

Approved October 8, 1990
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

1:30 ~~xxx~~/p.m. on February 21, 1990 in room 519-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Legislative Research
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Ed Klumpp, Kansans for Highway Safety

The meeting was called to order by Chairman Crowell, and a letter was read from Mr. Lynn Smith, Unified School District 334, in opposition to HB-2842 which requires school transportation vehicles to be equipped with safety restraining systems. (See Attachment 1)

Attention was turned to HB-2901 relating to marking of the Santa Fe Trail in Kansas.

A motion was made by Representative Shore that HB-2901 be recommended favorable for passage and placed on the Consent Calendar. The motion was seconded by Representative Roenbaugh. Motion carried.

The next bill taken up was HB-2598 concerning registration of motor vehicles including residency, refunds and fines. Chairman Crowell appointed a subcommittee consisting of Representative Gene Shore, Chairman, and Representatives Lawrence and Lacy, to further study HB-2598.

The next bill taken up was HB-2681 requiring certain disclosures by vehicle dealers. Chairman Crowell said a technical amendment was needed in Line 17 to change the word "such" to "a" and in Lines 18, 20 and 22 change Sec. 2, 3 and 4 to read a, b, and c.

A motion was made by Representative Guldner to make the suggested technical amendments to HB-2681. The motion was seconded by Representative Dillon. Motion carried.

A motion was made by Representative Guldner that HB-2681 be recommended favorable as amended for passage. The motion was seconded by Representative Dillon. Motion carried.

The next bill taken up was HB-2735 concerning trip permits.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,

room 519-S Statehouse, at 1:30 ~~xxx~~ p.m. on February 21, 1990

A motion was made by Representative Gross that HB-2735 be recommended favorable for passage and placed on the Consent Calendar. The motion was seconded by Representative Larkin. Motion carried.

Attention was turned to HB-2343 concerning school attendance as a condition of licensing to operate a motor vehicle and HB-2298 concerning age of applicants for drivers' licenses.

Representative Roenbaugh presented the subcommittee report on HB-2343. (See Attachment 2)

Representative Roenbaugh presented the subcommittee report on HB-2298. A balloon outlining amendments to HB-2298 was passed out to Committee members. (See Attachment 3)

Bruce Kinzie briefed the Committee on the draft for a substitute for HB-2298. (See Attachment 4)

Mr. Ed Klumpp, Kansans for Highway Safety, gave further information concerning accidents involving teenage drivers. (See Attachment 5)

A motion was made by Representative Empson that clarifying amendments on the substitute bill draft be adopted. The motion was seconded by Representative Roenbaugh. Motion carried.

A motion was made by Representative Smith that the amended draft version be a substitute bill. The motion was seconded by Representative Lucas. Motion carried.

Committee discussion was held concerning the age to obtain a drivers' license.

A motion was made by Representative Shore that the substitute version of HB-2298 be amended to allow 14-year olds to receive a restricted license after taking a driver education class. The motion was seconded by Representative Guldner.

A substitute motion was made by Representative Larkin that the substitute version of HB-2298 be amended so that a driving permit would be allowed at age 14, a restricted license could be obtained after completing a driver education course or at age 15; a regular license could be obtained at age 17 or at age 16 with a completed driver education course. The motion was seconded by Representative Guldner. Motion failed.

A vote was taken on the original motion made by Representative Shore. Motion failed.

A motion was made by Representative Fry that the substitute version of HB-2298 be amended by striking the section stating a 3 point grade average on a 4 point scale would be a factor in obtaining a drivers' license. The motion was seconded by Representative Guldner.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~xxx~~/p.m. on February 21, 1990

A substitute motion was made by Representative Smith that the substitute version of HB-2298 be amended by lowering the grade point average to 2.5 instead of a 3 point on a 4 point scale. The motion was seconded by Representative Lucas. Motion failed.

A vote was taken on the original motion by Representative Fry. Motion failed.

A motion was made by Representative Roenbaugh that the substitute version of HB-2298 be recommended favorable for passage. The motion was seconded by Representative Wilbert.

A substitute motion was made by Representative Guldner that the substitute version of HB-2298 be tabled. Motion was seconded by Representative Shore. Motion failed.

On the motion made by Representative Roenbaugh that the substitute version of HB-2298 be recommended favorable for passage, a vote was taken. Motion carried.

Representatives Guldner, Shore, Larkin and Freeman requested that they be recorded as voting "no".

The minutes of the House Transportation meeting held on February 20, 1990, were approved as written.

The meeting was adjourned at 3:30 p.m.



Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 2-21-90

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Rayne D. Cassard	Sante Fe Trail	LPS Lenexa, KS
Rosie L. Evans	2483 N. 60 th Terr	Brotherhood of Maint of Hwy
Dan Seeburger	Hannover KS	B.M.W.E.
Leroy Jones	Topeka	B.L.E.
Paul Wright	Topeka, Kt	K.C.U.L.
Roger W. BARR	TOPEKA, KS	T.C.U.
Ed Lindsay	Meriden, Ks	USA #340
Nancy Reynolds	Topeka	KASB
Craig Grant	Topeka	K-WEA
Ed Krupp	TOPEKA	KANSAS FOR HIGHWAY SAFETY
Rep Dale Sprague	McPherson	
Laurie Sprague	McPherson	
Ed Mealy	Topeka	Ks. House
Barbara Joseph		AP
Tom Whitaker	Topeka	Ks Motor Carriers Assn
Brandy Wilcoxson	Clay Center	page
LORETT BYRAN	CLAY CENTER	PAGE
Julie Weston	Clay Center	(PAGE)
Debbie Garrison	Clay Center	PAGE
Jacquie Oakes	Topeka	Ks. Ind. Auto Dealers Assn.
Kevin Allen	Topeka	Ks. Motor Car Dealers Assn.
Michelle Hogan	Topeka	Ks Automobile Dealers Regulation Coalition
Al Maxwell	Topeka	KCC
Maude M. King	Topeka	Kansas Motor Carriers Assn.
Bill Fuller	Manhattan	Ks. Farm Bureau

Unified School District 331
Kingman, Murdock, Norwich

Lynn E. Smith, Ph.D.
Superintendent of Schools

637 N. Spruce
Kingman, KS 67068
(316) 532-3134

French L. Hey, Ed.S.
Assistant Superintendent

February 12, 1990

Representative Robert Krehbiel
Room 297-W
State Capitol Building
Topeka, KS 66612

Dear Representative Krehbiel:

I am writing to express my opposition to H.B. 2842 which will require school buses and other school transportation vehicles be equipped with seat belts or other passenger safety restraining systems. As I understand, a hearing will be held this week.

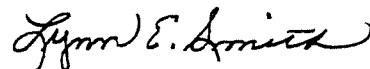
All vehicles that are 21 passenger or less already come equipped with seat belts. However, buses larger than 21 passenger do not. Seat belts have been involved in injury to some students when a child has been hit in the mouth with the buckle. Also, who is going to monitor bus passengers to see that they are buckled up? It would mean the unified school districts would need to employ an aide to ride each bus as small children would not be able to adjust and buckle seat belts. They can unbuckle them.

The recent accident in Texas where the sand truck struck the school bus and pushed it into a canal could have been much worse if the children were buckled into their seats. Children are not being injured or killed in bus accidents because there are no seat belts.

Please consider the above mentioned concerns. This issue continues to surface each year. The support for this comes from the Jefferson County area.

Thank you for your time and consideration of this request concerning this bill.

Sincerely,



Lynn E. Smith, Ph.D.
Superintendent

LES-ik

Att. 1

SUBCOMMITTEE REPORT


February 15, 1990

To: House Transportation Committee

Re: H.B. 2343 -- Relating to School Attendance as a Condition of Licensing
for the Privilege of Operating a Motor Vehicle

The House Transportation Subcommittee has concluded that although the intent of H.B. 2343 is indeed desirable, the Subcommittee believes that the enactment of this measure raises some administrative problems. The Department of Revenue, for calendar year 1989, suspended or revoked approximately 80,000 driver's licenses. Administratively, a suspension involves notification of the suspension, providing an opportunity for an administrative hearing, and preparing files to substantiate the suspension. This process could be repeated if a young person repeatedly drops out of school and is subsequently reinstated. The United School Administrators of Kansas and the Kansas Association of School Boards voiced similar concerns about the administrative burden placed on school districts by requiring them to report to the Division of Vehicles upon application by a student for a license and also to report the withdrawal of a student. Other problems include: the inconsistency among school districts as to what constitutes an unexcused absence and concern about the potential for liability placed on school districts if a school district inadvertently misses reporting a student who has withdrawn and that student becomes involved in a traffic accident.

