

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; **{providing for a veteran**
4 **designation;}** amending K.S.A. 2011 Supp. **{8-243 and}** 8-2,133 and
5 repealing the existing ~~section~~ **{sections}**.
6

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

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

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

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

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

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

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

5 **{Sec. 2. K.S.A. 2011 Supp. 8-243 is hereby amended to read as**
6 **follows: 8-243.(a) Upon payment of the required fee, the division shall**
7 **issue to every applicant qualifying under the provisions of this act the**
8 **driver's license as applied for by the applicant. Such license shall bear**
9 **the class or classes of motor vehicles which the licensee is entitled to**
10 **drive, a distinguishing number assigned to the licensee, the full legal**
11 **name, date of birth, gender, address of principal residence and a brief**
12 **description of the licensee, a colored digital photograph of the licensee,**
13 **a facsimile of the signature of the licensee and the statement provided**
14 **for in subsection (b). No driver's license shall be valid until it has been**
15 **signed by the licensee. All drivers' licenses issued to persons under the**
16 **age of 21 years shall be readily distinguishable from licenses issued to**
17 **persons age 21 years or older. In addition, all drivers' licenses issued**
18 **to persons under the age of 18 years shall also be readily**
19 **distinguishable from licenses issued to persons age 18 years or older.**
20 **The secretary of revenue shall implement a vertical format to make**
21 **drivers' licenses issued to persons under the age of 21 more readily**
22 **distinguishable. Except as otherwise provided, no driver's license**
23 **issued by the division shall be valid until a colored digital photograph**
24 **of such licensee has been taken and verified before being placed on the**
25 **driver's license. The secretary of revenue shall prescribe a fee of not**
26 **more than \$8 and upon the payment of such fee, the division shall**
27 **cause a colored digital photograph of such applicant to be placed on**
28 **the driver's license. Upon payment of such fee prescribed by the**
29 **secretary of revenue, plus payment of the fee required by K.S.A. 8-**
30 **246, and amendments thereto, for issuance of a new license, the**
31 **division shall issue to such licensee a new license containing a colored**
32 **digital photograph of such licensee. A driver's license which does not**
33 **contain the principal address as required may be issued to persons**
34 **who are program participants pursuant to K.S.A. 2011 Supp. 75-455,**
35 **and amendments thereto, upon payment of the fee required by K.S.A.**
36 **8-246, and amendments thereto. All Kansas drivers' licenses and**
37 **identification cards shall have physical security features designed to**
38 **prevent tampering, counterfeiting or duplication of the document for**
39 **fraudulent purposes. The secretary of revenue shall incorporate**
40 **common machine-readable technology into all Kansas drivers' licenses**
41 **and identification cards.**

42 **(b) All Kansas drivers' licenses issued to any person 16 years of**
43 **age or older shall contain a form which provides a statement for**

1 making a gift of all or any part of the body of the licensee in
2 accordance with the revised uniform anatomical gift act, K.S.A. 2011
3 Supp. 65-3220 through 65-3244, and amendments thereto, except as
4 otherwise provided by this subsection. The statement to be effective
5 shall be signed by the licensee in the presence of two witnesses who
6 shall sign the statement in the presence of the donor. The gift becomes
7 effective upon the death of the donor. Delivery of the license during
8 the donor's lifetime is not necessary to make a valid gift. Any valid gift
9 statement executed prior to July 1, 1994, shall remain effective until
10 invalidated. The word "Donor" shall be placed on the front of a
11 licensee's driver's license, indicating that the statement for making an
12 anatomical gift under this subsection has been executed by such
13 licensee.

14 (c) Any person who is deaf or hard of hearing may request that
15 the division issue to such person a driver's license which is readily
16 distinguishable from drivers' licenses issued to other drivers and upon
17 such request the division shall issue such license. Drivers' licenses
18 issued to persons who are deaf or hard of hearing and under the age of
19 21 years shall be readily distinguishable from drivers' licenses issued
20 to persons who are deaf or hard of hearing and 21 years of age or
21 older. Upon satisfaction of subsection (a), the division shall issue a
22 receipt of application permitting the operation of a vehicle consistent
23 with the requested class, if there are no other restrictions or
24 limitations, pending the division's verification of the information and
25 production of a driver's license.

26 (d) A driver's license issued to a person required to be registered
27 under K.S.A. 22-4901 et seq., and amendments thereto, shall be
28 assigned a distinguishing number by the division which will readily
29 indicate to law enforcement officers that such person is a registered
30 offender. The division shall develop a numbering system to implement
31 the provisions of this subsection.

32 (e) (1) Any person who is a veteran may request that the division
33 issue to such person a driver's license which shall include the designation
34 "VETERAN" in an available space on the face of the driver's license. In
35 order to receive a license described in this subsection, the veteran must
36 provide proof of the veteran's military service and honorable discharge
37 including a copy of the veteran's DD214 form.

38 (2) As used in this subsection, "veteran" means a person who:

39 (A) Has served in:

40 (i) The army, navy, air force, coast guard or marine corps of the
41 United States; or

42 (ii) the Kansas national guard; and

43 (B) has been honorably discharged from the branch of service in

1 *which the person served.*

2 *(3) The director of vehicles may adopt any rules and regulations*
3 *necessary to carry out the provisions of this subsection.}*

4 ~~Sec. 2. {3.}~~ K.S.A. 2011 Supp. **{8-243 and}** 8-2,133 ~~is-{are}~~ hereby
5 repealed.

6 ~~Sec. 3. {4.}~~ This act shall take effect and be in force from and after its
7 publication in the statute book.