

Testimony in **Support** of Senate Bill 2

Marilyn Harp, J.D.

Citizen Lobbyist

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This bill seeks to allow people who are driving on a revoked driver's license to apply for the restricted driving program currently available to those on a suspended license.

Kansas law takes the view that holding a driver's license is a privilege. You must be old enough to drive and pass written and vision tests in order to drive. But, the reality is that Kansas is without public transportation. School transportation is limited to those living more than 2.5 miles from school. Not being able to drive cuts people off from employment opportunities. A driver's license is needed in Kansas to be self-supporting and meaningfully participate in society.

Currently, in Kansas we remove 3,300 people from this participation in the name of public safety.

How do people get a revoked driver's license?

The legislature gives broad authority to the Department of Revenue to take action on driver's licenses. In fact, Kansas law on this subject groups together the authority to suspend, restrict or revoke. The Department of Revenue has used that authority to revoke license in certain situations. If a person has **three** convictions for things deemed "major violations" in a 5 year period, their driver's license is revoked for 3 years. Major violations are things like driving without proof of insurance, leaving the scene of an accident, reckless driving, eluding police officers and stealing gasoline.

Another way to get a revoked license is to drive on a suspended license. People do that. They do that either because they didn't get or didn't read the notice from the state that their license was suspended. (This occurs because they didn't change their address when they moved.) OR they knew their license was suspended and they drove because they had to get to work, get their children to school, go to the doctor. They just took the chance that they wouldn't get caught. But, if they get caught driving while suspended and that makes a third major violation, then the revocation of their driver's license is for 3 years.

Revoked means that there is nothing you can do to get your driver's license back. No fines to pay, no proof that you now have insurance, no safe driving course, or ignition interlock. Nothing but wait out the time.

In December, 2021, Kansas Legal Services staff and volunteers held an event in Wichita to help people understand the things required to restore a valid driver's license. Nearly 300 people registered. They wanted to become legal drivers. We had to tell 39 of those people that they had no options, but to wait. They had revoked licenses.

What would this bill do for those people?

The Kansas Legislature has slowly developed the restricted license program that would allow people with suspended driver's license to drive to work, school, church, medical appointments or court required events for 12 months, while they worked to meet the requirements needed to restore their

licenses. This program has benefited many people who need a roadmap and time in order to return them to a fully valid driver's license. They have to apply for the program and be ready to work on paying tickets, getting insurance and meeting other court requirements.

This bill would give the same opportunity to people who have a more severe restriction on their license, caused because they drove while they had a suspended driver's license. They could apply for the program and have one year to resolve issues, while driving to work, taking their children to school or medical appointments. Their participation in the program would avoid the next big consequence, a 5 year revocation, should they drive on again on a suspended license.

This bill aims to find the sweet spot for those people who are trying to take responsibility and preserve their driving privilege. Three violations of driving while suspended results in the possibility of a habitual violator charge. This bill does include those people. Habitual violators will have to deal with a revoked driver's license and the consequences on their lives.

Does this bill create a greater risk to public safety?

To believe this bill creates a greater risk to public safety is to believe that people driving with a suspended license are worse drivers than those who have a valid license. There is no evidence of that. This bill would help those who are ready to deal with those issues that created their revoked license – whether it is a number of tickets or a lack of insurance. It would help those who made a mistake and drove to meet the needs of their families. But, it would provide accountability by limiting where they drive to a limited number of essential locations.

It might also be fair to point out that people with DUI convictions, arguably a much greater risk to public safety, can use the interlock system and drive anywhere they want. Their only accountability is the expense of the interlock system.