The Subcommittee believes that these administrative problems should be satisfactorily addressed before enacting H.B. 2343.



Representative Susan Roenbaugh
Subcommittee Chairperson



Representative Cindy Empson



Representative Kent Campbell

90-70-2343/ha

Att. 2

Substitute for HOUSE BILL NO. 2298

By Committee on Transportation

AN ACT relating to drivers' licenses and instructional permits; concerning the age of the applicants thereof; amending K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, 41-804 and 41-2719 and K.S.A. 1989 Supp. 8-255 and K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas and 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas and repealing the existing sections.

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

Section 1. K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 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) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary fifteen-day permit shall be the holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class D driver's license, except that any person operating in this state a motorcycle which is registered under a temporary fifteen-day permit shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless: (1) Such person has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; or (2) such person is at least ~~14~~ 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license,

in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles.

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

Sec. 2. K.S.A. 1988 Supp. 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-236. (a) The following persons are exempt from the license requirements of the motor vehicle drivers' license act:

(1) A nonresident who is at least ~~16~~ 17 years of age and who has in such person's immediate possession a valid license issued to such nonresident in such person's home state or country may operate in this state any motor vehicle in class C or D, as designated in K.S.A. 8-234b, and amendments thereto;

(2) a nonresident who is at least 18 years of age and who has in such person's immediate possession a valid license issued to such nonresident in such person's home state or country which authorizes such person to operate any motor vehicle in class A or class B, as designated in K.S.A. 8-234b, and amendments thereto, may operate any such motor vehicle in this state, subject to the age limits applicable in this state to the operation of any type or class of vehicle operated by such person;

(3) any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers, may operate any motor vehicle in class C or class D, as designated in K.S.A. 8-234b, and amendments thereto, for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of such nonresident;

(4) any person while driving or operating during the hours between sunrise and sunset any farm tractor or implement of husbandry, from the farm residence to a field farmed in connection with such farm residence, or from one farm field to another.

(b) No exemption granted by this section shall apply to any person while such person's license to operate a motor vehicle is under suspension or revocation.

Sec. 3. K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-237. The division of vehicles shall not issue any driver's license to any person:

(a) Who is under the age of ~~16~~ 18 years, ~~except-that~~ unless such person shall provide to the division at the time of making application for a driver's license, satisfactory evidence that such person is maintaining the equivalent of a 3.0 grade point average on a scale of 4.0 or such person has successfully completed an approved course in driver training, then the minimum age shall be 17 years of age. The division may issue a restricted class C or D license, as provided in this act, to any person who is at least ~~14~~ 15 years of age upon the written application of the person's parent or guardian. Except as hereafter provided, the application of the parent or guardian shall be submitted to the division. The governing body of any city, by ordinance, may require the application of any person who is under ~~16~~ 18 years of age and who resides within the city to be first submitted to the chief law enforcement officer of the city. The board of county commissioners of any county, by resolution, may require the application of any person who is under ~~16~~ 18 years of age and who resides within the county and outside the corporate limits of any city to be first submitted to the chief law enforcement officer of the county. No ordinance or resolution authorized by this subsection shall become effective until a copy of it is transmitted to the division of vehicles. The chief law enforcement officer of any city or county which has adopted the ordinance or resolution authorized by this subsection shall make a recommendation on the application as to the necessity for the issuance of the restricted license, and the recommendation shall be transmitted, with the application, to the division of vehicles. If the division finds that it is necessary to issue the

restricted license, it shall issue a driver's license to the person.

A restricted class C license issued under this subsection shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class D license shall entitle the licensee, while possessing such license, to operate a motorcycle. The restricted license shall entitle the licensee to operate the appropriate vehicle at any time: ~~(1) While going to or from or in connection with any job, employment or farm-related work; (2) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance; (3) when the licensee is operating a passenger car, at any time when accompanied by an adult who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or (4) when the licensee is operating a motorcycle, at any time when accompanied by an adult who is the holder of a valid class D driver's license and who is operating a motorcycle in the general proximity of the licensee~~ between the hours of 6 a.m. and 10 p.m.

A restricted driver's license issued under this subsection is subject to suspension or revocation in the same manner as any other driver's license. In addition, the division:

(1) May suspend the restricted driver's license upon receiving a showing by its records or other satisfactory evidence that: ~~(1)~~

~~(A)~~ (A) The licensee has violated the restriction of the license;

~~(2)~~ (B) the licensee has been involved in two or more accidents chargeable to the licensee; or

~~(3)~~ (C) the recommendation of the chief law enforcement officer of any city or county requiring the recommendation has been withdrawn. ~~The;~~

(2) shall suspend the restricted driver's license upon a

showing by its records or other satisfactory evidence that:

(A) The licensee has been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period;

(B) the licensee has been convicted under the provisions of K.S.A. 8-1567, and amendments thereto; or

(C) the licensee has been convicted under the provisions of K.S.A. 41-804 or 41-2719, and amendments thereto.

A restricted driver's license suspended license under this subsection shall not be reinstated for one year or until the licensee reaches the age of ~~16~~ 18, whichever period is longer.

(b) Who is under the age of 18 years for the purpose of driving a commercial or class A or B motor vehicle.

(c) Whose license is currently revoked, suspended or canceled in this or any other state, except as provided in K.S.A. 8-256, and amendments thereto.

(d) Who is a habitual drunkard, habitual user of narcotic drugs or habitual user of any other drug to a degree which renders the user incapable of safely driving a motor vehicle.

(e) Who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who, at the time of making application for a driver's license, has not been restored to capacity in the manner provided by law, except that this limitation shall apply to any person known to have suffered any seizure disorder, until the procedure specified in paragraph (7) of subsection (f) of K.S.A. 8-247, and amendments thereto, has been complied with.

(f) Who is required by the motor vehicle drivers' license act to take an examination, unless the person has successfully passed the examination.

(g) Who is at least ~~16~~ 17 years of age and less than ~~17~~ 18 years of age, who is applying for a driver's license for the first time since reaching ~~16~~ 17 years of age and who, three times or more, has been adjudged to be a traffic offender under the Kansas juvenile code or a juvenile offender under the Kansas

juvenile offenders code, by reason of violation of one or more statutes regulating the movement of traffic on the roads, streets or highways of this state, except that, in the discretion of the director, the person may be issued a driver's license which is restricted in the same manner as drivers' licenses issued to persons under the age of ~~16~~ 18 years. No person described by this subsection shall be eligible to receive a driver's license which is not restricted until the person has reached the age of ~~17~~ 18 years.

Sec. 4. K.S.A. 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-239. (a) Any person who is at least ~~14~~ 15 years of age may apply to the division for an instruction permit. The division may in its discretion, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant an instruction permit which shall entitle the applicant while having such permit in such person's immediate possession to drive a passenger car upon the public highways for a period of ~~six-months~~ one year subject to the restrictions herein contained. The division may issue an instruction or restricted instruction permit to any person who is at least ~~14~~ 15 years of age and under the age of ~~16~~ 18 years only upon the written application of a parent or guardian of the minor. The one having the instruction permit may operate a passenger car at any time when accompanied by an adult who is ~~the~~ at least 21 years of age and is a holder of a valid commercial driver's license, class A, B or C driver's license, who has had at least one year of driving experience and who is occupying a seat beside the driver. Any person who is at least ~~14~~ 15 years of age may apply for an instruction permit to operate a motorcycle either separate from or in conjunction with an instruction permit to operate a passenger car, and such permit shall entitle the permittee to operate a motorcycle if such person is accompanied by an adult who is ~~the~~ at least 21 years of age and is a holder of a valid class D driver's license and who is riding a motorcycle in the

general proximity of the permittee.

(b) The division upon receiving proper application may issue in its discretion a restricted instruction permit effective for school year or for a more restricted period to an applicant who is at least ~~14~~ 15 years of age and who is enrolled in a driver-education program which includes practice driving and which is approved by the division, even though the applicant has not reached the legal age to be eligible for a driver's license. Such instruction permit shall entitle the permittee when the person has such permit in such person's immediate possession to operate a passenger car only on a designated highway or within a designated area but only when an approved instructor is occupying a seat beside the permittee or when such permit has been endorsed by an approved instructor to operate a passenger car with a parent or guardian who is ~~the~~ at least 21 years of age and is a holder of a valid commercial driver's license, class A, B or C driver's license, who has had at least one year of driving experience and who is occupying a seat beside the driver.

