

SESSION OF 2021

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 100**

As Recommended by Senate Committee on
Transportation

Brief*

Sub. for SB 100 would amend, in a statute requiring suspension of a driver's license for driving when the person's driving privileges are canceled, suspended, or revoked, a provision requiring the Division of Vehicles (Division), Department of Revenue, to extend a period of suspension or revocation an additional 90 days, to state the suspension or revocation shall not be extended for any additional time if the person's license was suspended for failure to comply with a traffic citation.

Background

The bill was introduced by the Senate Committee on Transportation at the request of Senator Faust-Goudeau.

Senate Committee on Transportation

In the Senate Committee hearing, **proponent** testimony was provided by Senator Faust-Goudeau; the Vice Chairperson of the Racial Profiling Advisory Board of Wichita; representatives of Americans for Prosperity Kansas, Kansas Appleseed Center for Law and Justice, Kansas Association of Chiefs of Police, Kansas Legal Services, Kansas Peace Officers Association, Kansas Sheriffs Association, and League of Kansas Municipalities; and a private citizen. The

*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>

proponents described the challenges faced by those whose driver's licenses have been suspended for failure to comply with a traffic citation and subsequent driving while a driver's license is suspended for failure to fully comply, including accumulated debt and being unable to legally drive to work and elsewhere. They stated approximately 140,000 Kansans have driver's license suspensions related to debt but not to traffic safety. The proponents suggested various amendments to the bill.

Written-only **proponent** testimony was provided by the the Chairperson and another member of the Racial Profiling Citizens Advisory Board of Wichita; the president of the Heartland Wichita Black Chamber of Commerce; the president and a member of the Greater Wichita Ministerial League; representatives of Common Ground Producers and Growers, Inc., Greater Mizpah Baptist Church, and the NAACP; and six private citizens.

Neutral testimony was provided by the Special Counsel to the Chief Justice, Judicial Branch, who stated the courts would need replacement moneys if fees are reduced and would face challenges if fees would be changed for cases that had already been sent to collections. Written-only neutral testimony was provided by a representative of ACLU Kansas, requesting fines and fees be removed.

Written-only **opponent** testimony was provided by the Chief Judge of the Fifth Judicial District, who also provided testimony on behalf of the Kansas District Judges' Association, regarding reductions in revenues to the Judicial Branch if the bill is enacted and requesting the financial ramifications be addressed.

The Senate Committee amended the bill to adopt amendments proposed by proponents regarding entering pleas with the court, qualifications for restricted driving privileges in certain circumstances, payment agreements, and information on traffic citations. It also amended the bill to make changes to reinstatement fees apply to court

notification to the Division of failure to comply with a traffic citation issued on and after July 1, 2021.

The bill was withdrawn from the Senate Calendar and referred to the Senate Committee on Federal and State Affairs on March 2, 2021. It was re-referred to the Senate Committee on Transportation on March 22, 2021. On March 25, 2021, the Senate Committee amended the bill to remove all but one section of the bill as amended and recommended a substitute bill with those contents.

Fiscal Information

The fiscal note prepared by the Division of the Budget on the bill as introduced is not applicable to the substitute bill.

Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Suspended driver's license