

**SENATE BILL No. 171**

By Committee on Transportation

2-8

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1 AN ACT concerning driver's license; relating to suspended licenses, ability  
2 to obtain a license to drive a motorized bicycle; amending K.S.A. 2016  
3 Supp. 8-235 and repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 8-235 is hereby amended to read as  
7 follows: 8-235. (a) No person, except those expressly exempted, shall  
8 drive any motor vehicle upon a highway in this state unless such person  
9 has a valid driver's license. No person shall receive a driver's license  
10 unless and until such person surrenders or with the approval of the  
11 division, lists to the division all valid licenses in such person's possession  
12 issued to such person by any other jurisdiction. All surrendered licenses or  
13 the information listed on foreign licenses shall be returned by the division  
14 to the issuing department, together with information that the licensee is  
15 now licensed in a new jurisdiction. No person shall be permitted to have  
16 more than one valid license at any time.

17 (b) Any person licensed under the motor vehicle drivers' license act  
18 may exercise the privilege granted upon all streets and highways in this  
19 state and shall not be required to obtain any other license to exercise such  
20 privilege by any local authority. Nothing herein shall prevent cities from  
21 requiring licenses of persons who drive taxicabs or municipally franchised  
22 transit systems for hire upon city streets, to protect the public from drivers  
23 whose character or habits make them unfit to transport the public. If a  
24 license is denied, the applicant may appeal such decision to the district  
25 court of the county in which such city is located by filing within 14 days  
26 after such denial, a notice of appeal with the clerk of the district court and  
27 by filing a copy of such notice with the city clerk of the involved city. The  
28 city clerk shall certify a copy of such decision of the city governing body  
29 to the clerk of the district court and the matter shall be docketed as any  
30 other cause and the applicant shall be granted a trial of such person's  
31 character and habits. The matter shall be heard by the court de novo in  
32 accordance with the code of civil procedure. The cost of such appeal shall  
33 be assessed in such manner as the court may direct.

34 (c) Any person operating in this state a motor vehicle, except a  
35 motorcycle, which is registered in this state other than under a temporary  
36 permit, pursuant to K.S.A. 8-2409, and amendments thereto, shall be the

1 holder of a driver's license which is classified for the operation of such  
2 motor vehicle, and any person operating in this state a motorcycle which is  
3 registered in this state shall be the holder of a class M driver's license,  
4 except that any person operating in this state a motorcycle which is  
5 registered under a temporary permit, pursuant to K.S.A. 8-2409, and  
6 amendments thereto, shall be the holder of a driver's license for any class  
7 of motor vehicles.

8 (d) No person shall drive any motorized bicycle upon a highway of  
9 this state unless such person: (1) Has a valid driver's license which entitles  
10 the licensee to drive a motor vehicle in any class or classes; (2) is at least  
11 15 years of age and has passed the written and visual examinations  
12 required for obtaining a class C driver's license, in which case the division  
13 shall issue to such person a class C license which clearly indicates such  
14 license is valid only for the operation of motorized bicycles; (3) has had  
15 their driving privileges suspended; for a violation ~~other than a violation of~~  
16 ~~K.S.A. 8-2,144, and amendments thereto, or a second or subsequent~~  
17 ~~violation of K.S.A. 8-1567 or 8-1567a or K.S.A. 2016 Supp. 8-1025, and~~  
18 ~~amendments thereto, and such person: (A) Has completed the mandatory~~  
19 ~~period of suspension as provided in K.S.A. 8-1014, and amendments~~  
20 ~~thereto; and (B) has made application and submitted a \$40 nonrefundable~~  
21 ~~application fee to the division for the issuance of a class C license for the~~  
22 ~~operation of motorized bicycles, in accordance with paragraph (2), in~~  
23 ~~which case the division shall issue to such person a class C license which~~  
24 ~~clearly indicates such license is valid only for the operation of motorized~~  
25 ~~bicycles; or (4) has had their driving privileges revoked under K.S.A. 8-~~  
26 ~~286, and amendments thereto, has not had a test refusal or test failure or~~  
27 ~~alcohol or drug-related conviction, as those terms are defined in K.S.A. 8-~~  
28 ~~1013, and amendments thereto, in the last five years, has not been~~  
29 ~~convicted of a violation of K.S.A. 8-1568(b), and amendments thereto, in~~  
30 ~~the last five years and has made application to the division for issuance of~~  
31 ~~a class C license for the operation of motorized bicycles, in accordance~~  
32 ~~with paragraph (2), in which case the division shall issue such person a~~  
33 ~~class C license which clearly indicates such license is valid only for the~~  
34 ~~operation of motorized bicycles. As used in this subsection, "motorized~~  
35 ~~bicycle" shall have the meaning ascribed to it in K.S.A. 8-126, and~~  
36 ~~amendments thereto.~~

37 (e) All moneys received under subsection (d) from the nonrefundable  
38 application fee shall be applied by the division of vehicles for the  
39 additional administrative costs to implement restricted driving privileges.  
40 The division shall remit all restricted driving privilege application fees to  
41 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
42 and amendments thereto. Upon receipt of each such remittance, the state  
43 treasurer shall deposit the entire amount in the state treasury to the credit

1 of the division of vehicles operating fund.

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

3 Sec. 2. K.S.A. 2016 Supp. 8-235 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its  
5 publication in the statute book.