(c) The division, in its discretion, may issue a temporary driver's permit to an applicant who is at least 17 years of age for a classified driver's license permitting the applicant to operate a motor vehicle within such classification while the division is completing its investigation and determination of all facts relative to such applicant's right to receive a driver's license. The division may issue such a temporary driver's permit to any applicant whose employer certifies that such permit is necessary to complete seasonal agricultural operations of the employer. Any such temporary driver's permit issued pursuant to this subsection shall be in the immediate possession of the permittee while operating a motor vehicle, and it shall be invalid on the date specified thereon, which shall not be more than 15 days after its issuance, or when the applicant's license has been issued or for good cause has been refused.

Sec. 5. K.S.A. 1988 Supp. 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas, 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-A7~~ ~~B--or--C7--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 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, the applicant shall file an application for reexamination upon a form furnished by the division, which shall be accompanied by a reexamination fee of \$3. Upon the filing of such application and the payment of such reexamination fee, the applicant shall be entitled to reexamination in like manner and subject to the additional fees and time limitation as provided for examination on an original application. If the applicant passes the reexamination, the applicant shall be issued the classified driver's license for which the applicant originally applied, which license shall be issued to expire as if the applicant had passed the original examination.

(b) Every application shall state the name, date of birth, sex and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been

suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal. In addition to the above criteria, applications for commercial drivers' licenses and instruction permits for commercial licenses must include the following: The applicant's social security number; the person's signature; the person's color photograph; certifications, including those required by 49 C.F.R. 383.71(a), effective January 1, 1991; a consent to release driving record information; and, any other information required by the division.

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

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

(e) A fee of \$8 shall be charged for a class C driver's license, a fee of \$5 shall be charged for a class D driver's license, a fee of \$12 shall be charged for a class A or B driver's license and a fee of \$12 for any class of commercial license. A fee of \$10 shall be charged for each commercial driver's license endorsement, except air brake endorsements which shall have no charge.

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

Sec. 6. K.S.A. 1989 Supp. 8-255 is hereby amended to read as follows: 8-255. (a) The division is authorized to suspend a person's driving privileges upon a showing by its records or

other sufficient evidence the person:

(1) Has been convicted with such frequency of serious offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways;

(2) has been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period;

(3) is incompetent to drive a motor vehicle;

(4) has been convicted of a moving traffic violation, committed at a time when the person's driving privileges were suspended or revoked; or

(5) is a member of the armed forces of the United States stationed at a military installation located in the state of Kansas, and the authorities of the military establishment certify that such person's on-base driving privileges have been suspended, by action of the proper military authorities, for violating the rules and regulations of the military installation governing the movement of vehicular traffic or for any other reason relating to the person's inability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) The division shall suspend a person's driving privileges when required by K.S.A. ~~1988~~ 1989 Supp. 8-1014, and amendments thereto.

(c) The division shall suspend a person's driving privileges when required by subsection (a) of K.S.A. 8-237, and amendments thereto.

~~(e)~~ (d) Upon suspending or revoking the driving privileges of any person as authorized by this act, the division shall immediately notify the person in writing. Except as provided by K.S.A. 8-1002, and amendments thereto, if the person makes a written request for hearing within 30 days after such notice of suspension or revocation is mailed, the division shall afford the person an opportunity for a hearing as early as practical not sooner than five days nor more than 30 days after such request is

mailed. If the division has not revoked or suspended the person's driving privileges or vehicle registration prior to the hearing, the hearing may be held within not to exceed 45 days. Except as provided by K.S.A. 8-1002, and amendments thereto, the hearing shall be held in the person's county of residence or a county adjacent thereto, unless the division and the person agree that the hearing may be held in some other county. Upon the hearing, the director or the director's duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require an examination or reexamination of the person. Upon the hearing, the division shall either rescind its order of suspension or, good cause appearing therefor, extend the suspension of the person's driving privileges, modify the terms of the suspension or revoke the person's driving privileges. If the person fails to request a hearing within the time prescribed or if, after a hearing, the order of suspension or revocation is upheld, the person shall surrender to the division, upon proper demand, any driver's license in the person's possession.

(d) (e) In case of failure on the part of any person to comply with any subpoena issued in behalf of the division or the refusal of any witness to testify to any matters regarding which the witness may be lawfully interrogated, the district court of any county, on application of the division, may compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from the court or a refusal to testify in the court. Each witness who appears before the director or the director's duly authorized agent by order or subpoena, other than an officer or employee of the state or of a political subdivision of the state, shall receive for the witness' attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by the witness.

(e) (f) The division, in the interest of traffic and safety,

may establish driver improvement clinics throughout the state and, upon reviewing the driving record of a person whose driving privileges are subject to suspension under subsection (a)(2), may permit the person to retain such person's driving privileges by attending a driver improvement clinic. A person who is required to attend a driver improvement clinic shall pay a fee of \$15. Amounts received under this subsection shall be remitted at least monthly to the state treasurer who shall deposit the same in the state treasury and shall be credited to the division of vehicles operating fund.

Sec. 7. K.S.A. 1988 Supp. 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-256. (a) The division shall not suspend a person's license to operate a motor vehicle on the public highways for a period of more than one year, except as permitted under K.S.A. 40-3104 and 40-3118, and amendments thereto, and K.S.A. 8-237, 8-262, 8-1219, 8-2107 or 8-2110, and amendments thereto or sections 1 through 18 of this act K.S.A. 1989 Supp. 8-2,125 through 8-2,142, and amendments thereto.

(b) Any person whose license to operate a motor vehicle on the public highways has been revoked shall not be entitled to have such license renewed or restored unless the revocation was for a cause which has been removed, except that after the expiration of one year from the date on which the revoked license was surrendered to and received by the division such person may make application for a new license as provided by law, except as otherwise provided by section 18 of this act K.S.A. 1989 Supp. 8-2,142, and amendments thereto, but the division shall not then issue a new license unless and until it is satisfied after investigation of the habits and driving ability of such person that it will be safe to grant the privilege of driving a motor vehicle on the public highways.

Sec. 8. K.S.A. 41-804 is hereby amended to read as follows: 41-804. (a) No person shall transport in any vehicle upon a highway or street any alcoholic liquor unless such liquor is:

(1) In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed;

(2) in the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to any person in the vehicle while it is in motion; or

(3) in the exclusive possession of a passenger in a vehicle which is a recreational vehicle, as defined by K.S.A. 75-1212, and amendments thereto, or a bus, as defined by K.S.A. 8-1406, and amendments thereto, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) Violation of this section is a misdemeanor punishable by a fine of not more than \$200 or by imprisonment for not more than six months, or both.

(c) Except as provided in ~~subsection (f)~~ subsections (f) and (g), upon conviction or adjudication of a violation of this section, the judge, in addition to any other penalty or disposition ordered pursuant to law, shall suspend the person's driver's license or privilege to operate a motor vehicle on the streets and highways of this state. Upon conviction or adjudication of the first violation by such person, the suspension shall be for three months. Upon adjudication of a second or subsequent violation, the suspension shall be for one year.

(d) Upon suspension of a license pursuant to this section, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's

privilege to operate a motor vehicle is in effect.

(e) As used in this section, "highway" and "street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and amendments thereto.

(f) ~~In--lieu-of-suspending-the-driver's-license-or-privilege-to-operate-a-motor-vehicle-on-the-highways-of-this-state--of--any-person--convicted--of--violating--this--section,--as--provided-in-subsection-(e),~~ Except as provided in subsection (g), the judge of the court in which such a person was convicted of violating this section, in lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of such person, as provided in subsection (c), may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of less than three months for a first violation nor more than one year for a second violation.

Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge

shall furnish to any person whose driver's license has had conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this section.

Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this subsection, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(g) Upon the conviction or adjudication of a violation of this section of a person with a restricted driver's license issued under K.S.A. 8-237, and amendments thereto, the division of motor vehicles shall suspend such person's restricted driver's license or privilege to operate a motor vehicle on the streets and highways of this state in accordance with the provisions of subsection (a) of K.S.A. 8-237, and amendments thereto.

Sec. 9. K.S.A. 41-2719 is hereby amended to read as follows:
41-2719. (a) No person shall transport in any vehicle upon a highway or street any cereal malt beverage unless such beverage is:

(1) In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed;

(2) in the locked rear trunk or rear compartment, or any

locked outside compartment which is not accessible to any person in the vehicle while it is in motion; or

(3) in the exclusive possession of a passenger in a vehicle which is a recreational vehicle, as defined by K.S.A. 75-1212, and amendments thereto, or a bus, as defined by K.S.A. 8-1406, and amendments thereto, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) Except as provided in ~~subsection-(f)~~ subsections (f) and (g), upon adjudication of a violation of this section, the judge, in addition to any other disposition ordered pursuant to law, shall suspend the person's driver's license or privilege to operate a motor vehicle on the streets and highways of this state. Upon adjudication of the first violation by such person, the suspension shall be for three months. Upon adjudication of a second or subsequent violation, the suspension shall be for one year.

