

HOUSE BILL No. 2672

By Representative Powers

1-20

9 AN ACT relating to drivers' licenses and nondrivers' identification cards;
10 issuance thereof; amending K.S.A. 2005 Supp. 8-240 and 8-1324 and
11 repealing the existing sections.
12

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

14 Section 1. K.S.A. 2005 Supp. 8-240 is hereby amended to read as
15 follows: 8-240. (a) Every application for an instruction permit shall be
16 made upon a form furnished by the division of vehicles and accompanied
17 by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes.
18 Every other application shall be made upon a form furnished by the
19 division and accompanied by an examination fee of \$3, unless a different
20 fee is required by K.S.A. 8-241, and amendments thereto, and by the
21 proper fee for the license for which the application is made. If the ap-
22 plicant is not required to take an examination the examination fee shall
23 not be required. The examination shall consist of three tests, as follows:
24 (1) Vision; (2) written; and (3) driving. If the applicant fails the vision test,
25 the 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 appli-
29 cant may take such test again upon the payment of an additional exami-
30 nation fee of \$1.50. If an applicant fails to pass all three of the tests within
31 a period of six months from the date of original application and desires
32 to take additional tests, the applicant shall file an application for reex-
33 amination upon a form furnished by the division, which shall be accom-
34 panied by a reexamination fee of \$3, except that any applicant who fails
35 to pass the written or driving portion of an examination four times within
36 a six-month period, shall be required to wait a period of six months from
37 the date of the last failed examination before additional examinations may
38 be given. Upon the filing of such application and the payment of such
39 reexamination fee, the applicant shall be entitled to reexamination in like
40 manner and subject to the additional fees and time limitation as provided
41 for examination on an original application. If the applicant passes the
42 reexamination, the applicant shall be issued the classified driver's license
43 for which the applicant originally applied, which license shall be issued

1 to expire as if the applicant had passed the original examination.

2 (b) (1) For the purposes of obtaining any driver's license or instruc-
3 tion permit, an applicant shall submit, with the application, proof of age
4 or proof of identity, or both, as the division may require. An applicant
5 shall submit the applicant's social security number, which shall remain
6 confidential and shall not be disclosed, except as provided pursuant to
7 K.S.A. 74-2012, and amendments thereto. ~~If the applicant does not have
8 a social security number, the applicant shall submit a sworn statement,
9 with the application, stating that the applicant does not have a social
10 security number.~~ The division shall assign a distinguishing number to the
11 license or permit. If the applicant is applying for an instruction permit or
12 driver's license and the applicant otherwise meets the requirements for
13 such license, the applicant shall receive a temporary license or instruction
14 permit until the division verifies all facts relative to such applicant's right
15 to receive an instruction permit or driver's license, including the age,
16 identity, social security number and residency of the applicant.

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 (c) Every application shall state the name, date of birth, sex and resi-
29 dence address of the applicant, and briefly describe the applicant, and
30 shall state whether the applicant has been licensed as a driver prior to
31 such application, and, if so, when and by what state or country. Such
32 application shall state whether any such license has ever been suspended
33 or revoked, or whether an application has ever been refused, and, if so,
34 the date of and reason for such suspension, revocation or refusal. In ad-
35 dition, applications for commercial drivers' licenses and instruction per-
36 mits for commercial licenses must include the following: The applicant's
37 social security number; the person's signature; the person's color photo-
38 graph; certifications, including those required by 49 C.F.R. 383.71(a),
39 effective January 1, 1991; a consent to release driving record information;
40 and, any other information required by the division.

41 (d) When an application is received from a person previously licensed
42 in another jurisdiction, the division shall request a copy of the driver's
43 record from the other jurisdiction. When received, the driver's record

1 shall become a part of the driver's record in this state with the same force
2 and effect as though entered on the driver's record in this state in the
3 original instance.

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

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

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

10 (2) for a class C driver's license issued to a person less than 21 years
11 of age or 65 years of age or older, or a farm permit, \$12;

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

14 (4) for a class M driver's license issued to a person less than 21 years
15 of age or 65 years of age or older, \$9;

16 (5) for a class A or B driver's license issued to a person who is at least
17 21 years of age, but less than 65 years of age, \$24;

18 (6) for a class A or B driver's license issued to a person less than 21
19 years of age or 65 years of age or older, \$16; or

20 (7) for any class of commercial driver's license, \$18.

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

23 If one fails to make an original application or renewal application for a
24 driver's license within the time required by law, or fails to make appli-
25 cation within 60 days after becoming a resident of Kansas, a penalty of
26 \$1 shall be added to the fee charged for the driver's license.

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

31 Sec. 2. K.S.A. 2005 Supp. 8-1324 is hereby amended to read as fol-
32 lows: 8-1324. (a) Any resident who does not hold a current valid Kansas
33 driver's license may make application to the division of vehicles and be
34 issued one identification card, certified by the registrant and attested by
35 the division as to true name, correct age, photograph and other identifying
36 data as the division may require.

37 (b) An applicant who submits documentary evidence under subsec-
38 tion (a), issued by an entity other than a state or the United States shall
39 also submit such proof as the division may require that the applicant is
40 lawfully present in the United States. For the purposes of obtaining any
41 identification card, an applicant shall submit, with the application, proof
42 of age or proof of identity, or both, as the division may require. An ap-
43 plicant shall submit the applicant's social security number, which shall

1 remain confidential and shall not be disclosed, except as provided pur-
2 suant to K.S.A. 74-2012, and amendments thereto. ~~If the applicant does~~
3 ~~not have a social security number, the applicant shall submit a sworn~~
4 ~~statement, with the application, stating that the applicant does not have~~
5 ~~a social security number.~~ The division shall assign a distinguishing number
6 to the identification card. If the applicant is applying for an identification
7 card and the applicant otherwise meets the requirements for such card,
8 the applicant shall receive a temporary identification card until the divi-
9 sion verifies all facts relative to such applicant's right to receive an iden-
10 tification card, including the age, identity, social security number and
11 residency of the applicant.

12 (c) The division shall not issue an identification card to any person
13 who is not lawfully present in the United States nor to any person who
14 holds a current valid Kansas driver's license unless such driver's license
15 has been physically surrendered pursuant to the provisions of subsection
16 (e) of K.S.A. 8-1002, and amendments thereto.

17 (d) The parent or guardian of an applicant under 16 years of age shall
18 sign the application for an identification card submitted by such applicant.

19 (e) The division shall require payment of a fee of \$14 at the time
20 application for an identification card is made, except that persons who
21 are 65 or more years of age or who are handicapped, as defined in K.S.A.
22 8-1,124, and amendments thereto, shall be required to pay a fee of only
23 \$10.

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

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

31 Sec. 3. K.S.A. 2005 Supp. 8-240 and 8-1324 are hereby repealed.

32 Sec. 4. This act shall take effect and be in force from and after its
33 publication in the statute book.