

SENATE BILL No. 215

By Committee on Education

2-10

1 AN ACT concerning transportation; relating to commercial driver's
2 education; transferring authority over driver's education programs
3 operated by certain postsecondary institutions and driver training
4 schools to the department of revenue; authorizing the department of
5 revenue to promulgate rules and regulations therefor; amending K.S.A.
6 8-273, 8-274, 8-275, 8-276, 8-277, 8-278, 8-279 and 8-280 and K.S.A.
7 ~~2020~~ Supp. 8-272 and repealing the existing sections.
8

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

10 Section 1. K.S.A. ~~2020~~ Supp. 8-272 is hereby amended to read as
11 follows: 8-272. (a) Any school district conducting an approved course in
12 driver training and any student attending a nonpublic school accredited by
13 the state board of education conducting an approved course in driver
14 training shall be entitled to participate in the state safety fund created by
15 K.S.A. 8-267, and amendments thereto. In August of each year, the
16 superintendent of each school district and the governing authority of each
17 nonpublic school shall report to the state board of education the number of
18 students who have been in attendance for a complete driver training course
19 conducted by such school district or nonpublic school during the past
20 school year. The state board of education shall certify to the director of
21 accounts and reports the amount due each school district and each student
22 of a nonpublic school entitled to payment under this subsection. The
23 director of accounts and reports shall draw warrants on the state treasurer
24 payable to the treasurer of each school district and to each student of a
25 nonpublic school entitled to payment under this subsection upon vouchers
26 approved by the state board and shall cause such warrants to be delivered
27 to the respective school districts and nonpublic schools. If the amount
28 appropriated in any year from the state safety fund is insufficient to pay
29 the full amount each school district and each student of a nonpublic school
30 is entitled to receive under this subsection, then the entire amount
31 appropriated for such year shall be prorated among all school districts and
32 all students of nonpublic schools in proportion to the amount each school
33 district and each student of a nonpublic school is entitled to receive. No
34 moneys in the state safety fund shall be used for any purpose other than
35 that specified in this subsection or for the support of driver improvement
36 programs. The state board of education shall prescribe all forms necessary

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and any community college conducting an approved
course in driver training

1 regulations to carry out the provisions of this act.

2 (b) All rules and regulations of the state board of education
3 pertaining to functions of the driver's training school license act in
4 existence on July 1, ~~2021~~ shall continue to be effective and shall be
5 deemed to be duly adopted rules and regulations of the secretary of
6 revenue until revised, amended, revoked or nullified pursuant to law.

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7 (c) All orders and directives of the state department of education
8 pertaining to functions of the driver's training school license act on July 1,
9 ~~2021~~ shall continue to be effective and shall be deemed to be orders and
10 directives of the department until revised, amended or nullified by the state
11 director of vehicles.

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12 Sec. 8. K.S.A. 8-279 is hereby amended to read as follows: 8-279.
13 The ~~state board~~ department may cancel, suspend, revoke or refuse to
14 renew any driver's training school or driver's training instructor license if
15 any of the following occurs:

16 (a) ~~When the state board~~ The department is satisfied that the licensee
17 fails to meet the requirements to receive or hold a license under this act;

18 (b) ~~Whenever~~ the licensee fails to keep the records required herein;

19 (c) ~~Whenever~~ the licensee permits fraud or engages in fraudulent
20 practices either with reference to the applicant or the ~~state board~~
21 department, or induces or countenances fraud or fraudulent practices on
22 the part of any applicant for a driver's license or permit;

23 (d) ~~Whenever~~ the licensee fails to comply with any provision of this
24 act or any of the rules and regulations of the ~~state board~~ department made
25 pursuant thereto;

26 (e) ~~Whenever~~ the licensee represents himself or herself such licensee
27 as an agent or employee of the ~~state board~~ department or license
28 examiners or uses advertising designed to lead or which would reasonably
29 have the effect of leading persons to believe that such licensee is in fact an
30 employee or representative of the ~~state board~~ department or license
31 examiners;

32 (f) ~~Whenever~~ the licensee or any employee or agent of the licensee
33 solicits driver training or instruction in an office of any department of the
34 state having to do with the administration of any law relating to motor
35 vehicles; or

36 (g) ~~Whenever~~ the licensee has had his or her their operator's or
37 chauffeur's license canceled, suspended or revoked.

38 Sec. 9. K.S.A. 8-280 is hereby amended to read as follows: 8-280. (a)
39 There is hereby created in the state treasury the commercial driver
40 education fund. The commercial driver education fund shall be
41 administered by the department of revenue. All expenditures from the
42 commercial driver education fund shall be made in accordance with
43 appropriation acts upon warrants of the director of accounts and reports

1 *issued pursuant to vouchers approved by the secretary of revenue.*

2 (b) All moneys received under this act shall be remitted to the state
3 treasurer in accordance with the provisions of K.S.A. 75-4215, and
4 amendments thereto. Upon receipt of each such remittance, the state
5 treasurer shall deposit the entire amount in the state treasury to the credit
6 of the ~~state safety fund created by K.S.A. 8-267, and amendments thereto~~
7 *commercial driver education fund.*

8 Sec. 10. K.S.A. 8-273, 8-274, 8-275, 8-276, 8-277, 8-278, 8-279 and
9 8-280 and K.S.A. ~~2020~~ Supp. 8-272 are hereby repealed.

10 Sec. 11. This act shall take effect and be in force from and after its
11 publication in the statute book.

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