(c) Upon suspension of a license pursuant to this section, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(d) As used in this section, "highway" and "street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and amendments thereto.

(e) This section shall be part of and supplemental to article 27 of chapter 41 of the Kansas Statutes Annotated.

(f) ~~In--lieu-of-suspending-the-driver's-license-or-privilege to-operate-a-motor-vehicle-on-the-highways-of-this-state--of--any~~

~~person--convicted--of--violating--this--section,--as--provided--in~~
~~subsection-(e),~~ Except as provided in subsection (g), the judge of the court in which ~~such~~ a person was convicted of violating this section, in lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of such person, as provided in subsection (c), may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of less than three months for a first violation nor more than one year for a second violation.

Upon entering an order restricting a person's license ~~hereunder~~, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt ~~thereof~~, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this section.

Upon expiration of the period of time for which conditions

are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this subsection, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(g) Upon the conviction or adjudication of a violation of this section of a person with a restricted driver's license issued under K.S.A. 8-237, and amendments thereto, the division of motor vehicles shall suspend such person's restricted driver's license or privilege to operate a motor vehicle on the streets and highways of this state in accordance with the provisions of subsection (a) of K.S.A. 8-237, and amendments thereto.

New Sec. 10. (a) Notwithstanding any other provisions of this act, any person who held any valid driver's license on the effective date of this act may continue to operate motor vehicles subject to the same conditions, limitations and restrictions as contained in the law immediately prior to its amendment.

(b) Notwithstanding any other provisions of this act, any person who held any valid restricted class C or D driver's license, instruction permit or restricted instruction permit on the effective date of this act may continue to operate motor vehicles subject to the conditions, limitations and restrictions contained in K.S.A. 8-237 and 8-239, and amendments thereto.

Notwithstanding any other provisions of this act, on or after the effective date of this act, a full privilege driver's license can be obtained only at the age of 18 years or at the age of 17

years, if the conditions of subsection (a) of K.S.A. 8-237, and amendments thereto, are satisfied.

Sec. 11. K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, 41-804 and 41-2719 and K.S.A. 1989 Supp. 8-255 and K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas and 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after January 1, 1991, and its publication in the statute book.

Substitute for HOUSE BILL NO. 2298

By Committee on Transportation

AN ACT relating to drivers' licenses and instructional permits; concerning the age of the applicants thereof; amending K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, 41-804 and 41-2719 and K.S.A. 1989 Supp. 8-255 and K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas and 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas and repealing the existing sections.

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

Section 1. K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 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) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary fifteen-day permit shall be the holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class D driver's license, except that any person operating in this state a motorcycle which is registered under a temporary fifteen-day permit shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless: (1) Such person has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; or (2) such person is at least ~~±4~~ 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license,

in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles.

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

Sec. 2. K.S.A. 1988 Supp. 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-236. (a) The following persons are exempt from the license requirements of the motor vehicle drivers' license act:

(1) A nonresident who is at least ~~16~~ 17 years of age and who has in such person's immediate possession a valid license issued to such nonresident in such person's home state or country may operate in this state any motor vehicle in class C or D, as designated in K.S.A. 8-234b, and amendments thereto;

(2) a nonresident who is at least 18 years of age and who has in such person's immediate possession a valid license issued to such nonresident in such person's home state or country which authorizes such person to operate any motor vehicle in class A or class B, as designated in K.S.A. 8-234b, and amendments thereto, may operate any such motor vehicle in this state, subject to the age limits applicable in this state to the operation of any type or class of vehicle operated by such person;

(3) any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers, may operate any motor vehicle in class C or class D, as designated in K.S.A. 8-234b, and amendments thereto, for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of such nonresident;

(4) any person while driving or operating during the hours between sunrise and sunset any farm tractor or implement of husbandry, from the farm residence to a field farmed in connection with such farm residence, or from one farm field to another.

(b) No exemption granted by this section shall apply to any person while such person's license to operate a motor vehicle is under suspension or revocation.

Sec. 3. K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-237. The division of vehicles shall not issue any driver's license to any person:

(a) Who is under the age of 16 18 years, except that unless such person shall provide to the division at the time of making application for a driver's license, satisfactory evidence that such person is maintaining the equivalent of a 3.0 grade point average on a scale of 4.0 or such person has successfully completed an approved course in driver training, then the minimum age shall be 17 years of age. The division may issue a restricted class C or D license, as provided in this act, to any person who is at least 14 15 years of age upon the written application of the person's parent or guardian. Except as hereafter provided, the application of the parent or guardian shall be submitted to the division. The governing body of any city, by ordinance, may require the application of any person who is under 16 18 years of age and who resides within the city to be first submitted to the chief law enforcement officer of the city. The board of county commissioners of any county, by resolution, may require the application of any person who is under 16 18 years of age and who resides within the county and outside the corporate limits of any city to be first submitted to the chief law enforcement officer of the county. No ordinance or resolution authorized by this subsection shall become effective until a copy of it is transmitted to the division of vehicles. The chief law enforcement officer of any city or county which has adopted the ordinance or resolution authorized by this subsection shall make a recommendation on the application as to the necessity for the issuance of the restricted license, and the recommendation shall be transmitted, with the application, to the division of vehicles. If the division finds that it is necessary to issue the

restricted license, it shall issue a driver's license to the person.

A restricted class C license issued under this subsection shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class D license shall entitle the licensee, while possessing such license, to operate a motorcycle. The restricted license shall entitle the licensee to operate the appropriate vehicle at any time: (1) ~~While--going-to-or-from-or-in-connection-with-any-job, employment or farm-related work; (2) on days while--school--is--in--session, over--the--most--direct--and--accessible--route--between--the--licensee's residence--and--school--of--enrollment--for--the--purposes--of--school attendance; (3) when the licensee is operating a passenger car, at any time when accompanied by an adult who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or (4) when the licensee is operating a motorcycle, at any time when accompanied by an adult who is the holder of a valid class D driver's license and who is operating a motorcycle in the general proximity of the licensee; between the hours of 6 a.m. and 10 p.m; or~~

(2) when accompanied by an adult who is at least 21 years of age and is a holder of a valid commercial driver's license, class A, B or C driver's license, who has had at least one year of driving experience and who is occupying a seat beside the driver.

A restricted driver's license issued under this subsection is subject to suspension or revocation in the same manner as any other driver's license. In addition, the division:

(1) May suspend the restricted driver's license upon receiving a showing by its records or other satisfactory evidence that: (1)

(A) The licensee has violated the restriction of the license;

(2) (B) the licensee has been involved in two or more

accidents chargeable to the licensee; or

~~(3)~~ (C) the recommendation of the chief law enforcement officer of any city or county requiring the recommendation has been withdrawn; ~~The;~~

(2) shall suspend the restricted driver's license upon a showing by its records or other satisfactory evidence that:

(A) The licensee has been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period;

(B) the licensee has been convicted under the provisions of K.S.A. 8-1567, and amendments thereto; or

(C) the licensee has been convicted under the provisions of K.S.A. 41-804 or 41-2719, and amendments thereto.

A restricted driver's license suspended license under this subsection shall not be reinstated for one year or until the licensee reaches the age of 16 18, whichever period is longer.

(b) Who is under the age of 18 years for the purpose of driving a commercial or class A or B motor vehicle.

(c) Whose license is currently revoked, suspended or canceled in this or any other state, except as provided in K.S.A. 8-256, and amendments thereto.

(d) Who is a habitual drunkard, habitual user of narcotic drugs or habitual user of any other drug to a degree which renders the user incapable of safely driving a motor vehicle.

(e) Who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who, at the time of making application for a driver's license, has not been restored to capacity in the manner provided by law, except that this limitation shall apply to any person known to have suffered any seizure disorder, until the procedure specified in paragraph (7) of subsection (f) of K.S.A. 8-247, and amendments thereto, has been complied with.

(f) Who is required by the motor vehicle drivers' license act to take an examination, unless the person has successfully passed the examination.

(g) Who is at least ~~16~~ 17 years of age and less than ~~17~~ 18 years of age, who is applying for a driver's license for the first time since reaching ~~16~~ 17 years of age and who, three times or more, has been adjudged to be a traffic offender under the Kansas juvenile code or a juvenile offender under the Kansas juvenile offenders code, by reason of violation of one or more statutes regulating the movement of traffic on the roads, streets or highways of this state, except that, in the discretion of the director, the person may be issued a driver's license which is restricted in the same manner as drivers' licenses issued to persons under the age of ~~16~~ 18 years. No person described by this subsection shall be eligible to receive a driver's license which is not restricted until the person has reached the age of ~~17~~ 18 years.

