

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 376**

As Amended by Senate Committee on  
Judiciary

**Brief\***

SB 376, as amended, would:

- Prohibit a person suspended for a second or subsequent driving under the influence (DUI) conviction from obtaining a motorized bicycle license;
- Allow a person whose driving privileges are revoked for being a habitual violator, for violations other than for DUI, to obtain and operate a motorized bicycle;
- Allow the Division of Vehicles to issue a motorized bicycle license to a person whose driving privileges are revoked for DUI and who has served at least one year of the suspension;
- Clarify that computation of time to determine if the request for an administrative hearing to the Department of Revenue is filed in a timely manner is calculated pursuant to KSA 60-206; and
- Upon a second or subsequent conviction of DUI, the bill would require that each motor vehicle owned or leased by the convicted person either be equipped with an ignition interlock device or be impounded or immobilized for a period of two years.

**Background**

The proponents of the bill included Senator Phillip Journey and Pete Bodyk, Chief of the Bureau of Traffic Safety, Kansas Department of Transportation.

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\*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>

There was no testimony in opposition to the bill.

The Senate Committee on Judiciary amended the bill adding language in compliance with federal requirements on minimum penalties for repeat offenders for DUI. The Committee determined these amendments were necessary to put Kansas statutes back into compliance with federal law to avoid the penalty of a \$7.6 million transfer of federal funds in FY 2008 from construction projects to safety programs, or hazard elimination projects.

The fiscal note from the Division of Budget states that passage of the bill would have no effect on state revenues. The Department of Revenue indicates that this bill would require additional administrative expenditures, but these expenses would be negligible and could be handled within existing resources.