

**SENATE BILL No. 230**

By Committee on Transportation

2-6

1 AN ACT concerning drivers' licenses; relating to the division of vehicles;  
2 permitting the division of vehicles to establish or contract with an entity  
3 to issue digital proof of driver's licenses and digital proof of  
4 identification; regulating the use thereof; providing fees on such digital  
5 proof of driver's license and identification cards; amending K.S.A. 8-  
6 235, 8-240, 8-1325 and 8-1328 and K.S.A. 2024 Supp. 8-243 and 8-  
7 1324 and repealing the existing sections.

8  
9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. As used in sections 1 through 8, and amendments  
11 thereto:

12 (a) "Digital proof of driver's license" means a driver's license that is  
13 viewable on an electronic credentialing system.

14 (b) "Digital proof of identification card" means an identification card  
15 that is viewable on an electronic credentialing system.

16 (c) "Electronic credentialing system" means a computer system  
17 accessed using a computer, cellular telephone or any other personal device  
18 that queries the division of vehicle's driver's license and identification card  
19 records, displays or transmits digital proofs of drivers' licenses and digital  
20 proof of identification cards and verifies the authenticity of those  
21 electronic credentials.

22 (d) "Limited profile" means access to an electronic credentialing  
23 system containing some, but not all, of the information displayed on a  
24 printed driver's license or identification card. The information provided  
25 shall be set by the division of motor vehicles.

26 (e) "Person" means a natural person, firm, association, partnership or  
27 corporation.

28 (f) "Scanning" means obtaining data from a digital proof of driver's  
29 license or digital proof of identification card in an electronic format.

30 New Sec. 2. (a) (1) The division of vehicles shall establish a secure  
31 and uniform system for issuing an optional digital proof of driver's license  
32 or digital proof of identification card. The division may contract with one  
33 or more entities that may be private or public to develop an electronic  
34 credentialing system. An entity contracted with the division for this  
35 purpose shall not use, share, sell or disclose any information obtained as  
36 part of this contract, including, but not limited to, any information about

1 the holder of a digital proof of driver's license and digital proof of  
2 identification card, except when necessary to satisfy the terms of the  
3 contract. Upon termination or expiration of any contract entered into for  
4 this purpose, the contracting entity shall delete within 30 days any data  
5 collected or generated in the course of activities pursuant to that contract.

6 (2) The electronic credentialing system may not retain internet  
7 protocol addresses, geolocation data or other information that describes the  
8 location, computer, computer system or computer network from which a  
9 customer accesses the system, except when such information is necessary  
10 for the division to authenticate a digital proof of driver's license and digital  
11 proof of identification card.

12 (b) The division may enter into contracts with one or more private or  
13 public entities that authorize online data calls or offline data verification  
14 through the electronic credentialing system that queries the division's  
15 driver's license and identification card records, displays or transmits digital  
16 proofs of drivers' licenses or digital proof of identification cards, confirms  
17 identity or verifies the authenticity of such electronic credentials.

18 (c) The division may use a telephone number submitted by a licensee  
19 or cardholder in connection with a digital proof of driver's license and  
20 digital proof of identification card only for purposes of communication  
21 regarding the digital proof of driver's license or digital proof of  
22 identification card or the motor vehicle records, or as permitted by K.S.A.  
23 74-2012, and amendments thereto. The division may use a valid email  
24 address submitted by a licensee or cardholder in connection with the  
25 issuance of a digital proof of driver's license or digital proof of  
26 identification card only for purposes of communication regarding the  
27 digital proof of driver's license or digital proof of identification card or the  
28 motor vehicle records, or as permitted by K.S.A. 74- 2012, and  
29 amendments thereto.

30 New Sec. 3. (a) The digital proof of driver's license or digital proof of  
31 identification card established by the division of vehicles or by an entity  
32 contracted by the division shall be in such a format as to allow verification  
33 of the authenticity of the digital proof of driver's license or digital proof of  
34 identification card. The secretary of revenue may adopt rules and  
35 regulations in order to ensure valid authentication of digital proof of  
36 driver's license and digital proof of identification card.

37 (b) Notwithstanding the provisions of K.S.A. 8-240 and 8-1324, and  
38 amendments thereto, or any other law prescribing the design for, or  
39 information required to be displayed on, a driver's license or a digital proof  
40 of driver's license may comprise a limited profile that includes only  
41 information necessary to conduct a specific transaction on the electronic  
42 credentialing system.

43 (c) Notwithstanding the provisions of K.S.A. 8-240 and, 8-1324, and

1 amendments thereto, or any other law prescribing the design for, or  
2 information required to be displayed on, an identification card or a digital  
3 proof of identification card may comprise a limited profile that includes  
4 only information necessary to conduct a specific transaction on the  
5 electronic credentialing system.

6 (d) The division shall ensure that the information transmitted to the  
7 digital proof of driver's license and digital proof of identification card, as  
8 well as any mobile application required for the digital proof of driver's  
9 license and digital proof of identification card, is encrypted and protected  
10 to the highest reasonable security standards broadly available, including  
11 ISO-18013-5, FIPS 140.3, NIST 800-53 Moderate, and cannot be  
12 intercepted while being transmitted from the division.

13 New Sec. 4. An individual may not be issued a digital proof of  
14 driver's license or digital proof of identification card until the individual  
15 satisfies all requirements of articles 2 and 13 of chapter 8 of the Kansas  
16 Statutes Annotated, and amendments thereto, for issuance of the respective  
17 driver's license or identification card and has been issued a printed driver's  
18 license or identification card pursuant to K.S.A. 8-243 or 8-1324, and  
19 amendments thereto. The electronic credentialing system shall, upon each  
20 presentation of a digital proof of driver's license and digital proof of  
21 identification card, display or transmit current records for the driver's  
22 license or identification card. If a licensee's driving privilege is suspended,  
23 revoked or disqualified, or the licensee's driver's license is otherwise  
24 canceled or expired, a digital proof of driver's license may not be issued.

25 New Sec. 5. (a) Except as permitted by subsection (b), a person  
26 scanning a digital proof of driver's license or digital proof of identification  
27 card may not sell or share personal information collected from such  
28 scanning of the digital proof of driver's license or digital proof of  
29 identification card unless the person obtains and retains the express written  
30 consent of the holder of the digital proof of driver's license or digital proof  
31 of identification card.