Sec. 4. K.S.A. 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-239. (a) Any person who is at least ~~14~~ 15 years of age may apply to the division for an instruction permit. The division may in its discretion, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant an instruction permit which shall entitle the applicant while having such permit in such person's immediate possession to drive a passenger car upon the public highways for a period of ~~six-months~~ one year subject to the restrictions herein contained. The division may issue an instruction or restricted instruction permit to any person who is at least ~~14~~ 15 years of age and under the age of ~~16~~ 18 years only upon the written application of a parent or guardian of the minor. The one having the instruction permit may operate a passenger car at any time when accompanied by an adult who is ~~the~~ at least 21 years of age and is a holder of a valid commercial driver's license, class A, B or C driver's license, who has had at least one year of driving experience and who is occupying a seat beside the driver. Any person who is at least ~~14~~ 15 years of age may apply for an instruction permit to operate a motorcycle either separate from

or in conjunction with an instruction permit to operate a passenger car, and such permit shall entitle the permittee to operate a motorcycle if such person is accompanied by an adult who is the at least 21 years of age and is a holder of a valid class D driver's license and who is riding a motorcycle in the general proximity of the permittee.

(b) The division upon receiving proper application may issue in its discretion a restricted instruction permit effective for school year or for a more restricted period to an applicant who is at least ~~14~~ 15 years of age and who is enrolled in a driver-education program which includes practice driving and which is approved by the division, even though the applicant has not reached the legal age to be eligible for a driver's license. Such instruction permit shall entitle the permittee when the person has such permit in such person's immediate possession to operate a passenger car only on a designated highway or within a designated area but only when an approved instructor is occupying a seat beside the permittee or when such permit has been endorsed by an approved instructor to operate a passenger car with a parent or guardian who is the at least 21 years of age and is a holder of a valid commercial driver's license, class A, B or C driver's license, who has had at least one year of driving experience and who is occupying a seat beside the driver.

(c) The division, in its discretion, may issue a temporary driver's permit to an applicant who is at least 17 years of age for a classified driver's license permitting the applicant to operate a motor vehicle within such classification while the division is completing its investigation and determination of all facts relative to such applicant's right to receive a driver's license. The division may issue such a temporary driver's permit to any applicant whose employer certifies that such permit is necessary to complete seasonal agricultural operations of the employer. Any such temporary driver's permit issued pursuant to this subsection shall be in the immediate possession of the permittee while operating a motor vehicle, and it shall be

invalid on the date specified thereon, which shall not be more than 15 days after its issuance, or when the applicant's license has been issued or for good cause has been refused.

Sec. 5. K.S.A. 1988 Supp. 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas, 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--or--C,~~ 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 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, the applicant shall file an application for reexamination upon a form furnished by the division, which shall be accompanied by a reexamination fee of \$3. Upon the filing of such application and the payment of such reexamination fee, the applicant shall be entitled to reexamination in like manner and subject to the additional fees and time limitation as provided for examination on an original application. If the applicant passes the reexamination, the applicant shall be issued the classified driver's license for which the applicant originally applied, which license shall be issued to expire as if the applicant had passed the original examination.

(b) Every application shall state the name, date of birth, sex and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal. In addition to the above criteria, applications for commercial drivers' licenses and instruction permits for commercial licenses must include the following: The applicant's social security number; the person's signature; the person's color photograph; certifications, including those required by 49 C.F.R. 383.71(a), effective January 1, 1991; a consent to release driving record information; and, any other information required by the division.

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

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

(e) A fee of \$8 shall be charged for a class C driver's license, a fee of \$5 shall be charged for a class D driver's license, a fee of \$12 shall be charged for a class A or B driver's license and a fee of \$12 for any class of commercial license. A fee of \$10 shall be charged for each commercial driver's license endorsement, except air brake endorsements which shall have no charge.

If one fails to make an original application or renewal application for a driver's license within the time required by law, or fails to make application within 60 days after becoming a

resident of Kansas, a penalty of \$1 shall be added to the fee charged for the driver's license.

Sec. 6. K.S.A. 1989 Supp. 8-255 is hereby amended to read as follows: 8-255. (a) The division is authorized to suspend a person's driving privileges upon a showing by its records or other sufficient evidence the person:

(1) Has been convicted with such frequency of serious offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways;

(2) has been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period;

(3) is incompetent to drive a motor vehicle;

(4) has been convicted of a moving traffic violation, committed at a time when the person's driving privileges were suspended or revoked; or

(5) is a member of the armed forces of the United States stationed at a military installation located in the state of Kansas, and the authorities of the military establishment certify that such person's on-base driving privileges have been suspended, by action of the proper military authorities, for violating the rules and regulations of the military installation governing the movement of vehicular traffic or for any other reason relating to the person's inability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) The division shall suspend a person's driving privileges when required by K.S.A. ~~1988~~ 1989 Supp. 8-1014, and amendments thereto.

(c) The division shall suspend a person's driving privileges when required by subsection (a) of K.S.A. 8-237, and amendments thereto.

~~(e)~~ (d) Upon suspending or revoking the driving privileges of any person as authorized by this act, the division shall immediately notify the person in writing. Except as provided by

K.S.A. 8-1002, and amendments thereto, if the person makes a written request for hearing within 30 days after such notice of suspension or revocation is mailed, the division shall afford the person an opportunity for a hearing as early as practical not sooner than five days nor more than 30 days after such request is mailed. If the division has not revoked or suspended the person's driving privileges or vehicle registration prior to the hearing, the hearing may be held within not to exceed 45 days. Except as provided by K.S.A. 8-1002, and amendments thereto, the hearing shall be held in the person's county of residence or a county adjacent thereto, unless the division and the person agree that the hearing may be held in some other county. Upon the hearing, the director or the director's duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require an examination or reexamination of the person. Upon the hearing, the division shall either rescind its order of suspension or, good cause appearing therefor, extend the suspension of the person's driving privileges, modify the terms of the suspension or revoke the person's driving privileges. If the person fails to request a hearing within the time prescribed or if, after a hearing, the order of suspension or revocation is upheld, the person shall surrender to the division, upon proper demand, any driver's license in the person's possession.

(d) (e) In case of failure on the part of any person to comply with any subpoena issued in behalf of the division or the refusal of any witness to testify to any matters regarding which the witness may be lawfully interrogated, the district court of any county, on application of the division, may compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from the court or a refusal to testify in the court. Each witness who appears before the director or the director's duly authorized agent by order or subpoena, other than an officer or employee of the state or of a political subdivision of the state, shall receive for the

witness' attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by the witness.

(e) (f) The division, in the interest of traffic and safety, may establish driver improvement clinics throughout the state and, upon reviewing the driving record of a person whose driving privileges are subject to suspension under subsection (a)(2), may permit the person to retain such person's driving privileges by attending a driver improvement clinic. A person who is required to attend a driver improvement clinic shall pay a fee of \$15. Amounts received under this subsection shall be remitted at least monthly to the state treasurer who shall deposit the same in the state treasury and shall be credited to the division of vehicles operating fund.

Sec. 7. K.S.A. 1988 Supp. 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas, is hereby amended to read as follows: 8-256. (a) The division shall not suspend a person's license to operate a motor vehicle on the public highways for a period of more than one year, except as permitted under K.S.A. 40-3104 and 40-3118, and amendments thereto, and K.S.A. 8-237, 8-262, 8-1219, 8-2107 or 8-2110, and amendments thereto or ~~sections 1 through 18 of this act~~ K.S.A. 1989 Supp. 8-2,125 through 8-2,142, and amendments thereto.

(b) Any person whose license to operate a motor vehicle on the public highways has been revoked shall not be entitled to have such license renewed or restored unless the revocation was for a cause which has been removed, except that after the expiration of one year from the date on which the revoked license was surrendered to and received by the division such person may make application for a new license as provided by law, except as otherwise provided by ~~section 18 of this act~~ K.S.A. 1989 Supp. 8-2,142, and amendments thereto, but the division shall not then issue a new license unless and until it is satisfied after investigation of the habits and driving ability of such person

that it will be safe to grant the privilege of driving a motor vehicle on the public highways.

