

3
4 **HOUSE BILL No. 2217**

5
6 By Committee on Judiciary

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8 2-5

9
10 AN ACT concerning motor vehicles; relating to driving under the influ-
11 ence of alcohol or drugs; ignition interlock devices; amending K.S.A.
12 8-1015 and repealing the existing section.

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

15 Section 1. K.S.A. 8-1015 is hereby amended to read as follows: 8-
16 1015. (a) When subsection (b)(1) of K.S.A. 8-1014, and amendments
17 thereto, requires or authorizes the division to place restrictions on a per-
18 son's driving privileges, the division shall restrict the person's driving priv-
19 ileges to driving only under the circumstances provided by subsections
20 (a)(1), (2), (3) and (4) of K.S.A. 8-292 and amendments thereto.

21 (b) In lieu of the restrictions set out in subsection (a), the division,
22 upon request of the person whose driving privileges are to be restricted,
23 may restrict the person's driving privileges to driving only a motor vehicle
24 equipped with an ignition interlock device, approved by the division and
25 obtained, installed and maintained at the person's expense.

26 (c) When a person has completed the one-year suspension pursuant
27 to subsection (b)(2) of K.S.A. 8-1014, and amendments thereto, the di-
28 vision shall restrict the person's driving privileges for one year to driving
29 only a motor vehicle equipped with an ignition interlock device, approved
30 by the division and maintained at the person's expense. ~~The licensee must
31 complete the one year driving only a motor vehicle equipped with an
32 ignition interlock device, and obtain a certificate of completion from an
33 approved interlock company, before applying to the division for the return
34 of any license previously surrendered by the licensee.~~

35 (d) Upon expiration of the period of time for which restrictions are
36 imposed pursuant to this section, the licensee may apply to the division
37 for the return of any license previously surrendered by the licensee. **Prior
38 to applying to the division for the return of any license previously
39 surrendered by the licensee pursuant to this section:**

40 **(1) The licensee must complete the one year driving only a
41 motor vehicle equipped with an ignition interlock device and ob-
42 tain a certificate of completion from an approved interlock com-
43 pany stating such person has completed the one year driving only**

1 a motor vehicle equipped with an ignition interlock device;

2 (2) the licensee shall sign an affidavit, under penalty of perjury,
3 stating that such person did not drive any motor vehicle for one
4 year following the one-year suspension pursuant to subsection
5 (b)(2) of K.S.A. 8-1014, and amendments thereto; or

6 (3) if a person operates a motor vehicle in violation of the re-
7 strictions imposed pursuant to this subsection, such person shall
8 obtain a certificate of completion from an approved interlock com-
9 pany stating such person has completed the one year driving only
10 a motor vehicle equipped with an ignition interlock device. The
11 one-year time requirement shall begin from the date such person
12 has the interlock device installed. If the license has expired, the person
13 may apply to the division for a new license, which shall be issued by the
14 division upon payment of the proper fee and satisfaction of the other
15 conditions established by law, unless the person's driving privileges have
16 been suspended or revoked prior to expiration, *or the licensee has not*
17 *obtained a certificate of completion issued by an approved interlock com-*
18 *pany, verifying the completion of driving only a motor vehicle equipped*
19 *with an ignition interlock device. met the requirements of this*
20 **subsection.**

21 Sec. 2. K.S.A. 8-1015 is hereby repealed.

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

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