

Approved: 2-28-97  
Date

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:30 p.m. on February 17, 1997 in Room 526-S of the Capitol.

All members were present except:

Representative Stanley Dreher, excused  
Representative Daniel Thimesch, excused

Committee staff present: Hank Avila, Legislative Research Department  
Julian Efird, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Jackie Buchanan, Committee Secretary

Conferees appearing before the committee: none

Others attending: See attached list

**HB 2040 - Unlawful use of driver's license or non-driver's identification card**

The Chair opened discussion on **HB 2040**. Representative Shore made a motion to table **HB 2040**, seconded by Representative Humerickhouse, and motion carried.

**HB 2167 - Displaying or possessing a suspended driver's license is a Class B misdemeanor**

The Chair opened discussion on **HB 2167**. Chair called on Bruce Kinzie, Staff, to present a balloon to include non-driver identification cards. (Attachment 1) Representative Shore made a motion to adopt the balloon, seconded by Representative McKinney, and motion carried.

Representative Shore made a motion on line 36 (9) of the bill and also Sec.2 (9) of the balloon to remove the words, "or have in possession", seconded by Representative McKinney, and motion carried.

Representative Shore made a motion to pass **HB 2167** favorably, as amended, seconded by Representative Correll, and motion carried.

Meeting was adjourned at 2:15.

Next scheduled meeting is February 18.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: February 17, 1997

NAME	REPRESENTING
Mary E. Turkington	Kansas Motor Carriers Assn
Ken Behr	Economic Lifelines
Kelly Kuitala	City of Overland Park
Tom Whitaker	KS Motor Carriers Assn
Mike Kelley	KS Motor Carriers Assn
TERRY MAPLE	KHP
Bob Totten	Kc Contractors Association
Steve Blanke	Hubbell & Assoc.
Robert Beller	VA
Gary Carter	KDOR
Ken Clark	KDOR
Betty M'Bride	KDOR

# HOUSE BILL No. 2167

By Representative Powell

1-31

9 AN ACT concerning driver's licenses; ~~relating to a suspended license,~~ and nondriver identification cards  
 10 amending K.S.A. 1996 Supp. 8-260 and repealing the existing ~~section,~~ sections.  
 11 ~~\_\_\_\_\_~~ and 8-1327

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

13 Section 1. K.S.A. 1996 Supp. 8-260 is hereby amended to read as  
 14 follows: 8-260. (a) It shall be unlawful for any person, for any purpose,  
 15 to:

16 (1) Display or cause or permit to be displayed or have in possession  
 17 any ~~canceled, revoked,~~ suspended, fictitious or fraudulently altered driver's  
 18 license.

19 (2) Lend any driver's license to any other person or knowingly permit  
 20 the use thereof by another.

21 (3) Display or represent as the person's own, any driver's license not  
 22 issued to the person.

23 (4) Fail or refuse to surrender to the division upon its lawful demand  
 24 any driver's license which has been suspended, revoked, or canceled.

25 (5) Use a false or fictitious name in any application for a driver's  
 26 license, or any renewal or replacement thereof, or knowingly conceal a  
 27 material fact, or otherwise commit a fraud in any such application.

28 (6) Permit any unlawful use of a driver's license issued to the person.

29 (7) Photograph, photostat, duplicate or in any way reproduce any  
 30 driver's license or facsimile thereof in such a manner that it could be  
 31 mistaken for a valid driver's license or display or have in possession any  
 32 such photograph, photostat, duplicate, reproduction or facsimile unless  
 33 authorized by law.

34 (8) Display or possess any photograph, photostat, duplicate or facsimile  
 35 of a driver's license unless authorized by law.

36 (9) *Display or cause or permit to be displayed or have in possession*  
 37 *any* ~~suspended driver's license.~~

38 (b) *Violation of paragraph (9) of subsection (a) is a class B misdemeanor.* Violation of paragraphs (2), (3), (4), (6), (7) or (8) of subsection  
 39 (a) is a class A misdemeanor. Violation of paragraphs (1) or (5) of sub-  
 40 section (a) is a severity level 9, nonperson felony.

42 (c) It shall be unlawful for any person to:

43 (1) Lend any driver's license to or knowingly permit the use of any

canceled, revoked or

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1 driver's license by any person under 21 years of age for use in the purchase  
2 of any alcoholic liquor.

3 (2) Lend any driver's license to or knowingly permit the use of any  
4 driver's license by a person under the legal age for consumption of cereal  
5 malt beverage for use in the purchase of any cereal malt beverage.

6 (3) Lend any driver's license, nondriver's identification card or other  
7 form of identification to aid another person in wrongfully obtaining a  
8 driver's license or replacement driver's license.

9 (4) Display or cause to be displayed or have in possession any ficti-  
10 tious or fraudulently altered driver's license by any person under 21 years  
11 of age for use in the purchase of any alcoholic liquor or cereal malt bev-  
12 erage.

13 (d) Violation of any provision of subsection (c) is a class A misde-  
14 meanor.

15 (e) The provisions of this section shall apply to any driver's license,  
16 nondriver's identification card or other form of identification whether  
17 issued under the laws of this state or issued under the laws of another  
18 state or jurisdiction.

Sec. 2. K.S.A. 1966 Supp. 8-1327

3 19 ~~Sec. 2.~~ K.S.A. 1966 Supp. 8-260 ~~is~~ hereby repealed.

and 8-1327 are

4 20 ~~Sec. 3.~~ This act shall take effect and be in force from and after its

21 publication in the statute book.

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Sec. 2. K.S.A. 1996 Supp. 8-1327 is hereby amended to read as follows: 8-1327. (a) It shall be unlawful for any person, for any purpose, to:

(1) Display, cause or permit to be displayed, or have in possession, any ~~canceled~~, fictitious, fraudulently altered or fraudulently obtained identification card.

(2) Lend any identification card to any other person or knowingly permit the use thereof by another.

(3) Display or represent any identification card not issued to the person as being the person's card.

(4) Permit any unlawful use of an identification card issued to the person.

~~(5) Do any act forbidden or fail to perform any act required by this act~~ Use a false or fictitious name in any application for a identification card, or any renewal or replacement thereof, or knowingly conceal a material fact or otherwise commit a fraud in any such application.

(6) Display or possess any photograph, photostat, duplicate, reproduction or facsimile of an identification card unless authorized by the provisions of this act.

(7) Photograph, photostat, duplicate or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.

(8) Fail or refuse to surrender to the division upon its lawful demand any identification card which has been canceled.

(9) Display or cause or permit to be displayed or have in possession any canceled identification card.

(b) Violation of paragraph (9) of subsection (a) is a class B misdemeanor. Violation of any provision paragraphs (2), (3), (4), (6), (7) or (8) of subsection (a) is a class B A misdemeanor. Violation of paragraphs (1) or (5) of subsection (a) is a severity level 9, nonperson felony.

(c) It shall be unlawful for any person to:

(1) Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor.

(2) Lend any identification card to or knowingly permit the use of any identification card by any person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.

(3) Lend any identification card, driver's license or other form of identification to aid another person in obtaining an identification card or replacement identification card.

(4) Display or cause to be displayed or have in possession any fictitious or fraudulently altered identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor or cereal malt beverage.

(d) Violation of any provision of subsection (c) is a class A misdemeanor.

(e) The provisions of this section shall apply to any

identification card, driver's license or other form of identification whether issued under the laws of this state or issued under the laws of another state or jurisdiction.