Sec. 8. K.S.A. 41-804 is hereby amended to read as follows:
41-804. (a) No person shall transport in any vehicle upon a highway or street any alcoholic liquor unless such liquor is:

(1) In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed;

(2) in the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to any person in the vehicle while it is in motion; or

(3) in the exclusive possession of a passenger in a vehicle which is a recreational vehicle, as defined by K.S.A. 75-1212, and amendments thereto, or a bus, as defined by K.S.A. 8-1406, and amendments thereto, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) Violation of this section is a misdemeanor punishable by a fine of not more than \$200 or by imprisonment for not more than six months, or both.

(c) Except as provided in ~~subsection-(f)~~ subsections (f) and (g), upon conviction or adjudication of a violation of this section, the judge, in addition to any other penalty or disposition ordered pursuant to law, shall suspend the person's driver's license or privilege to operate a motor vehicle on the streets and highways of this state. Upon conviction or adjudication of the first violation by such person, the suspension shall be for three months. Upon adjudication of a second or subsequent violation, the suspension shall be for one year.

(d) Upon suspension of a license pursuant to this section, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may

apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(e) As used in this section, "highway" and "street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and amendments thereto.

(f) ~~In--lieu--of--suspending--the--driver's--license--or--privilege--to--operate--a--motor--vehicle--on--the--highways--of--this--state--of--any--person--convicted--of--violating--this--section,--as--provided--in--subsection--(e),~~ Except as provided in subsection (g), the judge of the court in which such a person was convicted of violating this section, in lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of such person, as provided in subsection (c), may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of less than three months for a first violation nor more than one year for a second violation.

Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such

person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this section.

Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this subsection, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(g) Upon the conviction or adjudication of a violation of this section of a person with a restricted driver's license issued under K.S.A. 8-237, and amendments thereto, the division of motor vehicles shall suspend such person's restricted driver's license or privilege to operate a motor vehicle on the streets and highways of this state in accordance with the provisions of subsection (a) of K.S.A. 8-237, and amendments thereto.

Sec. 9. K.S.A. 41-2719 is hereby amended to read as follows:
41-2719. (a) No person shall transport in any vehicle upon a highway or street any cereal malt beverage unless such beverage

is:

(1) In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed;

(2) in the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to any person in the vehicle while it is in motion; or

(3) in the exclusive possession of a passenger in a vehicle which is a recreational vehicle, as defined by K.S.A. 75-1212, and amendments thereto, or a bus, as defined by K.S.A. 8-1406, and amendments thereto, who is not in the driving compartment of such vehicle or who is in a portion of such vehicle from which the driver is not directly accessible.

(b) Except as provided in ~~subsection-(f)~~ subsections (f) and (g), upon adjudication of a violation of this section, the judge, in addition to any other disposition ordered pursuant to law, shall suspend the person's driver's license or privilege to operate a motor vehicle on the streets and highways of this state. Upon adjudication of the first violation by such person, the suspension shall be for three months. Upon adjudication of a second or subsequent violation, the suspension shall be for one year.

(c) Upon suspension of a license pursuant to this section, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(d) As used in this section, "highway" and "street" have the meanings provided by K.S.A. 8-1424 and 8-1473, and amendments

thereto.

(e) This section shall be part of and supplemental to article 27 of chapter 41 of the Kansas Statutes Annotated.

(f) ~~In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person convicted of violating this section, as provided in subsection (e),~~ Except as provided in subsection (g), the judge of the court in which such a person was convicted of violating this section, in lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of such person, as provided in subsection (c), may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of less than three months for a first violation nor more than one year for a second violation.

Upon entering an order restricting a person's license ~~hereunder,~~ the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had

conditions imposed on it under this section a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this section.

Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this subsection, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(g) Upon the conviction or adjudication of a violation of this section of a person with a restricted driver's license issued under K.S.A. 8-237, and amendments thereto, the division of motor vehicles shall suspend such person's restricted driver's license or privilege to operate a motor vehicle on the streets and highways of this state in accordance with the provisions of subsection (a) of K.S.A. 8-237, and amendments thereto.

New Sec. 10. (a) Notwithstanding any other provisions of this act, any person who held any valid driver's license on the effective date of this act may continue to operate motor vehicles subject to the same conditions, limitations and restrictions as contained in the law immediately prior to its amendment.

(b) Notwithstanding any other provisions of this act, any person who held any valid restricted class C or D driver's license, instruction permit or restricted instruction permit on the effective date of this act may continue to operate motor

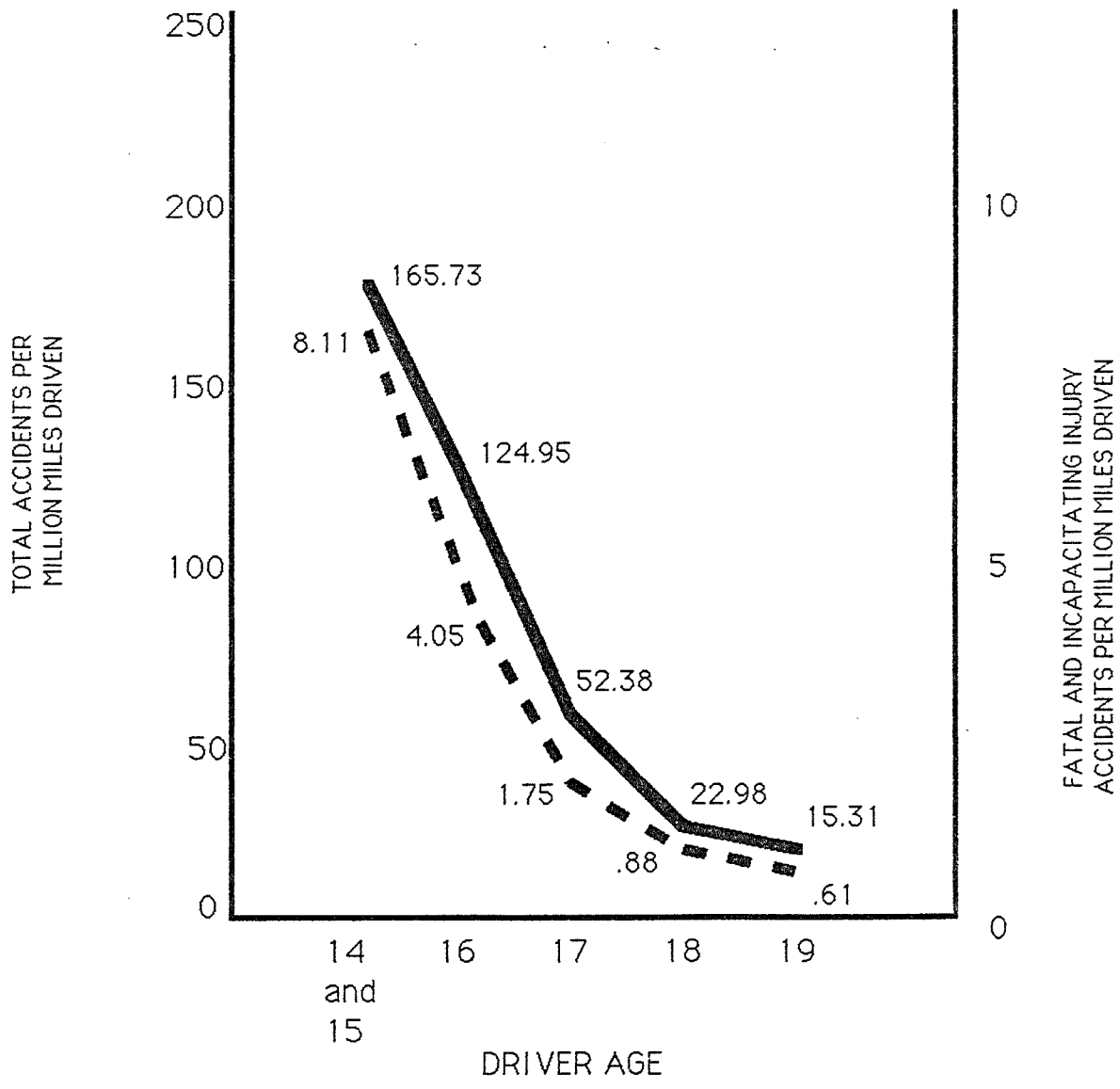
vehicles subject to the conditions, limitations and restrictions contained in K.S.A. 8-237 and 8-239, and amendments thereto.

(c) Notwithstanding any other provisions of this act, on or after the effective date of this act, a full privilege driver's license can be obtained only at the age of 18 years or at the age of 17 years, if the conditions of subsection (a) of K.S.A. 8-237, and amendments thereto, are satisfied.

