

HOUSE BILL No. 2003

By Representative Victors

12-26

1 AN ACT concerning the division of vehicles; relating to driver's licenses
2 and identification cards; creating the limited driver's license and
3 identification card; eligibility; amending K.S.A. 2018 Supp. 8-237, 8-
4 240 and 8-1324 and repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) The division of vehicles shall issue a limited class
8 C driver's license, limited instruction permit or limited and restricted
9 license when the following conditions are satisfied:

10 (1) A limited class C driver's license or limited instruction permit
11 shall be issued to an applicant 17 years of age or older who is otherwise
12 eligible for a driver's license or instruction permit pursuant to K.S.A. 8-
13 237, 8-239 or 8-240, and amendments thereto, and who satisfies the
14 requirements set forth in subsection (b). A limited driver's license issued
15 under this subsection shall be subject to all of the requirements set forth
16 pursuant to K.S.A. 8-247, and amendments thereto; or

17 (2) a limited and restricted class C driver's license shall be issued to
18 an applicant who is at least 15 years of age but less than 17 years of age
19 who is otherwise eligible for a restricted driver's license or instruction
20 permit pursuant to K.S.A. 2018 Supp. 8-2,100 or 8-2,101, and
21 amendments thereto, and who satisfies the requirements set forth in
22 subsection (b).

23 (b) (1) The division shall issue a limited driver's license, limited and
24 restricted license, or limited instruction permit to any individual who is
25 deemed to be a resident of Kansas pursuant to K.S.A. 8-234a(a)(2), and
26 amendments thereto; and:

27 (A) Has not been issued a social security number; or

28 (B) does not provide satisfactory documentary evidence of citizenship
29 or lawful presence pursuant to K.S.A. 8-240(b)(2)(A), and amendments
30 thereto.

31 (2) An applicant who applies for a limited driver's license, limited
32 and restricted license or limited instruction permit shall present with the
33 application a valid passport from the applicant's country of citizenship or a
34 valid consular identification document, as defined by subsection (d) or
35 other proof of identity deemed acceptable by the department.

36 (c) (1) A limited driver's license, limited and restricted license or

1 limited instruction permit issued under this section shall contain a notice
2 on its face that the license or permit is not acceptable for any of the
3 purposes specified by the real id act of 2005 P.L. 109-13, or for the
4 purposes of voting, the purchase of a firearm or establishing the holder's
5 eligibility for public benefits.

6 (2) Any person to whom the division may issue a limited driver's
7 license, limited and restricted license or limited instruction permit,
8 pursuant to subsection (a), shall be subject to any and all provisions of the
9 motor vehicle driver's license act, the uniform act regulating traffic on
10 highways and any and all rules and regulations issued by the division to
11 the same extent as any person issued a driver's license, unless otherwise
12 provided, including, but not limited to, the mandatory insurance
13 requirements and penalties set forth in K.S.A. 40-3101 et seq., and
14 amendments thereto.

15 (3) Possession or presentation of a limited driver's license, limited
16 and restricted license or limited instruction permit issued pursuant to this
17 section, rather than a driver's license or instruction permit issued pursuant
18 to K.S.A. 8-239 or 8-240 or K.S.A. 2018 Supp. 8-2,100 or 8-2,101, and
19 amendments thereto, shall not be used to consider an individual's
20 citizenship or immigration status and shall not be used as a basis for any
21 investigation, criminal or otherwise, and shall not be used as the basis for
22 an arrest, citation or detention.

23 (4) Information provided in an application for a limited driver's
24 license, limited and restricted license or limited instruction permit is not a
25 public record and shall not be disclosed by the division, unless required by
26 court order. Pursuant to K.S.A. 45-229, and amendments thereto, the
27 exception to the Kansas open records act contained in subsection (c) shall
28 expire on June 30, 2024, unless the legislature reviews and reenacts these
29 provisions prior to June 30, 2024.

30 (d) As used in this section, "consular identification document" means
31 an official identification card issued by a foreign government that meets all
32 of the following requirements:

33 (1) The identification card is issued through the foreign government's
34 consular offices for the purpose of identifying a foreign national who is
35 living outside the foreign jurisdiction.

36 (2) The foreign government requires the foreign national to provide
37 proof of nationality that is within the foreign government's jurisdiction and
38 proof of identity to obtain the identification card.

39 (3) The foreign government includes all of the following security
40 features in the identification card:

41 (A) A unique identification number;

42 (B) an optically variable feature such as a hologram or color-shifting
43 inks;

- 1 (C) an ultraviolet image;
- 2 (D) encoded information;
- 3 (E) machine-readable technology;
- 4 (F) microprinting;
- 5 (G) secure laminate; and
- 6 (H) integrated photograph and signature.

7 (4) The identification card includes on its face the name of the
8 individual to whom it is issued, the date of issuance, the date of expiration,
9 the name of the issuing consular office or foreign government and the
10 unique identification number. The identification card must include an
11 English translation of the data fields.

12 (5) The issuing consular office or foreign government has filed with
13 the division a copy of the foreign government's standard consular
14 identification document and a certification of the procedures that are used
15 to satisfy the requirements pursuant to subsections (b) and (c).

16 (e) The secretary of revenue shall promulgate rules and regulations
17 necessary to carry out the provisions of this section.

18 (f) This section shall be a part of and supplemental to the motor
19 vehicle driver's license act.

20 Sec. 2. K.S.A. 2018 Supp. 8-237 is hereby amended to read as
21 follows: 8-237. The division of vehicles shall not issue any driver's license
22 to any person:

23 (a) Who is under the age of 17 years, except that the division may
24 issue a restricted class C or M license, as provided in K.S.A. 2018 Supp. 8-
25 2,101, and amendments thereto, or a farm permit, under K.S.A. 8-296, and
26 amendments thereto.

27 (b) Who is under the age of 18 years, except as provided in K.S.A. 8-
28 2,147, and amendments thereto, for the purpose of driving a commercial or
29 class A or B motor vehicle.

30 (c) Whose license is currently revoked, suspended or canceled in this
31 or any other state, except as provided in K.S.A. 8-256, and amendments
32 thereto.

33 (d) Who is a habitual drunkard, habitual user of narcotic drugs or
34 habitual user of any other drug to a degree which renders the user
35 incapable of safely driving a motor vehicle.

36 (e) Who has previously been adjudged to be afflicted with or
37 suffering from any mental disability or disease and who, at the time of
38 making application for a driver's license, has not been restored to capacity
39 in the manner provided by law. