

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

Session of 2021

SENATE BILL No. 127

By Committee on Transportation

2-2

Proposed Amendments to SB 127
For House Committee on Transportation
March 23, 2021
Prepared by: Office of Revisor of Statutes

1 AN ACT concerning drivers' licenses; relating to online renewals of
2 **commercial driver's licenses and** licenses for individuals up to 65
3 years of age; providing for the renewal of licenses to be delivered
4 electronically; eligibility for restricted driving privileges; **renewal of**
5 **expired licenses and identification cards;** amending K.S.A. 2020
6 Supp. 8-240, 8-247, **8-1325** and 8-2110 and repealing the existing
7 sections; also repealing K.S.A. 2020 Supp. 8-2110b.
8

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

10 Section 1. K.S.A. 2020 Supp. 8-240 is hereby amended to read as
11 follows: 8-240. (a) (1) Every application for an instruction permit shall be
12 made upon a form furnished by the division of vehicles and accompanied
13 by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes.
14 Every other application shall be made upon a form furnished by the
15 division and accompanied by an examination fee of \$3, unless a different
16 fee is required by K.S.A. 8-241, and amendments thereto, and by the
17 proper fee for the license for which the application is made. All
18 commercial class applicants shall be charged a \$15 driving test fee for the
19 drive test portion of the commercial driver's license application. If the
20 applicant is not required to take an examination or the commercial license
21 drive test, the examination or commercial drive test fee shall not be
22 required. The examination shall consist of three tests, as follows: (A)
23 Vision; (B) written; and (C) driving. For a commercial driver's license, the
24 drive test shall consist of three components, as follows: (A) Pre-trip; (B)
25 skills test; and (C) road test. If the applicant fails the vision test, the
26 applicant may have correction of vision made and take the vision test
27 again without any additional fee. If an applicant fails the written test, the
28 applicant may take such test again upon the payment of an additional
29 examination fee of \$1.50. If an applicant fails the driving test, the
30 applicant may take such test again upon the payment of an additional
31 examination fee of \$1.50. If an applicant for a commercial driver's license
32 fails any portion of the commercial drive test, the applicant may take such
33 test again upon the payment of an additional drive test fee of \$10. If an
34 applicant fails to pass all three of the tests within a period of six months

1 ~~vehicles operating fund, 31.78% to the community alcoholism and~~
 2 ~~intoxication programs fund created by K.S.A. 41-1126, and amendments~~
 3 ~~thereto, 10.59% to the juvenile alternatives to detention fund created by~~
 4 ~~K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial~~
 5 ~~branch nonjudicial salary adjustment fund created by K.S.A. 2020 Supp.~~
 6 ~~20-1a15, and amendments thereto.~~

7 (2) On and after July 1, 2018, except as provided in subsection (d),
 8 when the district or municipal court notifies the division of vehicles of a
 9 failure to comply with a traffic citation pursuant to subsection (b), the
 10 court shall assess a reinstatement fee of \$100 for each charge on which the
 11 person failed to make satisfaction regardless of the disposition of the
 12 charge for which such citation was originally issued and regardless of any
 13 application for restricted driving privileges. Such reinstatement fee shall
 14 be in addition to any fine, restricted driving privilege application fee,
 15 district or municipal court costs and other penalties. The court shall remit
 16 all reinstatement fees to the state treasurer in accordance with the
 17 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
 18 each such remittance, the state treasurer shall deposit the entire amount in
 19 the state treasury and shall credit the first \$15 of such reinstatement fee to
 20 the judicial branch nonjudicial salary adjustment fund and of the
 21 remaining amount, 29.41% of such moneys to the division of vehicles
 22 operating fund, 22.06% to the community alcoholism and intoxication
 23 programs fund created by K.S.A. 41-1126, and amendments thereto,
 24 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-
 25 4803, and amendments thereto, and 41.17% to the judicial branch
 26 nonjudicial salary adjustment fund created by K.S.A. 2020 Supp. 20-1a15,
 27 and amendments thereto.

28 (d) The district court or municipal court shall waive the reinstatement
 29 fee provided for in subsection (c), if the failure to comply with a traffic
 30 citation was the result of such person enlisting in or being drafted into the
 31 armed services of the United States, being called into service as a member
 32 of a reserve component of the military service of the United States, or
 33 volunteering for such active duty, or being called into service as a member
 34 of the state of Kansas national guard, or volunteering for such active duty,
 35 and being absent from Kansas because of such military service.

36 (e) A person who is assessed a reinstatement fee pursuant to
 37 subsection (c) may petition the court that assessed the fee at any time to
 38 waive payment of the fee, any additional charge imposed pursuant to
 39 subsection (f), or any portion thereof. If it appears to the satisfaction of the
 40 court that payment of the amount due will impose manifest hardship on the
 41 person or the person's immediate family, the court may waive payment of
 42 all or part of the amount due or modify the method of payment.

43 (f) Except as provided further, the reinstatement fee established in

(1)

(2) A person who is assessed a fine or court costs for a traffic citation may petition the court that assessed the fine or costs at any time to waive payment of the fine or costs, or any portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the person or the person's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.