

Senate Substitute for HOUSE BILL No. 2458

AN ACT concerning driver's licenses; relating to vision requirements; limiting the liability of optometrists and ophthalmologists who provide information to the division of vehicles; amending K.S.A. 8-295 and repealing the existing section.

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

Section 1. K.S.A. 8-295 is hereby amended to read as follows: 8-295. Each driver's license examiner shall use the following vision standards for driver's license applicants:

(a) Each applicant testing $^{20}/_{40}$ or better in at least one eye at the examination station shall meet the vision requirements. The driver's license examiner shall give each applicant failing to meet this test a vision form and refer the applicant to an ophthalmologist or optometrist of the applicant's choice.

(b) Each applicant who has received a vision report from an ophthalmologist or optometrist shall have $^{20}/_{60}$ or better vision in at least one eye, with or without standard corrective lens, as determined by an ophthalmologist or optometrist to be eligible to be issued a driver's license.

(c) The driver's license examiner shall require each individual with a reading of $^{20}/_{60}$ in the better eye, with or without standard corrective lens, to submit to a driver's test.

(d) An applicant failing to meet any of the above standards may be issued a driver's license if the applicant can demonstrate that the applicant can safely operate a vehicle and has had a good driving record for the previous three years. The division may impose reasonable restrictions on such license, as provided in K.S.A. 8-245, and amendments thereto.

(e) An applicant failing to meet the standards in subsections (a) through (d) shall be afforded a hearing in the manner prescribed by ~~subsection (e) of K.S.A. 8-255(c)~~, and amendments thereto.

(f) No optometrist or ophthalmologist reporting to the division or to the medical advisory board in good faith any information ~~which that~~ such person ~~may have~~ *has* relating to the ~~visual condition or other ability~~ *vision* of an applicant for a driver's license ~~to safely operate a motor vehicle~~ shall be ~~subject to a civil action liable~~ *liable* for damages ~~as a result of reporting such information including any information provided in a vision report to any person subsequent to the issuance or the renewal of a driver's license to the applicant.~~

Sec. 2. K.S.A. 8-295 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the House, and passed that body

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.