

HOUSE BILL No. 2548

By Representative Decker

1-21

AN ACT relating to drivers' licenses; concerning motorcycles; amending K.S.A. 8-235 and repealing the existing section.

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

Section 1. K.S.A. 8-235 is hereby amended to read as follows: 8-235.

(a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license. No person shall receive a driver's license unless and until such person surrenders or with the approval of the division, lists to the division all valid licenses in such person's possession issued to such person by any other jurisdiction. All surrendered licenses or the information listed on foreign licenses shall be returned by the division to the issuing department, together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid license at any time.

(b) Any person licensed under the motor vehicle drivers' license act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any local authority. Nothing herein shall prevent cities from requiring licenses of persons who drive taxicabs or municipally franchised transit systems for hire upon city streets, to protect the public from drivers whose character or habits make them unfit to transport the public. If a license is denied, the applicant may appeal such decision to the district court of the county in which such city is located by filing within 10 days after such denial, a notice of appeal with the clerk of the district court and by filing a copy of such notice with the city clerk of the involved city. The city clerk shall certify a copy of such decision of the city governing body to the clerk of the district court and the matter shall be docketed as any other cause and the applicant shall be granted a trial of such person's character and habits. The matter shall be heard by the court *de novo* in accordance with the code of civil procedure. The cost of such appeal shall be assessed in such manner as the court may direct.

(c) (1) *Except as provided in paragraph (2),* any person operating in this state a motor vehicle, ~~except a motorcycle, which is registered in this state other than under a temporary thirty-day permit~~ shall be the holder

1 of a driver's license which is classified for the operation of such motor
2 vehicle, ~~and any person operating in this state a motorcycle which is reg-~~
3 ~~istered in this state shall be the holder of a class M driver's license, except~~
4 ~~that.~~

5 (2) Any person operating in this state a motorcycle which is registered
6 under a temporary thirty-day permit shall be the holder of a driver's
7 license for any class of motor vehicles, *except that the person shall operate*
8 *the motorcycle only when accompanied by an adult who is the holder of*
9 *a valid class M driver's license and who is operating a motorcycle in the*
10 *general proximity of such person.*

11 (d) No person shall drive any motorized bicycle upon a highway of
12 this state unless: (1) Such person has a valid driver's license which entitles
13 the licensee to drive a motor vehicle in any class or classes; (2) such person
14 is at least 15 years of age and has passed the written and visual exami-
15 nations required for obtaining a class C driver's license, in which case the
16 division shall issue to such person a class C license which clearly indicates
17 such license is valid only for the operation of motorized bicycles; or (3)
18 such person has had their driving privileges suspended and has made
19 application to the division for the issuance of a class C license for the
20 operation of motorized bicycles, in accordance with paragraph (2), in
21 which case the division shall issue to such person a class C license which
22 clearly indicates such license is valid only for the operation of motorized
23 bicycles.

24 (e) Violation of this section shall constitute a class B misdemeanor.

25 Sec. 2. K.S.A. 8-235 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its
27 publication in the Kansas register.

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