32 (b) An individual may consent to allow a person to collect and store  
33 information obtained by scanning the individual's digital proof of driver's  
34 license or digital proof of identification card. Before an individual may  
35 give consent, the individual shall be informed regarding what information  
36 is to be collected and the purpose or purposes for which the information  
37 will be used. If the individual does not want the person to scan such  
38 individual's digital proof of driver's license or digital proof of  
39 identification card, the person may manually collect information from the  
40 digital proof of driver's license or digital proof of identification card.

41 (c) This section does not apply to a state-chartered bank, savings and  
42 loan or trust company.

43 (d) If any person is found to have violated any provision of this

1 section, in addition to any other civil penalty otherwise provided by law,  
2 the director of vehicles may impose an additional penalty not to exceed  
3 \$5,000 for each such violation.

4 (e) Any civil penalty recovered pursuant to this section shall be  
5 remitted to the state treasurer in accordance with K.S.A. 75-4215, and  
6 amendments thereto. Upon receipt of each such remittance, the state  
7 treasurer shall deposit the entire amount in the state treasury to the credit  
8 of the state general fund.

9 New Sec. 6. (a) It shall be unlawful for any person for any purpose  
10 to:

11 (1) Manufacture a false digital proof of driver's license or digital  
12 proof of identification card that has not been approved and authenticated  
13 by the division of vehicles or by another state's driver's license issuance  
14 authority; or

15 (2) possess a false digital proof of driver's license or digital proof of  
16 identification card that has not been approved and authenticated by the  
17 division of vehicles, or, if the person is a nonresident, another state's  
18 driver's license issuance authority.

19 (b) Violation of subsection (a)(1) is a class B, nonperson  
20 misdemeanor.

21 (c) Violation of subsection (a)(2) is a severity level 9, nonperson  
22 felony.

23 New Sec. 7. (a) The holder of a digital proof of driver's license and  
24 digital proof of identification card shall not be required to turn over the  
25 individual's electronic device to any other person or entity in order to use  
26 the digital proof of driver's license and digital proof of identification card  
27 for identity verification. The holder of a digital proof of driver's license  
28 and digital proof of identification card showing or turning over their  
29 electronic device to any other person or entity in order to provide proof of  
30 digital proof of driver's license and digital proof of identification card for  
31 identity verification shall not constitute consent to a search, nor shall it  
32 constitute consent for access to any information other than that which is  
33 immediately available on the digital proof of driver's license and digital  
34 proof of identification card. Information incidentally obtained in the  
35 process of viewing a digital proof of driver's license and digital proof of  
36 identification card in order to verify the identity of the holder shall not be  
37 used to establish probable cause for a warrant to search the electronic  
38 device.

39 (b) Any request for remote access to an individual's digital proof of  
40 driver's license or digital proof of identification card for identity  
41 verification shall:

42 (1) Require the express consent of the holder of the digital proof of  
43 driver's license and digital proof of identification card;

1 (2) be limited to the content of the digital proof of driver's license or  
2 digital proof of identification card specified in the request for remote  
3 access; and

4 (3) not exceed the information available on a copy of a driver's  
5 license or identification card.

6 (c) Consent to remotely access a digital proof of driver's license or  
7 digital proof of identification card by the holder shall not constitute  
8 consent to a search, nor shall it constitute consent for access to any  
9 information other than that which is immediately available on the digital  
10 proof of driver's license and digital proof of identification card.  
11 Information incidentally obtained in the process of remotely accessing a  
12 digital proof of driver's license and digital proof of identification card shall  
13 not be used to establish probable cause for a warrant to search the  
14 electronic device.

15 (d) A digital proof of driver's license or digital proof of identification  
16 card shall not be a valid form of identification to satisfy the requirements  
17 of K.S.A. 8-244, and amendments thereto, K.S.A. 25-2908, and  
18 amendments thereto, or any other substantially similar provision of law  
19 requiring a physical driver's license or physical identification card for  
20 purposes of operating a motor vehicle or voting.

21 New Sec. 8. Any authority provided to the division of vehicles or  
22 director of vehicles in articles 1, 2, 12 and 13 of chapter 8 of the Kansas  
23 Statutes Annotated, and amendments thereto, regarding the administration  
24 of drivers' licenses, identification cards or motor vehicle records shall  
25 extend to the division's issuance and administration of digital proof of  
26 driver's license, digital proof of identification card and electronic  
27 credentialing system.

28 Sec. 9. K.S.A. 8-235 is hereby amended to read as follows: 8-235. (a)  
29 No person, except those expressly exempted, shall drive any motor vehicle  
30 upon a highway in this state unless such person has a valid driver's license.  
31 No person shall receive a driver's license unless and until such person  
32 surrenders or with the approval of the division, lists to the division all  
33 valid licenses in such person's possession issued to such person by any  
34 other jurisdiction. All surrendered licenses, *digital proof of drivers'*  
35 *licenses* or the information listed on foreign licenses shall be returned by  
36 the division to the issuing department, together with information that the  
37 licensee is now licensed in a new jurisdiction. No person shall be  
38 permitted to have more than one valid license at any time.

39 (b) Any person licensed under the motor vehicle drivers' license act  
40 may exercise the privilege granted upon all streets and highways in this  
41 state and shall not be required to obtain any other license to exercise such  
42 privilege by any local authority. Nothing herein shall prevent cities from  
43 requiring licenses of persons who drive taxicabs or municipally franchised

1 transit systems for hire upon city streets, to protect the public from drivers  
2 whose character or habits make them unfit to transport the public. If a  
3 license is denied, the applicant may appeal such decision to the district  
4 court of the county in which such city is located by filing within 14 days  
5 after such denial, a notice of appeal with the clerk of the district court and  
6 by filing a copy of such notice with the city clerk of the involved city. The  
7 city clerk shall certify a copy of such decision of the city governing body  
8 to the clerk of the district court and the matter shall be docketed as any  
9 other cause and the applicant shall be granted a trial of such person's  
10 character and habits. The matter shall be heard by the court de novo in  
11 accordance with the code of civil procedure. The cost of such appeal shall  
12 be assessed in such manner as the court may direct.

