

## HOUSE BILL No. 2120

By Committee on Transportation

1-18

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9 AN ACT relating to drivers' licenses; concerning farm permits; amending  
10 K.S.A. 8-296 and repealing the existing section.

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

13 Section 1. K.S.A. 8-296 is hereby amended to read as follows: 8-296.

14 (a) Any person who is less than 16 years of age but is at least 14 years of  
15 age and who resides upon a farm in this state or is employed for com-  
16 pensation upon a farm in this state may apply to the division of vehicles  
17 for a farm permit authorizing such person, while possessing the permit,  
18 to operate any motor vehicle in class C, as designated in K.S.A. 8-234b,  
19 and amendments thereto. The farm permit shall entitle the licensee to  
20 operate such motor vehicles at any time:

21 (1) While going to or from or in connection with any farm job, em-  
22 ployment or other farm-related work;

23 (2) on days while school is in session, over the most direct and ac-  
24 cessible route between the licensee's residence and school of enrollment  
25 for the purpose of school attendance; or

26 (3) when the licensee is operating a passenger car at any time when  
27 accompanied by an adult who is the holder of a valid commercial driver's  
28 license, class A, B or C driver's license and who is actually occupying a  
29 seat beside the driver.

30 (b) A farm permit shall be issued only if:

31 (1) The applicant can prove that such applicant resides or works on  
32 a farm;

33 (2) the applicant has successfully completed the examination require-  
34 ments in K.S.A. 8-235d, and amendments thereto; and

35 (3) the applicant submits the signed affidavit of either a parent or  
36 guardian, stating that the applicant lives on a farm or, if the applicant  
37 does not live on a farm but works on a farm, the applicant submits the  
38 signed affidavit of the applicant's employer and parent or guardian, at-  
39 testing to such employment.

40 (c) Any licensee issued a farm permit under this section shall not  
41 operate any motor vehicle with nonsibling minor passengers and any con-  
42 viction for violating this provision shall be construed as a moving traffic  
43 violation for the purpose of K.S.A. 8-255, and amendments thereto.

1 (d) As used in this section, "farm" means any parcel of land larger  
2 than 20 acres which is used in agricultural operations.

3 (e) A farm permit issued under this section is subject to suspension  
4 or revocation in the same manner as any other driver's license. *In addi-*  
5 *tion, the division may suspend a farm permit upon receiving satisfactory*  
6 *evidence that a person who has been issued a farm permit has violated*  
7 *the restrictions of such farm permit and:*

8 (1) *On the person's first violation, the person's driving privileges shall*  
9 *be suspended for 30 days; and*

10 (2) *on the person's second violation, the person's driving privileges*  
11 *shall be suspended* ~~a person who has been issued a farm permit and who~~  
12 ~~violates this section by driving beyond the scope allowed in subsection (a)~~  
13 ~~shall lose the farm permit and shall be issued no other driver's license for~~  
14 ~~a period of one year or until the person reaches 16 years of age, whichever~~  
15 ~~period is longer.~~

16 (f) Any licensee issued a farm permit under this section on and after  
17 July 1, 1999, shall provide prior to reaching 16 years of age, a signed  
18 affidavit of either a parent or guardian, stating that the applicant has  
19 completed at least 50 hours of adult supervised driving with at least 10  
20 of those hours being at night. The adult supervised driving required by  
21 this paragraph shall be conducted by an adult who is at least 21 years of  
22 age and is the holder of a valid commercial driver's license, class A, B or  
23 C driver's license.

24 Evidence of failure of any licensee who was required to complete the  
25 50 hours of adult supervised driving under this subsection shall not be  
26 admissible in any action for the purpose of determining any aspect of  
27 comparative negligence or mitigation of damages.

28 (g) Any licensee issued a farm permit under this section who: (1) Is  
29 under the age of 16 years and is convicted of two or more moving traffic  
30 violations committed on separate occasions shall not be eligible to receive  
31 a driver's license which is not restricted in accordance with the provisions  
32 of subsection (a), until the person reaches 17 years of age; or (2) fails to  
33 provide the affidavit required under subsection (f), shall not be eligible  
34 to receive a driver's license which is not restricted in accordance with the  
35 provisions of subsection (a), until the person provides such affidavit to  
36 the division or the person reaches 17 years of age, whichever occurs first.

37 Sec. 2. K.S.A. 8-296 is hereby repealed.

38 Sec. 3. This act shall take effect and be in force from and after its  
39 publication in the statute book.