

## SENATE BILL No. 5

By Senator Journey

12-8

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9 AN ACT relating to drivers' licenses; providing for the issuance of a hard-  
10 ship license to certain persons.

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

13 Section 1. (a) (1) Notwithstanding any other provision of law, upon  
14 the submission of an application to the director of the division of vehicles  
15 a hardship license may be issued by the director in accordance with the  
16 provisions of this section to any person who is less than 21 years of age  
17 and whose driving privileges have been suspended or revoked. A hardship  
18 license shall be issued only for the period of time remaining after the  
19 initial 30 days of the suspension or revocation have expired, except that  
20 if a person's driving privileges have been suspended or revoked under  
21 subsection (a), paragraphs (2) or (3) of subsection (b) or subsection (c) of  
22 K.S.A. 8-1014, and amendments thereto, such hardship license shall be  
23 issued only for the period of time remaining after the initial 180 days of  
24 the suspension or revocation have expired.

25 (b) When the director of vehicles finds that a person is required to  
26 operate a motor vehicle in connection with any of the following:

- 27 (1) A business, occupation or employment;  
28 (2) seeking medical treatment for such person;  
29 (3) attending school or other institution of higher education;  
30 (4) attending alcohol or drug treatment programs; or  
31 (5) any other circumstance the director finds would create an undue  
32 hardship on the person; the director may issue a hardship license granting  
33 such limited driving privileges as the circumstances of the case justify if  
34 the director finds undue hardship would result to the person.

35 (c) A hardship license shall not be issued to any person:

- 36 (1) Who at the time of application for a hardship license has previ-  
37 ously been granted such a license within the immediately preceding two  
38 years;  
39 (2) who was convicted of any felony while using a motor vehicle to  
40 commit such felony; or  
41 (3) whose driving privileges have been suspended or revoked for a  
42 violation of K.S.A. 8-1002, 8-1567 or 8-1567a, and amendments thereto,  
43 and which violation involved a death or serious personal injury to a person

- 1 other than the driver whose driving privileges were suspended or revoked.
- 2 (d) The provisions of this section shall not apply to any person issued  
3 a commercial drivers' license under K.S.A. 8-2,125 et seq., and amend-  
4 ments thereto.
- 5 (e) (1) No person who is issued a hardship license shall operate a  
6 motor vehicle at any time, place or for any purpose other than those  
7 authorized on such license.
- 8 (2) Any person who violates the provisions of paragraph (1) shall be  
9 guilty of a class A misdemeanor and the hardship license shall be revoked.
- 10 (f) A nonrefundable fee of \$200 shall accompany any application sub-  
11 mitted pursuant to this section. Such fee shall be in addition to any other  
12 fee imposed by law for the issuance of a drivers' license.
- 13 (g) The secretary of revenue may adopt rules and regulations nec-  
14 essary for the purpose of carrying out the provisions of this section.
- 15 Sec. 2. This act shall take effect and be in force from and after its  
16 publication in the statute book.