13 (c) Any person operating in this state a motor vehicle shall be the  
14 holder of a driver's license that is classified for the operation of such motor  
15 vehicle, and any person operating in this state a motorcycle that is  
16 registered in this state shall be the holder of a class M driver's license.

17 (d) No person shall drive any motorized bicycle upon a highway of  
18 this state unless such person:

19 (1) Has a valid driver's license that entitles the licensee to drive a  
20 motor vehicle in any class or classes;

21 (2) is at least 15 years of age and has passed the written and visual  
22 examinations required for obtaining a class C driver's license, in which  
23 case the division shall issue to such person a class C license, which shall  
24 clearly indicate that such license is valid only for the operation of  
25 motorized bicycles; or

26 (3) has had their driving privileges revoked under K.S.A. 8-286, and  
27 amendments thereto, has not had a test refusal or test failure or alcohol or  
28 drug-related conviction, as those terms are defined in K.S.A. 8-1013, and  
29 amendments thereto, in the last five years, has not been convicted of a  
30 violation of K.S.A. 8-1568(b), and amendments thereto, in the last five  
31 years and has made application to the division for issuance of a class C  
32 license for the operation of motorized bicycles, in accordance with  
33 paragraph (2), in which case the division shall issue such person a class C  
34 license, which shall clearly indicate that such license is valid only for the  
35 operation of motorized bicycles. As used in this subsection, "motorized  
36 bicycle" shall have the meaning ascribed to it in K.S.A. 8-126, and  
37 amendments thereto.

38 (e) Violation of this section is a class B nonperson misdemeanor.

39 Sec. 10. K.S.A. 8-240 is hereby amended to read as follows: 8-240.

40 (a) (1) Every application for an instruction permit shall be made upon a  
41 form furnished by the division of vehicles and accompanied by a fee of \$2  
42 for class A, B, C or M and \$5 for all commercial classes. Every other  
43 application shall be made upon a form furnished by the division and

1 accompanied by an examination fee of \$3, unless a different fee is required  
2 by K.S.A. 8-241, and amendments thereto, and by the proper fee for the  
3 license for which the application is made. All commercial class applicants  
4 shall be charged a \$15 driving test fee for the drive test portion of the  
5 commercial driver's license application. If the applicant is not required to  
6 take an examination or the commercial license drive test, the examination  
7 or commercial drive test fee shall not be required. The examination shall  
8 consist of three tests, as follows: (A) Vision; (B) written; and (C) driving.  
9 For a commercial driver's license, the drive test shall consist of three  
10 components, as follows: (A) Pre-trip; (B) skills test; and (C) road test. If  
11 the applicant fails the vision test, the applicant may have correction of  
12 vision made and take the vision test again without any additional fee. If an  
13 applicant fails the written test, the applicant may take such test again upon  
14 the payment of an additional examination fee of \$1.50. If an applicant fails  
15 the driving test, the applicant may take such test again upon the payment  
16 of an additional examination fee of \$1.50. If an applicant for a commercial  
17 driver's license fails any portion of the commercial drive test, the applicant  
18 may take such test again upon the payment of an additional drive test fee  
19 of \$10. If an applicant fails to pass all three of the tests within a period of  
20 six months from the date of original application and desires to take  
21 additional tests, the applicant shall file an application for reexamination  
22 upon a form furnished by the division, which shall be accompanied by a  
23 reexamination fee of \$3, except that any applicant who fails to pass the  
24 written or driving portion of an examination four times within a six-month  
25 period, shall be required to wait a period of six months from the date of the  
26 last failed examination before additional examinations may be given.  
27 Upon the filing of such application and the payment of such reexamination  
28 fee, the applicant shall be entitled to reexamination in like manner and  
29 subject to the additional fees and time limitation as provided for  
30 examination on an original application. If the applicant passes the  
31 reexamination, the applicant shall be issued the classified driver's license  
32 for which the applicant originally applied, which license shall be issued to  
33 expire as if the applicant had passed the original examination.

34 (2) Applicants for class M licenses who have completed prior  
35 motorcycle safety training in accordance with department of defense  
36 instruction 6055.04 (DoDI 6055.04) or the motorcycle safety foundation  
37 are not required to complete further written and driving testing pursuant to  
38 paragraph (1). An applicant seeking exemption from the written and  
39 driving tests pursuant to this paragraph shall provide a copy of the  
40 motorcycle safety foundation completion form to the division prior to  
41 receiving a class M license.

42 (3) ~~On and after January 1, 2017,~~ An applicant for a class M license  
43 who passes a driving examination on a three-wheeled motorcycle that is

1 not an autocycle shall have a restriction placed on such applicant's license  
2 limiting the applicant to the operation of a registered three-wheeled  
3 motorcycle. An applicant for a class M license who passes a driving  
4 examination on a two-wheeled motorcycle may operate any registered  
5 two-wheeled or three-wheeled motorcycle. The driving examination  
6 required by this paragraph shall be administered by the division, by the  
7 department of defense or as part of a curriculum recognized by the  
8 motorcycle safety foundation.

9 (b) (1) For the purposes of obtaining any driver's license or  
10 instruction permit, an applicant shall submit, with the application, proof of  
11 age and proof of identity as the division may require. The applicant also  
12 shall provide a photo identity document, except that a non-photo identity  
13 document is acceptable if it includes both the applicant's full legal name  
14 and date of birth, and documentation showing the applicant's name, the  
15 applicant's address of principal residence and the applicant's social security  
16 number. The applicant's social security number shall remain confidential  
17 and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012,  
18 and amendments thereto. If the applicant does not have a social security  
19 number the applicant shall provide proof of lawful presence and Kansas  
20 residency. The division shall assign a distinguishing number to the license  
21 or permit.

