

SESSION OF 2012

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 334**

As Agreed to May 2, 2012

Brief*

SB 334 would allow the Director of Vehicles to waive the skills test for an applicant for a commercial driver's license (CDL) if that applicant provides evidence of certain military commercial vehicle driving experience.

The bill also would allow the Division of Vehicles to issue a restricted license to someone who obtained an instructional permit from another state or the District of Columbia if the other state's requirements for an instructional permit are the same or greater than Kansas requirements. Kansas requires an applicant for a restricted license to have held an instructional permit for at least one year and complete at least 25 hours of adult-supervised driving. The bill also would correct a statutory reference.

Conference Committee Action

The Conference Committee deleted the amendment by the House Committee of the Whole that would have allowed a veteran to request a "veteran" designation be printed on the veteran's driver's license. The Conference Committee also added provisions of HB 2417 regarding instructional permits.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Background

Exempting Drivers with Military Commercial Driving Experience from Testing Requirements

The Director of Vehicles, Department of Revenue, testified in support of the original version of SB 334 to the Senate Transportation Committee, and the Director's representative testified as a proponent to the House Transportation Committee. There was no other testimony. A Division of Vehicles official and a representative of the Kansas Motor Carriers Association also answered legislators' questions.

SB 334 would require the applicant's military driving experience to meet the requirements of 49 CFR 383.77. Those include a requirement that the applicant was operating a vehicle representative of the commercial motor vehicle the applicant expects to operate, for at least the two years immediately preceding discharge from the military, and a requirement that the applicant has not been convicted of any offense (such as driving under the influence of alcohol or a controlled substance) that would disqualify a civilian commercial driver. An applicant still would be required to pass the Kansas knowledge test for driving a commercial motor vehicle.

The House Committee of the Whole amended SB 334 to add provisions related to a veteran designation on a driver's license.

According to the fiscal note prepared by the Division of the Budget on the original version of SB 334, the Department of Revenue estimates the bill would increase expenditures from the Division of Vehicles Operating Fund by \$3,792 in FY 2013 for 24 hours of programming time to update the Motor Vehicle Registration System. No fiscal note on the veteran designation provisions (which are not included in the Conference Committee Report) was available at the time of

House Committee of the Whole action to recommend SB 334 favorably for passage, but information presented to the Conference Committee placed the cost at approximately \$55,000, not including programming time.

Issuance of a Restricted License

The provisions regarding instructional permits that are included in this Conference Committee report originated as an amendment to HB 2417 by the Senate Committee on Transportation. The original provisions of HB 2417 would have changed procedures for obtaining a new driver's license at age 21. (Provisions on that topic were included in the first Conference Committee Report on SB 334, but are not included in the current version.) A representative of the Division of Vehicles spoke in support of HB 2417 and the amendment regarding instructional permits. There was no neutral or opposition testimony. According to testimony, military families had requested the change regarding instructional permits. No fiscal note was available on the provisions.

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driver's license, military, commercial vehicle, restricted license, instructional permit