

SENATE BILL No. 334

By Committee on Transportation

1-25

1 AN ACT concerning motor vehicles; relating to commercial drivers'
2 licenses; exempting drivers with military commercial driving
3 experience from testing requirements; amending K.S.A. 2011 Supp. 8-
4 2,133 and repealing the existing section.
5

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

7 Section 1. K.S.A. 2011 Supp. 8-2,133 is hereby amended to read as
8 follows: 8-2,133. (a) Except as provided in K.S.A. 8-2,146, and
9 amendments thereto, or as provided in K.S.A. 8-2,148, and amendments
10 thereto, no person may be issued a commercial driver's license unless that
11 person is a resident of this state and has passed a knowledge and skills test
12 for driving a commercial motor vehicle which complies with minimum
13 federal standards established by 49 C.F.R. § 383, subparts E, G and H and
14 has satisfied all other requirements of the commercial motor vehicle safety
15 act in addition to other requirements imposed by state law or federal
16 regulation. The tests shall be prescribed and conducted by the secretary,
17 except that the secretary may accept the results of a person's knowledge
18 test conducted in another state if such test complies with minimum federal
19 standards;

20 (b) the secretary may authorize a person, including an agency of this
21 or another state, an employer, a private driver training facility or other
22 private institution, or a department, agency or instrumentality of local
23 government, to administer the skills test specified by this section, if:

24 (1) The test is the same which would otherwise be administered by
25 the state; and

26 (2) the third party has entered into an agreement with the state which
27 complies with requirements of 49 C.F.R. § 383.75.

28 (c) A commercial driver's license or commercial driver's instruction
29 permit may not be issued to a person while the person is subject to a
30 disqualification from driving a commercial motor vehicle, or while the
31 person's driver's license is suspended, revoked or canceled in any state; nor
32 shall a commercial driver's license be issued to a person who has a
33 commercial driver's license issued by any other state unless the person first
34 surrenders all such licenses, which must be returned to the issuing state for
35 cancellation.

36 (d) *The director may authorize the skills test required by subsection*

1 *(a) to be waived for an applicant that provides evidence of military*
2 *commercial vehicle driving experience. To qualify for such a waiver, the*
3 *applicant must satisfy the criteria established by 49 C.F.R. § 383.77.*

4 Sec. 2. K.S.A. 2011 Supp. 8-2,133 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.