22 (2) The division shall not issue any driver's license or instruction  
23 permit to any person who fails to provide proof that the person is lawfully  
24 present in the United States. Before issuing a driver's license or instruction  
25 permit to a person, the division shall require valid documentary evidence  
26 that the applicant: (A) Is a citizen or national of the United States; (B) is an  
27 alien lawfully admitted for permanent or temporary residence in the  
28 United States; (C) has conditional permanent resident status in the United  
29 States; (D) has an approved application for asylum in the United States or  
30 has entered into the United States in refugee status; (E) has a valid,  
31 unexpired nonimmigrant visa or nonimmigrant visa status for entry into  
32 the United States; (F) has a pending application for asylum in the United  
33 States; (G) has a pending or approved application for temporary protected  
34 status in the United States; (H) has approved deferred action status; or (I)  
35 has a pending application for adjustment of status to that of an alien  
36 lawfully admitted for permanent residence in the United States or  
37 conditional permanent resident status in the United States.

38 (3) If an applicant provides evidence of lawful presence set out in  
39 subsections (b)(2)(E) through (2)(I), or is an alien lawfully admitted for  
40 temporary residence under subsection (b)(2)(B), the division may only  
41 issue a driver's license to the person under the following conditions: (A) A  
42 driver's license issued pursuant to this subparagraph shall be valid only  
43 during the period of time of the applicant's authorized stay in the United



1 States or, if there is no definite end to the period of authorized stay, a  
2 period of one year; (B) a driver's license issued pursuant to this  
3 subparagraph shall clearly indicate that it is temporary and shall state the  
4 date ~~on which~~ when it expires; (C) no driver's license issued pursuant to  
5 this subparagraph shall be for a longer period of time than the time period  
6 permitted by K.S.A. 8-247(a), and amendments thereto; and (D) a driver's  
7 license issued pursuant to this subparagraph may be renewed, subject at  
8 the time of renewal, to the same requirements and conditions as set out in  
9 this subsection (b) for the issuance of the original driver's license.

10 (4) The division shall not issue any driver's license or instruction  
11 permit to any person who is not a resident of the state of Kansas, except as  
12 provided in K.S.A. 8-2,148, and amendments thereto.

13 (5) The division shall not issue a driver's license to a person holding a  
14 driver's license issued by another state without making reasonable efforts  
15 to confirm that the person is terminating or has terminated the driver's  
16 license in the other state.

17 (6) The parent or guardian of an applicant under 16 years of age shall  
18 sign the application for any driver's license submitted by such applicant.

19 (c) Every application shall state the full legal name, date of birth,  
20 gender and address of principal residence of the applicant, and briefly  
21 describe the applicant, and shall state whether the applicant has been  
22 licensed as a driver prior to such application, and, if so, when and by what  
23 state or country. Such application shall state whether any such license has  
24 ever been suspended or revoked, or whether an application has ever been  
25 refused, and, if so, the date of and reason for such suspension, revocation  
26 or refusal. In addition, applications for commercial drivers' licenses and  
27 instruction permits for commercial licenses must include the following:  
28 The applicant's social security number; the person's signature; the person's:  
29 (1) Digital color image or photograph; or (2) a laser engraved photograph;  
30 certifications, including those required by 49 C.F.R. § 383.71(a), effective  
31 January 1, 1991; a consent to release driving record information; and, any  
32 other information required by the division. Each application for a driver's  
33 license shall include a question asking if the applicant is willing to give  
34 such applicant's authorization to be listed as an organ, eye or tissue donor  
35 in the Kansas donor registry in accordance with the revised uniform  
36 anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments  
37 thereto. The gift would become effective upon the death of the donor.

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

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

3 (f) A fee shall be charged as follows:

4 (1) For a class C driver's license issued to a person at least 21 years of  
5 age, but less than 65 years of age, \$18;

6 (2) for a class C driver's license issued to a person 65 years of age or  
7 older, \$12;

8 (3) for a class M driver's license issued to a person at least 21 years of  
9 age, but less than 65 years of age, \$12.50;

10 (4) for a class M driver's license issued to a person 65 years of age or  
11 older, \$9;

12 (5) for a class A or B driver's license issued to a person who is at least  
13 21 years of age, but less than 65 years of age, \$24;

14 (6) for a class A or B driver's license issued to a person 65 years of  
15 age or older, \$16;

16 (7) for any class of commercial driver's license issued to a person 21  
17 years of age or older, \$18; or

18 (8) for class A, B, C or M, or a farm permit, or any commercial  
19 driver's license issued to a person less than 21 years of age, \$20.

20 A fee of \$10 shall be charged for each commercial driver's license  
21 endorsement, except air brake endorsements ~~which~~ shall have no charge.

22 A fee of \$3 per year shall be charged for any renewal of a license issued  
23 prior to the effective date of this act to a person less than 21 years of age.

24 *A fee of \$10 shall be charged for the issuance of a digital proof of*  
25 *driver's license.*

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

30 (g) Any person who possesses an identification card as provided in  
31 K.S.A. 8-1324, and amendments thereto, shall surrender such  
32 identification card to the division upon being issued a valid Kansas driver's  
33 license or upon reinstatement and return of a valid Kansas driver's license.

34 (h) The division shall require that any person applying for a driver's  
35 license submit to a mandatory facial image capture. The captured facial  
36 image shall be displayed on the front of the applicant's driver's license.

37 (i) The director of vehicles may issue a temporary driver's license to  
38 an applicant who cannot provide valid documentary evidence as defined  
39 by subsection (b)(2), if the applicant provides compelling evidence  
40 proving current lawful presence. Any temporary license issued pursuant to  
41 this subsection shall be valid for one year.

42 (j) (1) For purposes of this subsection, the division may rely on the  
43 division's most recent, existing color digital image and signature image of

1 the applicant for the class C or M driver's license or any class of  
2 commercial driver's license if the division has the information on file. The  
3 determination on whether an electronic online renewal application or  
4 equivalent of a driver's license is permitted shall be made by the director of  
5 vehicles or the director's designee. The division shall not renew a driver's  
6 license through an electronic online or equivalent process if the license has  
7 been previously renewed through an electronic online application in the  
8 immediately preceding driver's license period. No renewal under this  
9 subsection shall be granted to any person who is:

10 (A) Younger than 30 days from turning 21 years of age;

11 (B) 65 years of age or older;

12 (C) a registered offender pursuant to K.S.A. 22-4901 et seq., and  
13 amendments thereto;

14 (D) a person issued a temporary driver's license issued pursuant to  
15 K.S.A. 8-240(b)(3), and amendments thereto, provided the license is not  
16 otherwise withdrawn; or

17 (E) a person issued a commercial driver's license that has a hazardous  
18 materials endorsement.

