

HOUSE BILL No. 2523

By Committee on Transportation

Requested by Representative Francis on behalf of Representative A. Smith

1-17

1 AN ACT concerning drivers' licenses; relating to farm permits; allowing
2 farm permit holders beginning at age 14 to drive to and from religious
3 activities held by any religious organization; amending K.S.A. 8-296
4 and repealing the existing section.
5

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

7 Section 1. K.S.A. 8-296 is hereby amended to read as follows: 8-296.

8 (a) Any person who is less than 17 years of age but is at least 14 years of
9 age and who resides upon a farm in this state or is employed for
10 compensation upon a farm in this state may apply to the division of
11 vehicles for a farm permit authorizing such person, while possessing the
12 permit, to operate any motor vehicle in class C, as designated in K.S.A. 8-
13 234b, and amendments thereto.

14 (b) (1) A farm permit shall entitle the licensee, who is at least 14
15 years of age, but less than 16 years of age, to operate the appropriate motor
16 vehicles at any time:

17 (A) While going to or from or in connection with any farm job,
18 employment or other farm-related work;

19 (B) on days while school is in session, over the most direct and
20 accessible route between the licensee's residence and school of enrollment
21 for the purpose of school attendance; ~~or~~

22 (C) *from 6 a.m. to 9 p.m. while going directly to or from any religious*
23 *activity held by a religious organization; or*

24 (D) when the licensee is operating a passenger car at any time when
25 accompanied by an adult who is the holder of a valid commercial driver's
26 license, class A, B or C driver's license and who is actually occupying a
27 seat beside the driver.

28 (2) (A) For a period of six months, a farm permit shall entitle the
29 licensee who is at least 16 years of age to operate the appropriate motor
30 vehicles at any time:

31 ~~(A)(i)~~ From 5:00 a.m. to 9:00 p.m.;

32 ~~(B)(ii)~~ while going to or from or in connection with any farm job,
33 employment or other farm-related work; ~~or~~

34 ~~(C)(iii)~~ while going to or from authorized school activities;

35 ~~(D)(iv)~~ while going directly to or from any religious-worship-service

1 *activity* held by a religious organization; or

2 ~~(E)~~(v) when the licensee is operating a passenger car at any time
3 when accompanied by an adult who is the holder of a valid commercial
4 driver's license, class A, B or C driver's license and who is actually
5 occupying a seat beside the driver.

6 (B) After such six-month period, if the licensee has complied with the
7 provisions of this section, such farm permit shall entitle the licensee to
8 operate the appropriate motor vehicles at any time without the restrictions
9 required by this section.

10 (c) A farm permit shall be issued only if:

11 (1) The applicant can prove that such applicant resides or works on a
12 farm;

13 (2) the applicant has successfully completed the examination
14 requirements in K.S.A. 8-235d, and amendments thereto; and

15 (3) the applicant submits the signed affidavit of either a parent or
16 guardian, stating that the applicant lives on a farm or, if the applicant does
17 not live on a farm but works on a farm, the applicant submits the signed
18 affidavit of the applicant's employer and parent or guardian, attesting to
19 such employment.

20 (d) (1) Any licensee issued a farm permit under this section *who is*:

21 ~~(1)~~(A) ~~Who is~~ Less than 16 years of age shall not operate any motor
22 vehicle with nonsibling minor passengers; or

23 ~~(2)~~(B) ~~who is~~ at least 16 years of age, for a period of six months after
24 reaching 16 years of age, shall not operate any motor vehicle with more
25 than one passenger who is less than 18 years of age and who is not a
26 member of the licensee's immediate family.

27 (2) Any conviction for violating this subsection shall be construed as
28 a moving traffic violation for the purpose of K.S.A. 8-255, and
29 amendments thereto.

30 (e) Any licensee issued a farm permit under this section shall not
31 operate a wireless communication device while driving a motor vehicle,
32 except that a licensee may operate a wireless communication device while
33 driving a motor vehicle to report illegal activity or to summons medical or
34 other emergency help.

35 (f) As used in this section, "farm" means any parcel of land larger
36 than 20 acres ~~which~~ *that* is used in agricultural operations.

37 (g) (1) A farm permit issued under this section is subject to
38 suspension or revocation in the same manner as any other driver's license.

39 (2) A farm permit shall be suspended in accordance with K.S.A. 8-
40 291, and amendments thereto, for any violation of restrictions under this
41 section.

42 (3) The division shall suspend the farm permit upon receiving
43 satisfactory evidence that the licensee has been involved in two or more

1 accidents chargeable to the licensee and such suspended license shall not
2 be reinstated for one year.

3 (h) (1) Any licensee issued a farm permit under this section shall
4 provide prior to reaching 16 years of age, a signed affidavit of either a
5 parent or guardian, stating that the applicant has completed at least 50
6 hours of adult supervised driving with at least 10 of those hours being at
7 night. The adult supervised driving required by this paragraph shall be
8 conducted by an adult who is at least 21 years of age and is the holder of a
9 valid commercial driver's license, class A, B or C driver's license.

10 (2) Evidence of failure of any licensee who was required to complete
11 the 50 hours of adult supervised driving under this subsection shall not be
12 admissible in any action for the purpose of determining any aspect of
13 comparative negligence or mitigation of damages.

14 (i) Any licensee issued a farm permit under this section who:

15 (1) Is under the age of 16 years and is convicted of two or more
16 moving traffic violations committed on separate occasions shall not be
17 eligible to receive a driver's license—~~which~~ *that* is not restricted in
18 accordance with the provisions of subsection (b)(1), until the person
19 reaches 17 years of age;

20 (2) is at least 16 years of age, but less than 17 years of age and is
21 convicted of two or more moving traffic violations committed on separate
22 occasions shall not be eligible to receive a driver's license—~~which~~ *that* is not
23 restricted in accordance with the provisions of subsection (b)(2), until the
24 person reaches 18 years of age; or

25 (3) fails to provide the affidavit required under subsection (h), shall
26 not be eligible to receive a driver's license—~~which~~ *that* is not restricted in
27 accordance with the provisions of subsection (b)(1), until the person
28 provides such affidavit to the division or the person reaches 17 years of
29 age, whichever occurs first.

30 Sec. 2. K.S.A. 8-296 is hereby repealed.

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