Sec. 11. K.S.A. 8-237, as amended by section 23 of chapter 38 of the 1989 Session Laws of Kansas, 8-239, as amended by section 25 of chapter 38 of the 1989 Session Laws of Kansas, 41-804 and 41-2719 and K.S.A. 1989 Supp. 8-255 and K.S.A. 1988 Supp. 8-235, as amended by section 20 of chapter 38 of the 1989 Session Laws of Kansas, 8-236, as amended by section 22 of chapter 38 of the 1989 Session Laws of Kansas, 8-240, as amended by section 26 of chapter 38 of the 1989 Session Laws of Kansas and 8-256, as amended by section 31 of chapter 38 of the 1989 Session Laws of Kansas are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after January 1, 1991, and its publication in the statute book.

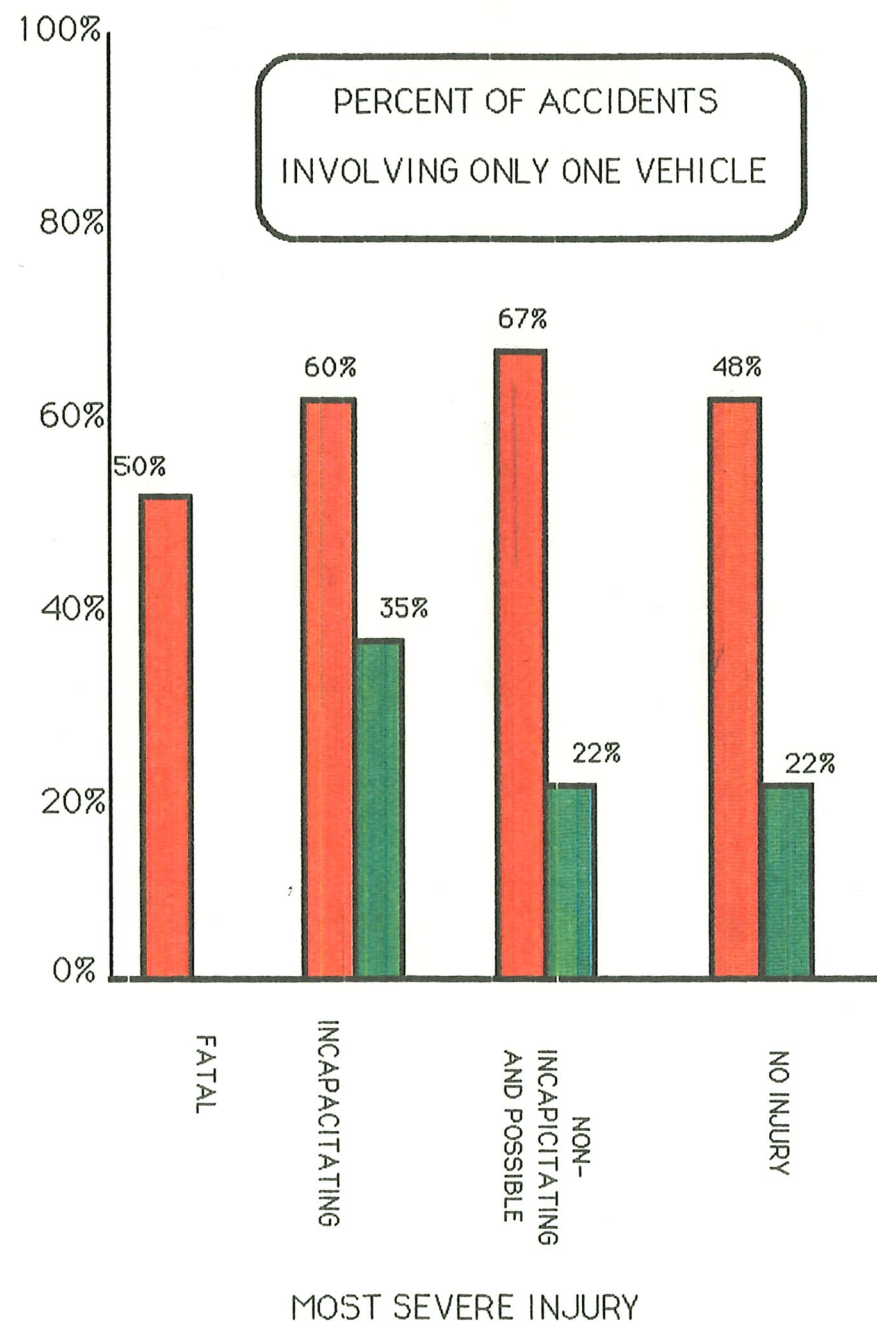
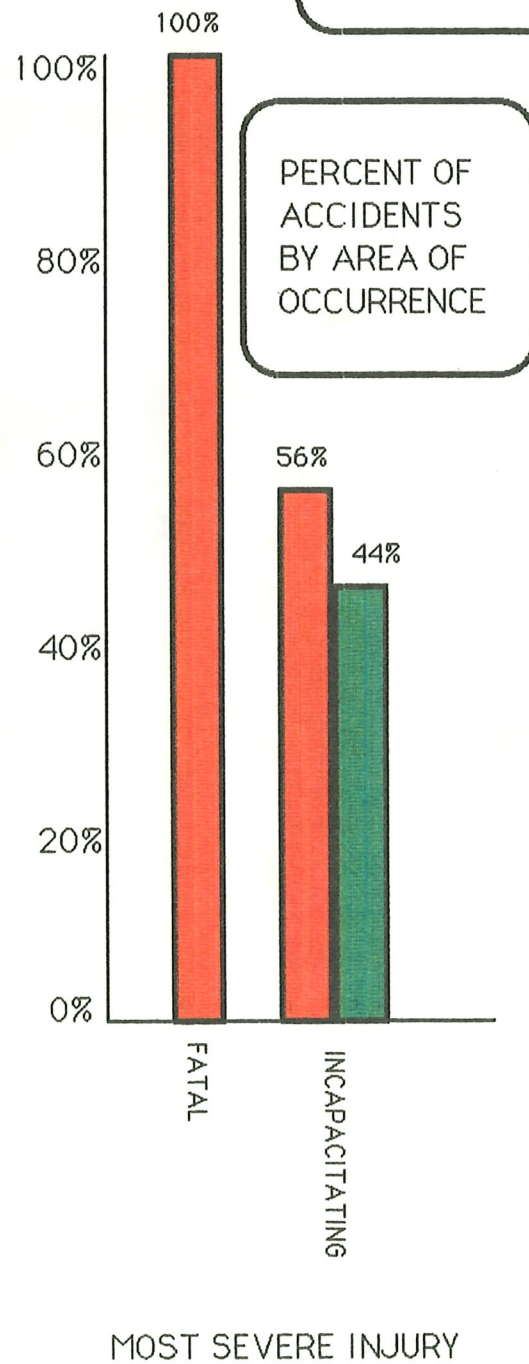
**KANSAS MOTOR VEHICLE ACCIDENTS
PER MILLION MILES DRIVEN
1986 THROUGH 1988**