19 (2) The vision examination requirements in K.S.A. 8-247(e), and  
20 amendments thereto, are not required for electronic online renewal  
21 applications, except that the electronic online renewal applicant must  
22 certify under penalty of law that the applicant's vision satisfies the  
23 requirements of K.S.A. 8-295, and amendments thereto, and has  
24 undergone an examination of eyesight by a licensed ophthalmologist or a  
25 licensed optometrist within the last year. As a condition for any electronic  
26 online renewal application, the applicant must: (A) Authorize the exchange  
27 of vision and medical information between the division and the applicant's  
28 ophthalmologist or optometrist; and (B) is at least 21 years of age, but less  
29 than 65 years of age. The ophthalmologist or optometrist shall have four  
30 business days to confirm or deny the vision and medical information of the  
31 applicant. If no response is received by the division, the division shall  
32 accept the vision and medical information provided for processing the  
33 renewal application. The waiver of vision examination for online renewal  
34 applications contained within this subsection shall expire on July 1, 2022.

35 (3) The secretary of revenue shall adopt and administer rules and  
36 regulations to implement a program to permit an electronic online renewal  
37 of a driver's license, including, but not limited to, requirements that an  
38 electronic online renewal applicant shall have previously provided  
39 documentation of identity, lawful presence and residence to the division  
40 for electronic scanning.

41 ~~(4) Prior to February 1, 2022, the division shall report to the house~~  
42 ~~and senate committees on transportation regarding the online renewal~~  
43 ~~process of this subsection and its effects to safety on the state's roads and~~

1 highways.

2 (5) Any person seeking to renew a commercial driver's license  
3 pursuant to this subsection shall be required to provide the division with a  
4 valid medical examiner's certificate and proof of completion of the  
5 truckers against trafficking training.

6 Sec. 11. K.S.A. 2024 Supp. 8-243 is hereby amended to read as  
7 follows: 8-243. (a) (1) Upon payment of the required fee, the division shall  
8 issue to every applicant qualifying under the provisions of this act the  
9 driver's license as applied for by the applicant. Such license shall bear the  
10 class or classes of motor vehicles that the licensee is entitled to drive, a  
11 distinguishing number assigned to the licensee, the full legal name, date of  
12 birth, gender, address of principal residence and a brief description of the  
13 licensee, ~~either: (1) A digital color image or photograph; or (2) a laser-~~  
14 ~~engraved photograph of the licensee,~~ a facsimile of the signature of the  
15 licensee and the statement provided for in subsection (b). No driver's  
16 license shall be valid until it has been signed by the licensee. All drivers'  
17 licenses issued to persons under the age of 21 years shall be readily  
18 distinguishable from licenses issued to persons age 21 years or older. In  
19 addition, all drivers' licenses issued to persons under the age of 18 years  
20 shall also be readily distinguishable from licenses issued to persons age 18  
21 years or older. The secretary of revenue shall implement a vertical format  
22 to make drivers' licenses issued to persons under the age of 21 more  
23 readily distinguishable.

24 (2) (A) Except as otherwise provided, no driver's license issued by the  
25 division shall be valid until either: ~~(1)(i) A digital color image or~~  
26 ~~photograph; or (2)(ii) a laser-engraved photograph of such licensee has~~  
27 ~~been taken and verified before being placed on the driver's license.~~

28 (B) The secretary of revenue shall prescribe a fee of not more than \$8  
29 and upon the payment of such fee, the division shall cause ~~either: (1) A~~  
30 ~~digital color image or photograph; or (2) a laser-engraved~~ the photograph  
31 of such applicant to be placed on the driver's license.

32 (3) Upon payment of such fee prescribed by the secretary of revenue,  
33 *pursuant to this subsection*, plus payment of the fee required by K.S.A. 8-  
34 246, and amendments thereto, for issuance of a new license, the division  
35 shall issue to such licensee a new license ~~containing either: (1) A digital~~  
36 ~~color image or photograph; or (2) a laser-engraved photograph of such~~  
37 ~~licensee.~~

38 (4) A driver's license that does not contain the principal address as  
39 required may be issued to persons who are program participants pursuant  
40 to K.S.A. 75-455, and amendments thereto, upon payment of the fee  
41 required by K.S.A. 8-246, and amendments thereto. All Kansas drivers'  
42 licenses and identification cards shall have physical security features  
43 designed to prevent tampering, counterfeiting or duplication of the

1 document for fraudulent purposes. The secretary of revenue shall  
2 incorporate common machine-readable technology into all Kansas drivers'  
3 licenses and identification cards.

4 (b) A Kansas driver's license issued to any person 16 years of age or  
5 older who indicated on the person's application that the person wished to  
6 make a gift of all or any part of the body of the licensee in accordance with  
7 the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244,  
8 and amendments thereto, shall have the word "Donor" placed on the front  
9 of the licensee's driver's license.

10 (c) Any person who is deaf or hard of hearing may request that the  
11 division issue to such person a driver's license ~~which~~ *that* is readily  
12 distinguishable from drivers' licenses issued to other drivers and upon such  
13 request the division shall issue such license. Drivers' licenses issued to  
14 persons who are deaf or hard of hearing and under the age of 21 years shall  
15 be readily distinguishable from drivers' licenses issued to persons who are  
16 deaf or hard of hearing and 21 years of age or older. Upon satisfaction of  
17 subsection (a), the division shall issue a receipt of application permitting  
18 the operation of a vehicle consistent with the requested class, if there are  
19 no other restrictions or limitations, pending the division's verification of  
20 the information and production of a driver's license.

21 (d) A driver's license issued to a person required to be registered  
22 under K.S.A. 22-4901 et seq., and amendments thereto, shall be assigned a  
23 distinguishing number by the division ~~which~~ *that* will readily indicate to  
24 law enforcement officers that such person is a registered offender. The  
25 division shall develop a numbering system to implement the provisions of  
26 this subsection.

