

SESSION OF 2005

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2215

As Amended by Senate Committee on
Transportation

Brief*

HB 2215, as amended, would specify that all hazardous materials endorsement fees currently collected from commercial drivers' license applications be deposited in the newly created Hazmat Fee Fund. The Department of Revenue could use monies in the fund only to fund the collection of fingerprints and to research the criminal histories of applicants.

The bill also would bring Kansas provisions into conformity with Transportation Security Administration renewal notification requirements. Specifically, states would be required to notify persons within 60 days (instead of 180 days) prior to the expiration date of commercial licenses or hazardous materials endorsements that they must pass a security screening process; and the notice would be required to advise persons that they must file renewal applications not later than 30 days (instead of 60 days) prior to expiration of the endorsements.

The bill also would correct references in K.S.A. 8-259, to conform to changes made in 2003, to K.S.A. 8-2,142. These references pertain to persons who have been disqualified from driving a commercial vehicle. The other change would disqualify a person from driving a commercial motor vehicle for a period of not less than one year upon first occurrence if the person was convicted of causing a fatality. This change would conform to federal law.

Background

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The original bill also would have amended KSA 8-259 in an effort to reconcile a statutory reference to another statute. The House Committee removed that section at the suggestion of the Revisor.

The House Committee also added the provisions designed to bring Kansas into conformity with the Transportation Security Administration renewal notification requirements.

The Senate Transportation Committee amendment would correct references in K.S.A. 8-259, to conform to changes made in 2003, to K.S.A. 8-2, 142. These references pertain to persons who have been disqualified from driving a commercial vehicle. The other change would disqualify a person from driving a commercial motor vehicle for a period of not less than one year upon first occurrence if the person was convicted of causing a fatality. This change would conform to federal law.

The Director of Vehicles noted that the endorsement fees are not currently deposited into any specific fee fund and instead are maintained as a miscellaneous receipt collected pursuant to the provisions of KSA 2004 Supp. 8-2,151.

The Department of Revenue estimates that any additional expenses related to implementing the bill would be handled within current resources. Revenues currently collected would simply be passed through a different fund, with no net effect.