

SESSION OF 2010

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2484**

As Recommended by House Committee on  
Transportation

**Brief\***

HB 2484 would amend the Kansas Uniform Commercial Driver's License Act regarding diversion agreements so that a person who held a commercial driver's license at the time a violation occurred could not enter into such an agreement in lieu of criminal proceedings.

**Background**

A diversion agreement prevents a conviction for a violation of a state or local traffic control law (except a parking violation) from appearing on a person's driving record.

The chief counsel of the Kansas Department of Transportation and the attorney with the Office of the Director of Vehicles, Department of Revenue, testified in support of the bill. They said that current law allows the holder of a commercial driver's license (CDL) to, under certain circumstances, exchange a CDL for another class of driver's license between arrest or citation and conviction, enter into and complete a diversion agreement, and thereby "mask" most criminal and traffic convictions. After the diversion is completed, those drivers again get CDLs. They said this practice allows convicted CDL drivers to avoid restriction periods under federal law for certain convictions for unsafe driving, such as convictions for driving under the influence. Both also stated that passage of the bill is required for the state

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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>

to be in substantial compliance with Federal Motor Carrier Safety Administration requirements.

No opponents presented testimony.

According to the fiscal note, the Department of Revenue indicates that any costs associated with the bill could be absorbed within existing resources.