27 (e) (1) Any person who is a veteran may request that the division  
28 issue to such person a driver's license that shall include the designation  
29 "VETERAN" displayed on the front of the driver's license at a location to  
30 be determined by the secretary of revenue. In order to receive a license  
31 described in this subsection, the veteran shall provide a copy of the  
32 veteran's DD form 214, NGB form 22 or equivalent discharge document  
33 showing character of service as honorable or general under honorable  
34 conditions.

35 (2) As used in this subsection, "veteran" means a person who served  
36 in the active military, naval, air or space service and who was discharged  
37 or released therefrom under an honorable discharge or a general discharge  
38 under honorable conditions.

39 (3) The director of vehicles may adopt any rules and regulations  
40 necessary to carry out the provisions of this subsection.

41 (f) (1) Any person who submits satisfactory proof to the director of  
42 vehicles, on a form provided by the director, that such person needs  
43 assistance with cognition, including, but not limited to, persons with

1 autism spectrum disorder, may request that the division issue to such  
2 person a driver's license, that shall note such impairment on the driver's  
3 license at a location to be determined by the secretary of revenue.

4 (2) Satisfactory proof that a person needs assistance with cognition  
5 shall include a statement from a person licensed to practice the healing arts  
6 in any state, an advanced practice registered nurse licensed under K.S.A.  
7 65-1131, and amendments thereto, a licensed physician assistant or a  
8 person clinically licensed by the Kansas behavioral sciences regulatory  
9 board certifying that such person needs assistance with cognition.

10 (g) (1) *A driver's license issued pursuant to this section may include*  
11 *an optional digital proof of driver's license. A digital proof of driver's*  
12 *license may be issued upon request by an applicant and payment of the*  
13 *required fee. A digital proof of driver's license is optional to purchase and*  
14 *supplemental to a physical driver's license. Except as provided in section*  
15 *7, and amendments thereto, a digital proof of driver's license shall be*  
16 *accepted in lieu of a physical driver's license to a person requesting or*  
17 *requiring proof of licensure or identification. No digital proof of driver's*  
18 *license shall be issued unless the applicant holds the corresponding*  
19 *physical driver's license or the corresponding physical driver's license is*  
20 *issued simultaneously. The division may digitally cancel, suspend or*  
21 *revalidate a digital proof of driver's license on the occasions that a*  
22 *physical driver's license would be canceled, suspended, returned or*  
23 *reinstated, as appropriate. A digital proof of driver's license shall meet the*  
24 *requirements and conditions provided in sections 2 through 8, and*  
25 *amendments thereto, before being issued by the division pursuant to this*  
26 *subsection.*

27 (2) *As used in this subsection, "digital proof of driver's license"*  
28 *means the same as defined in section 1, and amendments thereto.*

29 Sec. 12. K.S.A. 2024 Supp. 8-1324 is hereby amended to read as  
30 follows: 8-1324. (a) Any resident who does not hold a current valid Kansas  
31 driver's license may make application to the division of vehicles and be  
32 issued one identification card.

33 (b) (1) Each application for an identification card shall include a  
34 question asking if the applicant is willing to give such applicant's  
35 authorization to be listed as an organ, eye and tissue donor in the Kansas  
36 donor registry in accordance with the revised uniform anatomical gift act,  
37 K.S.A. 65-3220 through 65-3244, and amendments thereto. The gift would  
38 become effective upon the death of the donor.

39 (2) For the purpose of obtaining an identification card, an applicant  
40 shall submit, with the application, proof of age, proof of identity and proof  
41 of lawful presence. An applicant shall submit with the application a photo  
42 identity document, except that a non-photo identity document is acceptable  
43 if it includes both the applicant's full legal name and date of birth, and

1 documentation showing the applicant's name, the applicant's address of  
2 principal residence and the applicant's social security account number. The  
3 applicant's social security number shall remain confidential and shall not  
4 be disclosed, except as provided pursuant to K.S.A. 74-2014, and  
5 amendments thereto. If the applicant does not have a social security  
6 number, the applicant shall provide proof of lawful presence and Kansas  
7 residency. The division shall assign a distinguishing number to the  
8 identification card. Before issuing an identification card to a person, the  
9 division shall make reasonable efforts to verify with the issuing agency the  
10 issuance, validity and completeness of each document required to be  
11 presented by the applicant to prove age, identity and lawful presence.

12 (c) The division shall not issue an identification card to any person  
13 who fails to provide proof that the person is lawfully present in the United  
14 States. If an applicant provides evidence of lawful presence as set out in  
15 K.S.A. 8-240(b)(2)(E) through (2)(I), and amendments thereto, or is an  
16 alien lawfully admitted for temporary residence under K.S.A. 8-240(b)(2)  
17 (B), and amendments thereto, the division may only issue a temporary  
18 identification card to the person under the following conditions:

19 (1) A temporary identification card issued pursuant to this  
20 subparagraph shall be valid only during the period of time of the  
21 applicant's authorized stay in the United States or, if there is no definite  
22 end to the period of authorized stay, a period of one year;

23 (2) a temporary identification card issued pursuant to this  
24 subparagraph shall clearly indicate that it is temporary and shall state the  
25 date ~~upon which~~ when it expires;

26 (3) no temporary identification card issued pursuant to this  
27 subparagraph shall be for a longer period of time than the time period  
28 permitted by K.S.A. 8-1325, and amendments thereto; and

29 (4) a temporary identification card issued pursuant to this  
30 subparagraph may be renewed, subject at the time of renewal, to the same  
31 requirements and conditions set forth in this subsection for the issuance of  
32 the original temporary identification card.

33 (d) The division shall not issue an identification card to any person  
34 who holds a current valid Kansas driver's license unless such driver's  
35 license has been physically surrendered pursuant to the provisions of  
36 K.S.A. 8-1002(e), and amendments thereto.

37 (e) The division shall refuse to issue an identification card to a person  
38 holding a driver's license or identification card issued by another state  
39 without confirmation that the person is terminating or has terminated the  
40 license or identification card.

41 (f) The parent or guardian of an applicant under 16 years of age shall  
42 sign the application for an identification card submitted by such applicant.

