municipal court costs and other penalties. The court shall remit  
20 all reinstatement fees to the state treasurer in accordance with the  
21 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
22 each such remittance, the state treasurer shall deposit the entire amount in  
23 the state treasury and shall credit the first \$15 of such reinstatement fee to  
24 the judicial branch nonjudicial salary adjustment fund and of the  
25 remaining amount, 29.41% of such moneys to the division of vehicles  
26 operating fund, 22.06% to the community alcoholism and intoxication  
27 programs fund created by K.S.A. 41-1126, and amendments thereto,  
28 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-  
29 4803, and amendments thereto, and 41.17% to the judicial branch  
30 nonjudicial salary adjustment fund created by K.S.A. 2020 Supp. 20-1a15,  
31 and amendments thereto.

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

40 (e) A person who is assessed a reinstatement fee pursuant to  
41 subsection (c) may petition the court that assessed the fee at any time to  
42 waive payment of the fee, any additional charge imposed pursuant to  
43 subsection (f), or any portion thereof. If it appears to the satisfaction of the

1 court that payment of the amount due will impose manifest hardship on the  
2 person or the person's immediate family, the court may waive payment of  
3 all or part of the amount due or modify the method of payment.

4 (f) Except as provided further, the reinstatement fee established in  
5 this section shall be the only fee collected or moneys in the nature of a fee  
6 collected for such reinstatement. Such fee shall only be established by an  
7 act of the legislature and no other authority is established by law or  
8 otherwise to collect a fee. On and after ~~July 1, 2017, through June 30,~~  
9 ~~2019~~ *July 1, 2019, through June 30, 2025*, the supreme court may impose  
10 an additional charge, not to exceed \$22 per reinstatement fee, to fund the  
11 costs of non-judicial personnel.

12 Sec. 4. K.S.A. 2020 Supp. 8-240, 8-247, 8-2110 and 8-2110b are  
13 hereby repealed.

14 Sec. 5. This act shall take effect and be in force from and after its  
15 publication in the statute book.