

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 127

As Amended by House Committee on
Transportation

Brief*

SB 127, as amended, would amend laws related to driver's licenses.

The bill would add a commercial driver's license (CDL) to the driver's licenses that could be renewed online, except if the CDL has a hazardous materials endorsement. The bill would require any person seeking to renew a CDL to provide the Division of Vehicles, Department of Revenue (Division), with a valid medical examiner's certificate and proof of the completion of the truckers against trafficking training (training in human trafficking identification and prevention, required by KSA 2020 Supp. 8-2,157) prior to the Division renewing the CDL.

The bill would extend the maximum age for online application for renewal of a driver's license from less than age 50 to less than age 65.

The bill would authorize the Division to send a notice of driver's license expiration or renewal application electronically if authorized by the person at an electronic mail address provided to the Division.

The bill would state a licensee whose driver's license or nondriver's identification card expired after March 12, 2020, and before March 31, 2021, would have until June 30, 2021, to renew such license or identification card.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill would remove a condition of eligibility for restricted driving privileges for a person whose driver's license expired while the license was suspended for failure to pay fines for traffic citations: the person has not previously received a stayed suspension as a result of a driving while suspended conviction.

The bill would remove a nonrefundable \$25 fee that current law requires be submitted to the Division by an applicant for restricted driving privileges in lieu of suspension of driving privileges for failure to comply with a traffic citation.

The bill would make a technical amendment to the period during which the Supreme Court is authorized to impose an additional charge per reinstatement fee. Continuing law requires a court to assess a \$100 reinstatement fee when the court notifies the Division of failure to comply with a traffic citation.

The bill would allow a person assessed a fine or court costs for a traffic citation to petition the court to waive all or a portion of the costs. The bill would authorize the court to waive or modify payments upon determining that paying the amount due would impose manifest hardship on the person or their immediate family.

The bill would make technical changes and remove outdated provisions.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Senate Committee on Transportation at the request of the Director of Vehicles.

[*Note:* The bill contains modified or partial provisions of 2020 SB 326, as introduced; 2020 SB 342, as introduced;

and 2020 SB 275, as amended by the House Committee on Transportation.]

Senate Committee on Transportation

In the Senate Committee hearing, two representatives of the Division of Vehicles (Division) provided proponent testimony. The testimony indicated the change to eligibility for a restricted driver's license under certain circumstances would make 650 individuals eligible for a restricted license. It also was noted that federal law requires a criminal history records check and additional checks when renewing a CDL with a hazardous materials endorsement.

A representative of the Kansas Optometric Association provided written-only proponent testimony regarding online renewal of a driver's license until age 65.

No other testimony was provided.

The Senate Committee amended the bill to state any holder of a driver's license or nondriver's identification card that expired after March 12, 2020, and before March 31, 2021, would have until June 30, 2021, to renew the driver's license or nondriver's identification card; authorize online renewal of certain CDLs; and change the effective date to be upon publication in the *Kansas Register*.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to remove a requirement an applicant pay a fee when requesting restricted driving privileges in lieu of driver's license suspension for failure to comply with a traffic citation.

House Committee on Transportation

In the House Committee hearing, two representatives of the Division and a representative of Kansas Legal Services provided **proponent** testimony, indicating the bill would expand the restricted driver's license program by allowing new participants, as there are currently 650 individuals who would be eligible for the restricted license upon enactment of the bill.

The Executive Director of the Kansas Optometric Association provided written-only neutral testimony, providing information on current vision requirements to obtain a driver's license in Kansas and indicating concerns that expanding the age range will increase the number of individuals with health problems renewing online.

No **opponent** testimony was provided.

The House Committee amended the bill to allow a court to waive or modify payments of fines or court costs upon finding it would impose manifest hardship on the person or their immediate family.

Fiscal Information

According to the fiscal note provided by the Division of the Budget on the bill as introduced, the Department of Revenue estimates enactment of the bill would have no fiscal effect on state revenues and would require \$3,500 from the State General Fund for FY 2022 to implement the bill and modify the driver's licensing system. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Driver's license; CDL; notices; fees