43 (g) (1) The division shall require payment of a fee of \$14 at the time

1 application for an identification card is made, except that persons who are  
2 65 or more years of age or who are handicapped, as defined in K.S.A. 8-  
3 1,124, and amendments thereto, shall be required to pay a fee of only \$10.  
4 In addition to the fees prescribed by this subsection, the division shall  
5 require payment of the photo fee established pursuant to K.S.A. 8-243, and  
6 amendments thereto, for the cost of the photograph to be placed on the  
7 identification card.

8 (2) The division shall not require or accept payment of application or  
9 photo fees under this subsection for any person 17 years of age or older for  
10 purposes of meeting the voter identification requirements of K.S.A. 25-  
11 2908, and amendments thereto. Such person shall:

12 (A) Swear under oath that such person desires an identification card  
13 in order to vote in an election in Kansas and that such person does not  
14 possess any of the forms of identification acceptable under K.S.A. 25-  
15 2908, and amendments thereto. The affidavit shall specifically list the  
16 acceptable forms of identification under K.S.A. 25-2908, and amendments  
17 thereto; and

18 (B) produce evidence that such person is registered to vote in Kansas.

19 (3) The secretary of revenue shall adopt rules and regulations in order  
20 to implement the provisions of paragraph (2).

21 (h) All Kansas identification cards shall have physical security  
22 features designed to prevent tampering, counterfeiting or duplication for  
23 fraudulent purposes.

24 (i) For the purposes of K.S.A. 8-1324 through 8-1328, and  
25 amendments thereto, a person shall be deemed to be a resident of the state  
26 if the person:

- 27 (1) Owns, leases or rents a place of domicile in this state;
- 28 (2) engages in a trade, business or profession in this state;
- 29 (3) is registered to vote in this state;
- 30 (4) enrolls the person's child in a school in this state; or
- 31 (5) registers the person's motor vehicle in this state.

32 (j) The division shall require that any person applying for an  
33 identification card submit to a mandatory facial image capture. The  
34 captured facial image shall be displayed on the front of the applicant's  
35 identification card by either:

- 36 (1) A digital color image or photograph; or
- 37 (2) a laser-engraved photograph of the licensee.

38 (k) (1) Any person who is a veteran may request that the division  
39 issue to such person a nondriver identification card that shall include the  
40 designation "VETERAN" displayed on the front of the nondriver  
41 identification card at a location to be determined by the secretary of  
42 revenue. In order to receive a nondriver identification card described in  
43 this subsection, the veteran shall provide a copy of the veteran's DD form



1 214, NGB form 22 or equivalent discharge document showing character of  
2 service as honorable or general under honorable conditions.

3 (2) As used in this subsection, "veteran" means a person who served  
4 in the active military, naval, air or space service and who was discharged  
5 or released therefrom under an honorable discharge or a general discharge  
6 under honorable conditions.

7 (3) The director of vehicles may adopt any rules and regulations  
8 necessary to carry out the provisions of this subsection.

9 (l) The director of vehicles may issue a temporary identification card  
10 to an applicant who cannot provide valid documentary evidence as defined  
11 by subsection (c), if the applicant provides compelling evidence proving  
12 current lawful presence. Any temporary identification card issued pursuant  
13 to this subparagraph shall be valid for one year.

14 (m) Upon payment of the required fee, the division shall issue to  
15 every applicant qualifying under the provisions of this act an identification  
16 card. Such identification card shall bear a distinguishing number assigned  
17 to the cardholder, the full legal name, date of birth, address of principal  
18 residence, a brief description of the cardholder, either:

19 (1) A digital color image or photograph; or

20 (2) a laser-engraved photograph of the cardholder, and a facsimile of  
21 the signature of the cardholder. An identification card that does not contain  
22 the address of principal residence of the cardholder as required may be  
23 issued to persons who are program participants pursuant to K.S.A. 75-455,  
24 and amendments thereto.

25 (n) An identification card issued to any person who indicated on the  
26 application that the person wished to make an anatomical gift in  
27 accordance with the revised uniform anatomical gift act, K.S.A. 65-3220  
28 through 65-3244, and amendments thereto, shall have the word "Donor"  
29 placed on the front of the applicant's identification card.

30 (o) (1) Any person who submits satisfactory proof to the director of  
31 vehicles, on a form provided by the director, that such person needs  
32 assistance with cognition, including, but not limited to, persons with  
33 autism spectrum disorder, may request that the division issue to such  
34 person a nondriver identification card, that shall note such impairment on  
35 the nondriver identification card at a location to be determined by the  
36 secretary of revenue.

37 (2) Satisfactory proof that a person needs assistance with cognition  
38 shall include a statement from a person licensed to practice the healing arts  
39 in any state, an advanced practice registered nurse licensed under K.S.A.  
40 65-1131, and amendments thereto, a licensed physician assistant or a  
41 person clinically licensed by the Kansas behavioral sciences regulatory  
42 board certifying that such person needs assistance with cognition.

43 (p) The secretary of revenue shall permit an electronic online renewal

1 of an identification card if the electronic online renewal applicant  
2 previously provided documentation of identity, lawful presence and  
3 residence to the division for electronic scanning. For purposes of this  
4 subsection, the division may rely on the division's most recent, existing  
5 color digital image and signature image of the applicant for the nondriver's  
6 identification card if the division has such images on file. The  
7 determination on whether an electronic online renewal application or  
8 equivalent of a nondriver's identification card is permitted shall be made  
9 by the director of vehicles or the director's designee. The division shall not  
10 renew a nondriver's identification card through an electronic online or  
11 equivalent process if the identification card has been previously renewed  
12 through an electronic online application in the immediately preceding  
13 card's expiration period. No renewal under this subsection shall be granted  
14 to any person who is a registered offender pursuant to K.S.A. 22-4901 et  
15 seq., and amendments thereto.

