

HOUSE BILL No. 2823

By Representative Cook

2-11

AN ACT relating to the division of vehicles; concerning driver's licenses and identification cards; selective service registration requirements; amending K.S.A. 8-240 and 8-1324 and repealing the existing sections.

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

New Section 1. The division of vehicles shall forward, in an electronic format, the necessary personal information of the applicants identified in paragraph (6) of subsection (b) of K.S.A. 8-240, and amendments thereto, or subsection (d) of K.S.A. 8-1324, and amendments thereto, to the selective service system. The applicant's signature on the application shall serve as an indication that the applicant either has already registered with the selective service system or that the applicant is authorizing the division of vehicles to forward to the selective service system the necessary information for such registration. The division of vehicles shall notify the applicant at the time of application that the applicant's signature constitutes consent to registration with the selective service system, if the applicant is not already registered.

Sec. 2. K.S.A. 8-240 is hereby amended to read as follows: 8-240. (a) Every application for an instruction permit shall be made upon a form furnished by the division of vehicles and accompanied by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes. Every other application shall be made upon a form furnished by the division and accompanied by an examination fee of \$3, unless a different fee is required by K.S.A. 8-241, and amendments thereto, and by the proper fee for the license for which the application is made. If the applicant is not required to take an examination the examination fee shall not be required. The examination shall consist of three tests, as follows: (1) Vision; (2) written; and (3) driving. If the applicant fails the vision test, the applicant may have correction of vision made and take the vision test again without any additional fee. If an applicant fails the written test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant fails the driving test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant fails to pass all three of the tests within a period of six months from the date of original application and desires to take additional tests,

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

14 (b) (1) For the purposes of obtaining any driver's license, an appli-
15 cant shall submit, with the application, proof of age or proof of identity,
16 or both, as the division may require.

17 (2) An applicant who submits proof of age or of identity issued by an
18 entity other than a state or the United States shall also submit such proof
19 as the division may require that the applicant is lawfully present in the
20 United States.

21 (3) The division shall not issue any driver's license to any person who
22 is not lawfully present in the United States.

23 (4) The division shall not issue any driver's license to any person who
24 is not a resident of the state of Kansas, except as provided in K.S.A. 8-
25 2,148, and amendments thereto.

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

28 (6) *For the purpose of obtaining any driver's license, any male ap-
29 plicant who is at least 18 years of age but less than 26 years of age shall
30 be registered in compliance with the requirements of section 3 of the
31 military selective service act, 50 U.S.C. App. section 453, as amended.*

32 (c) Every application shall state the name, date of birth, sex and res-
33 idence address of the applicant, and briefly describe the applicant, and
34 shall state whether the applicant has theretofore been licensed as a driver,
35 and, if so, when and by what state or country, and whether any such
36 license has ever been suspended or revoked, or whether an application
37 has ever been refused, and, if so, the date of and reason for such suspen-
38 sion, revocation or refusal. In addition to the above criteria, applications
39 for commercial drivers' licenses and instruction permits for commercial
40 licenses must include the following: The applicant's social security num-
41 ber; the person's signature; the person's color photograph; certifications,
42 including those required by 49 C.F.R. 383.71(a), effective January 1,
43 1991; a consent to release driving record information; and, any other

1 information required by the division.

2 (d) When an application is received from a person previously licensed
3 in another jurisdiction, the division shall request a copy of the driver's
4 record from the other jurisdiction. When received, the driver's record
5 shall become a part of the driver's record in this state with the same force
6 and effect as though entered on the driver's record in this state in the
7 original instance.

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

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

12 (1) For a class C driver's license issued to a person at least 21 years
13 of age, but less than 65 years of age, \$12;

14 (2) for a class C driver's license issued to a person less than 21 years
15 of age or 65 years of age or older, or a farm permit, \$8;

16 (3) for a class M driver's license issued to a person at least 21 years
17 of age, but less than 65 years of age, \$6.50;

18 (4) for a class M driver's license issued to a person less than 21 years
19 of age or 65 years of age or older, \$5;

20 (5) for a class A or B driver's license issued to a person who is at least
21 21 years of age, but less than 65 years of age, \$18;

22 (6) for a class A or B driver's license issued to a person less than 21
23 years of age or 65 years of age or older, \$12; or

24 (7) for any class of commercial driver's license, \$14.

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

27 If one fails to make an original application or renewal application for a
28 driver's license within the time required by law, or fails to make appli-
29 cation within 60 days after becoming a resident of Kansas, a penalty of
30 \$1 shall be added to the fee charged for the driver's license.

31 Sec. 3. K.S.A. 8-1324 is hereby amended to read as follows: 8-1324.

32 (a) Any resident may make application to the division of vehicles and be
33 issued one identification card, certified by the registrant and attested by
34 the division as to true name, correct age, photograph and other identifying
35 data as the division may require. Every application for an identification
36 card shall be signed and verified by the applicant and shall contain such
37 bona fide documentary evidence of the age and identity of such applicant
38 as the division may require.

39 (b) An applicant who submits documentary evidence under subsec-
40 tion (a), issued by an entity other than a state or the United States shall
41 also submit such proof as the division may require that the applicant is
42 lawfully present in the United States.

43 (c) The division shall not issue an identification card to any person

1 who is not lawfully present in the United States.

2 *(d) Any male applicant who is at least 18 years of age but less than*
3 *26 years of age shall be registered in compliance with the requirements*
4 *of section 3 of the military selective service act, 50 U.S.C. section*
5 *453, as amended.*

6 ~~(d)~~ *(e)* The parent or guardian of an applicant under 16 years of age
7 shall sign the application for an identification card submitted by such
8 applicant.

9 ~~(e)~~ *(f)* The division shall require payment of a fee of \$8 at the time
10 application for an identification card is made, except that persons who
11 are 65 or more years of age or who are handicapped, as defined in K.S.A.
12 8-1,124, and amendments thereto, shall be required to pay a fee of only
13 \$4.

14 ~~(f)~~ *(g)* For the purposes of K.S.A. 8-1324 through 8-1328, and amend-
15 ments thereto, a person shall be deemed to be a resident of the state if:

- 16 (1) The person owns, leases or rents a place of domicile in this state;
- 17 (2) the person engages in a trade, business or profession in this state;
- 18 (3) the person is registered to vote in this state;
- 19 (4) the person enrolls the person's child in a school in this state; or
- 20 (5) the person registers the person's motor vehicle in this state.

21 Sec. 4. K.S.A. 8-240 and 8-1324 are hereby repealed.

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

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