

Approved: 1-30-96  
Date

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairperson Kenneth King at 1:30 p.m. on January 24, 1996 in Room 526-S of the Capitol.

All members were present except:

Representative Delbert Crabb, excused  
Representative Vaughn Flora, excused  
Representative Tony Powell, excused

Committee staff present: Hank Avila, Legislative Research Department  
Tom Severn, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Betty McBride, Director, Division of Vehicles, Department of Revenue

Others attending: See attached list

**HB 2664 - drivers licenses, waiting period for reexamination after four failures.**

Hearing opened. The Chair called on staff for a briefing of **HB 2664**, which would amend KSA 8-240 and would automatically allow a driver license applicant four attempts to pass a driver's license examination in order to secure a Kansas driver's license.

Betty McBride, Director, Division of Vehicles, presented testimony in support of this bill. Currently an applicant must request a fourth attempt, in writing, from the Director of Vehicles after three failed attempts. Since this request is generally approved, it is more expedient to allow the Driver License Examiner to automatically authorize a fourth attempt.

She states this bill also requires an applicant, after failing the fourth exam, to wait six months from the date of the last failure before qualifying to take the test again. She asked for favorable passage of **HB 2664**. (Attachment 1)

Following discussion the Chair closed hearings on **HB 2664**.

**HB 2665 - unlawful use of driver's license, penalties.**

Hearing opened. The Chair called on staff for a briefing of **HB 2665**, which would require the courts to apply harsher penalties when sentencing a person convicted of making a fraudulent application for a driver's license or identification card, by using the name of another person.

Betty McBride, Director, Division of Vehicles, presented testimony in support of **HB 2665**. She stated making fraudulent applications for a driver's license or identification card, by using the name or documentation of another person, has been a serious problem that the Division has dealt with for many years. In 1994 the division implemented the digitized driver's license system and they are now capable of detecting these attempts to secure licenses by fraudulent methods. She concluded **HB 2665** would change the penalty from a class A misdemeanor to a severity level 9, non person felony subject to probationary sentences of from 7 to 11 months. She asked for favorable passage of **HB 2665**. (Attachment 2)

Following discussion the Chair closed hearings on **HB 2665**.

Representative Myers asked for introduction of a bill which would remove Section 2 from **HB 2321** and insert it in a new bill, which would provide for distinctive license plates for all retired military personnel. This

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 526-S Statehouse, at 1:30 p.m. on January 24, 1996.

was seconded by Representative Dillon and the motion carried.

Representative Jene Vickrey requested the committee introduce legislation which would place a one year probation on first time drivers who receive a moving violation and would require them to take the driver's test over. A motion was made by Representative Pauls to introduce this bill, seconded by Representative Dawson and the motion carried.

There being no objection from the committee, the Chair called for discussion and final action on **HB 2664**. Representation Dillon made a motion to pass **HB 2664** favorably, seconded by Representative Donovan and the motion carried.

There being no objection from the committee, the Chair called for discussion and final action on **HB 2665**. Representative Correll made a motion to pass **HB 2665** favorably, seconded by Representative Pottorff and the motion carried.

Chairman King adjourned the meeting at 2:00 p.m.

The next meeting is scheduled for January 25, 1996.



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Division of Vehicles

To: The Honorable Kenneth King, Chairman  
House Committee on Transportation

From: Betty McBride, Director  
Division of Vehicles

Date: January 23, 1996

Subject: House Bill 2664

Mr. Chairman, Members of the Committee:

My name is Betty McBride, Director of the Division of Vehicles. I want to thank the committee for the opportunity to appear before you today, on behalf of the Kansas Department of Revenue, in support of House Bill 2664.

House Bill 2664 amends K.S.A 8-240, and would automatically allow a driver license applicant four attempts to pass a driver's license examination, in order to secure a Kansas driver's license.

Currently an applicant is required to request a fourth attempt, in writing, from the Director of Vehicles after three failed attempts. A request for a fourth attempt is generally approved by the Director; therefore, it is more expedient, and provides better customer service to the applicant, to allow the Driver License Examiner to automatically authorize a fourth attempt to secure a Kansas driver's license.

House Bill 2664 also requires that an applicant, upon failing the fourth exam, wait six months from the date of the last failure, before qualifying to again take the written and driving portions of the driver license test.

Mr. Chairman, members of the committee, we ask this bill be passed favorably by this committee. I would stand for your questions at this time.

*House Transportation Committee  
January 24, 1996  
Attachment 1*

Betty McBride, Director of Vehicles  
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Division of Vehicles

To: The Honorable Kenneth King, Chairman  
House Committee on Transportation

From: Betty McBride, Director  
Division of Vehicles

Date: January 23, 1996

Subject: House Bill 2665

Mr. Chairman, Members of the Committee:

My name is Betty McBride, Director of the Division of Vehicles. I wish to thank this committee for the opportunity to appear before you today, on behalf of the Kansas Department of Revenue, seeking your support for House Bill 2665.

House Bill 2665 amends K.S.A. 8-260, and if passed, would require courts to apply harsher penalties when sentencing a person convicted of making a fraudulent application for a driver's license or identification card, by using the name or documentation of another person. It would allow prosecutors to add additional charges when prosecuting someone for obtaining a driver's license for the purpose of misrepresenting themselves for criminal or fraudulent reasons. It would change the penalty from a class A misdemeanor to a severity level 9, non person felony, subject to probationary sentences of from 7 months to 11 months, depending on the number of prior convictions for the same offense.

These types of violations have been a serious problem that the Division has dealt with for many years. Since the division's implementation of the digitized driver's license system in 1994, our driver license examiners are now capable of detecting these attempts to secure driver's licenses by fraudulent methods. Driver license examiners are reporting several of these activity attempts daily.

Mr. Chairman, members of the committee, the division would appreciate your favorable consideration and passage of House Bill 2665. I would stand for questions at this time.

*House Transportation Committee  
January 24, 1996  
Attachment 2*