16 *(q) (1) An identification card issued pursuant to this section may*  
17 *include an optional digital proof of identification card. A digital proof of*  
18 *identification card may be issued upon request by an applicant and*  
19 *payment of the required fee. A digital proof of identification card is*  
20 *optional to purchase and supplemental to a physical identification card.*  
21 *Except as provided in section 7, and amendments thereto, a digital proof*  
22 *of identification card shall be accepted in lieu of a physical identification*  
23 *card to a person requesting or requiring proof of identification. No digital*  
24 *proof of identification card shall be issued unless the applicant holds the*  
25 *corresponding physical identification card or the corresponding physical*  
26 *identification card is issued simultaneously. The division may digitally*  
27 *cancel, suspend or revalidate a digital proof of identification card on the*  
28 *occasions that a physical identification card would be canceled,*  
29 *suspended, returned or reinstated, as appropriate. A digital proof of*  
30 *identification card shall meet the requirements and conditions provided in*  
31 *sections 2 through 8, and amendments thereto, before being issued by the*  
32 *division pursuant to this subsection.*

33 *(2) As used in this subsection, "digital proof of identification card"*  
34 *means the same as defined in section 1, and amendments thereto.*

35 Sec. 13. K.S.A. 8-1325 is hereby amended to read as follows: 8-1325.

36 (a) Every identification card shall expire, unless earlier canceled or  
37 subsection (c) of K.S.A. 8-1324, and amendments thereto, applies, on the  
38 sixth birthday of the applicant following the date of original issue, except  
39 as otherwise provided by K.S.A. 8-1329, and amendments thereto.  
40 Renewal of any identification card shall be made for a term of six years  
41 and shall expire in a like manner as the originally issued identification  
42 card, unless surrendered earlier or subsection (c) of K.S.A. 8-1324, and  
43 amendments thereto, applies. For any person who has been issued an

1 identification card, the division shall mail a notice of expiration or renewal  
2 at least 30 days prior to the expiration of such person's identification card  
3 at the address shown on such identification card. The division shall include  
4 with such notice, written information required under subsection (b). Any  
5 application for renewal received later than 90 days after expiration of the  
6 identification card shall be considered to be an application for an original  
7 identification card. The division shall require payment of a fee of \$14 for  
8 each identification card renewal, except that persons who are 65 or more  
9 years of age or who are persons with a disability, as defined in K.S.A. 8-  
10 1,124, and amendments thereto, shall be required to pay a fee of \$10. Any  
11 identification card holder, whose identification card has expired after  
12 March 12, 2020, and before March 31, 2021, shall have until June 30,  
13 2021, to renew such identification card.

14 (b) The division shall reference the website of the agency in a  
15 person's notice of expiration or renewal under subsection (a). The division  
16 shall provide the following information on the website of the agency:

17 (1) Information explaining the person's right to make an anatomical  
18 gift in accordance with K.S.A. 8-1328, and amendments thereto, and the  
19 revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and  
20 amendments thereto;

21 (2) information describing the organ donation registry program  
22 maintained by the Kansas federally designated organ procurement  
23 organization. The information required under this paragraph shall include,  
24 in a type, size and format that is conspicuous in relation to the surrounding  
25 material, the address and telephone number of Kansas' federally  
26 designated organ procurement organization, along with an advisory to call  
27 such designated organ procurement organization with questions about the  
28 organ donor registry program;

29 (3) information giving the applicant the opportunity to be placed on  
30 the organ donation registry described in paragraph (2);

31 (4) inform the applicant that, if the applicant indicates under this  
32 subsection a willingness to have such applicant's name placed on the organ  
33 donor registry described in paragraph (2), the division will forward the  
34 applicant's name, gender, date of birth and most recent address to the organ  
35 donation registry maintained by the Kansas federally designated organ  
36 procurement organization, as required by paragraph (6);

37 (5) the division may fulfill the requirements of paragraph (4) by one  
38 or more of the following methods:

39 (A) Providing such information on the website of the agency; or

40 (B) providing printed material to an applicant who personally applies  
41 for an identification card; and

42 (6) if an applicant indicates a willingness under this subsection to  
43 have such applicant's name placed on the organ donor registry described,

1 the division shall within 10 days forward the applicant's name, gender,  
2 date of birth and address to the organ donor registry maintained by the  
3 Kansas federally designated organ procurement organization. The division  
4 may forward information under this subsection by mail or by electronic  
5 means. The division shall not maintain a record of the name or address of  
6 an individual who indicates a willingness to have such person's name  
7 placed on the organ donor registry after forwarding that information to the  
8 organ donor registry under this subsection. Information about an  
9 applicant's indication of a willingness to have such applicant's name placed  
10 on the organ donor registry that is obtained by the division and forwarded  
11 under this paragraph shall be confidential and not disclosed.

12 *(c) A fee of \$10 shall be charged for the issuance of a digital proof of*  
13 *identification card.*

14 Sec. 14. K.S.A. 8-1328 is hereby amended to read as follows: 8-1328.

15 (a) The identification card shall resemble in appearance, so far as is  
16 practicable, a driver's license issued in accordance with K.S.A. 8-243, and  
17 amendments thereto, and shall adequately describe the registrant. The  
18 identification card shall be sealed in transparent plastic or similar  
19 substance, *except that this requirement shall not apply to digital proof of*  
20 *identification cards, as defined in section 1, and amendments thereto.*

21 (b) All Kansas identification cards issued to any person 16 years of  
22 age or older shall contain a form ~~which~~ *that* provides a statement for  
23 making a gift of all or any part of the body in accordance with the revised  
24 uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and  
25 amendments thereto, except as otherwise provided by this subsection. The  
26 statement to be effective shall be signed by the applicant in the presence of  
27 two witnesses who shall sign the statement in the presence of the donor.  
28 The gift becomes effective upon the death of the donor. Delivery of the  
29 identification card during the donor's lifetime is not necessary to make a  
30 valid gift. Any valid gift statement executed prior to July 1, 2007, shall  
31 remain effective until invalidated. The word "Donor" shall be placed on  
32 the front of an applicant's identification card, indicating that the statement  
33 for making an anatomical gift under this subsection has been executed by  
34 such applicant.

35 Sec. 15. K.S.A. 8-235, 8-240, 8-1325 and 8-1328 and K.S.A. 2024  
36 Supp. 8-243 and 8-1324 are hereby repealed.

37 Sec. 16. This act shall take effect and be in force from and after its  
38 publication in the statute book.