

SESSION OF 2004

**CONFERENCE COMMITTEE REPORT BRIEF ON  
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2404**

As Agreed to March 30, 2004

**Brief \***

Senate Sub. for HB 2404 deletes from the driver's license law the ability to use a taxpayer identification number as proof of identification if the applicant does not have a Social Security number and permits certain health care providers to report persons who are not able to safely operate a motor vehicle.

The bill also would permit physicians and optometrists to report to the Division of Motor Vehicles or the Medical Advisory Board any person diagnosed or assessed as having a disorder or condition that may, in the doctors' professional judgement, prevent the person from safely operating a motor vehicle or could constitute an immediate and serious danger to the public. The report shall state whether the diagnosis is likely to be permanent or temporary.

The Senate Committee deleted provisions of HB 2404 and inserted provisions of SB 460 (taxpayer ID numbers and drivers licenses) and SB 466 (reporting of impaired drivers).

**Conference Committee Action**

The House Conference Committee agreed to the Senate amendments. In addition, the Conference Committee agreed to the following:

- ! Add provisions of HB 2714, which requires the Division of Motor Vehicles to assign a distinguishing number to driver's licenses, permits, and identification cards. The use of a person's social security number or taxpayer identification number is prohibited.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

- ! Add select provisions of SB 383, which pertain to the Kansas Uniform Commercial Drivers' License Act (CDL). Specifically, the provision relates to the hazardous materials endorsement (an authorization to a person's CDL that permits the individual to operate a vehicle which transports hazardous materials. The bill provides that, beginning April 1, 2004, or upon final determination by the Transportation Security Administration of the date for implementation of the requirements of 49 CFR 1572, whichever is later, the Division of Vehicles could not issue, renew, upgrade, or transfer a hazardous endorsement for a CDL to a person unless the person met the requirements of 49 CFR 1572 (credentialing and background checks for maritime and land transportation security).
  
- ! Add the definition of revoke, which means the process by which the Division cancels, suspends, withdraws, annuls, or disqualifies a hazardous material endorsement.

## **Background**

HB 2404, as it passed the House, would permit a mortgagee of record at the time of sale, or their assignee, to be a bidder at tax foreclosure sales. Current law prohibits this practice since the mortgagee has had a statutory right to redeem the real estate prior to such sale.

SB 460 was supported by Senator Barbara Allen and the Secretary of the Department of Social and Rehabilitation Services (SRS) by written testimony. The SRS material stated that the federal child support enforcement law requires states to have in effect laws which require any drivers license applicant to provide their Social Security number. Senator Allen noted SB 460 would delete language, added last year on the Senate floor to legislation which eventually became law designed to strengthen the security and verifiability of state issued identification. The Internal Revenue Service does not verify proof of identity documents submitted when applying for a taxpayer identification number. The bill was opposed by written testimony from El Centro, Inc., from Kansas City, Kansas.

SB 466 was supported by Senator Barbara Allen, the Johnson County District Attorney, the Kansas State Ophthalmological Society,

and medical doctors. Others who testified included the Kansas Medical Society and the Kansas Optometric Association.

HB 2714, as drafted, was supported by Representative O'Malley and a delegate from the Division of Motor Vehicles.

SB 383, as originally drafted, was supported by Gary Davenport, Director of Safety and Risk Management of the Kansas Motor Carriers Association (KMCA). Carmen Aldritt, Director of Vehicles testified that the Drivers License Bureau had been working with the KBI and federal agencies to begin the process April 1, 2004. Another conferee, Terry Holdren, Associate State Director, Kansas Farm Bureau Governmental Relations, appeared to pose questions about the application process and other related matters of interest to the Bureau.