FATAL AND INCAPACITATING ACCIDENTS
 ALL ACCIDENTS

Att. 5

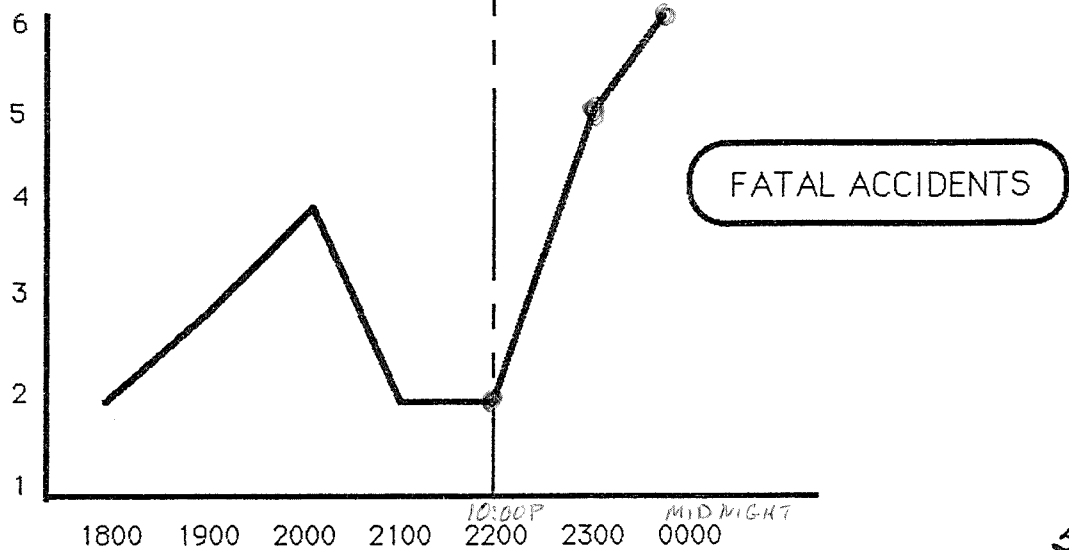
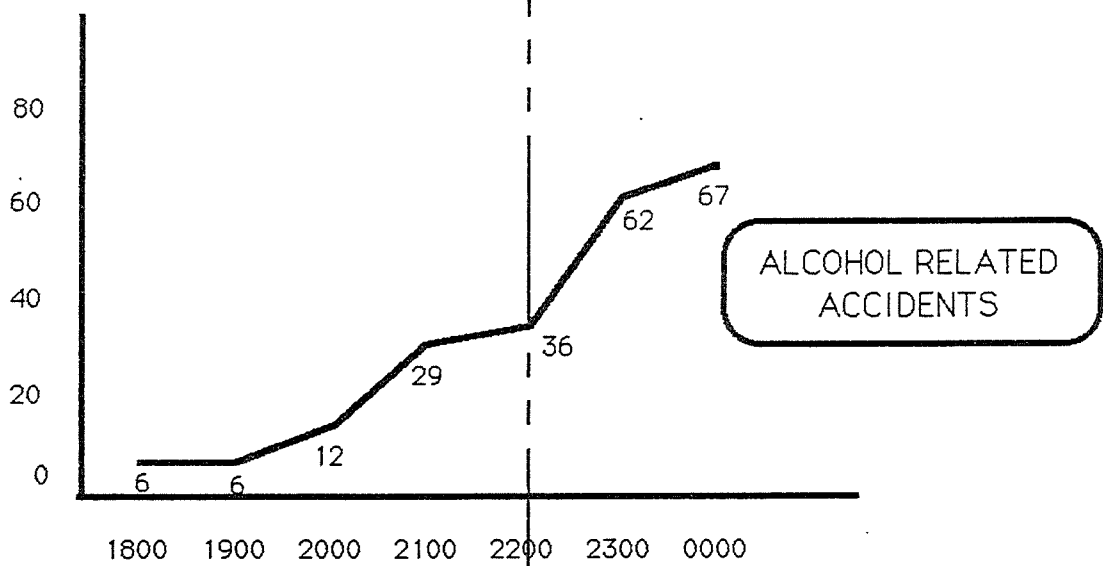
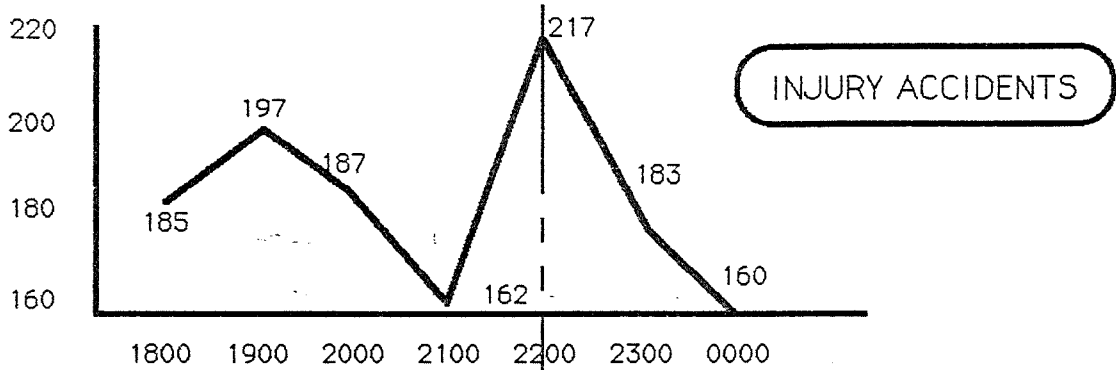
KANSAS MOTOR VEHICLE ACCIDENTS
1986-1988 14 AND 15 YEAR OLD DRIVERS



RURAL
URBAN

KANSAS MOTOR VEHICLE ACCIDENTS

INVOLVING 16 AND 17 YEAR OLD DRIVERS
1986 through 1988



STATES ALLOWING 14 YEAR OLD DRIVERS

STATE	LEARNING PERMIT	AGE RESTRICTED MINIMUM	TO	RESTRICTIONS
Alaska	14	14	16	<u>PARENTAL CONSENT REQUIRED</u> if under 18. <u>ONLY FOR HARDSHIP CASES</u> under 16.
Arkansas	14	14	16	<u>ONLY WITH LICENSED ADULT</u> under 16.
Idaho	16 ¹	14	16	<u>DAYLIGHT HOURS ONLY</u> under 16 . <u>DRIVERS ED REQUIRED</u> under 16.
Kansas	14	14	16	To, from, during work. To, from school. With adult.
Michigan	16 ¹	14	16	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 18. <u>DRIVERS ED REQUIRED</u> under 18.
Montana	14	14	15	<u>HARDSHIP CASES ONLY</u> under 14. <u>DRIVERS ED REQUIRED</u> under 16.
Nevada	15 1/2	14	16	<u>HARDSHIP CASES ONLY</u> under 16.
North Dakota	14	14	16	<u>PARENT OR GUARDIAN MUST BE IN VEHICLE</u> under 16. <u>DRIVERS ED REQUIRED</u> under 16.
Ohio	14	14	16	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 16. <u>DRIVERS ED REQUIRED</u> under 18.
Oregon	15	14	16	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 16.
South Dakota	14	14	16	<u>PARENT OR GUARDIAN MUST BE IN VEHICLE</u> under 16 except 6AM to 8PM.
Tennessee	15	14	16	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 16.
Wisconsin	15 1/2	14	16	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 16.

MINNESOTA IS THE ONLY STATE WITH A FARM EXEMPTION. THAT EXEMPTION ONLY APPLIES TO 15 YEAR OLDS AND IS ALLOWED ONLY WITH A SHOWING OF NEED.

Alcohol Related

TIME- 1- 1-86 THRU 12-31-88

REQD REQ. NO. 0001

LOCN- ALC ACC BY TIME OF DAY
CHR3- DRIVER AGE 16 & 17

COLS- DINJSEV
ROWS- TIMHR

BY: HATTSON
PLANNING 0131

TIME OF DAY (HOUR)	* INJURY SEVERITY								*TOTAL	* PC
	* NONE	* FATAL	* INCAP	* N-INC	* POSS	* UNK	* INVAL	*		
00	22	3	12	19	11	0	0		67	18
01	22	4	12	8	4	0	0		50	13
02	17	1	4	7	4	0	0		33	9
03	11	2	2	6	1	0	0		22	6
04	2	0	4	5	2	0	0		13	3
05	1	0	0	2	0	0	0		3	1
06	0	0	1	2	1	0	0		4	1
07	1	0	0	1	0	0	0		2	1
08	0	0	0	2	1	0	0		3	1
09	0	0	0	1	0	0	0		1	0
11	1	0	0	4	0	0	0		5	1
12	1	0	0	1	0	0	0		2	1
13	1	0	0	0	0	0	0		1	0
14	0	0	0	1	0	0	0		1	0
15	2	0	1	3	0	0	0		6	2
16	2	0	0	2	0	0	0		4	1
17	3	0	2	0	4	0	0		9	2
18	2	0	1	2	1	0	0		6	2
19	2	1	1	2	0	0	0		6	2
20	7	1	0	3	1	0	0		12	3
21	19	1	2	5	3	0	0		29	8
22	20	0	5	6	5	0	0		36	10
23	40	2	6	10	4	0	0		62	16
TOTAL	175	15	33	92	42	0	0		377	100
PERCENT	46	4	14	24	11	0	0		100	
NO. OF ACCIDENTS									377	
VEHICLES									569	
DRIVERS									488	
PASSENGERS									412	
PEDESTRIANS									1	
PEDALCYCLISTS									0	
COUNT-PED-PED									1	

ACCIDENTS BY HOUR OF THE DAY
ALL ACCIDENTS

YEAR	1986-1988	1986-1988	1986-1988
AGE	UNDER 16	16	17
HOUR			
0000	83	343	446
0100	63	176	325
0200	29	82	145
0300	25	52	95
0400	9	33	63
0500	13	19	38
0600	40	75	114
0700	390	825	878
0800	212	421	474
0900	101	166	226
1000	134	222	298
1100	236	502	535
1200	307	626	731
1300	245	472	552
1400	315	732	797
1500	860	1830	1698
1600	586	1229	1250
1700	531	1026	1125
1800	341	806	740
1900	293	718	683
2000	238	661	646
2100	221	706	724
2200	188	705	656
2300	138	551	703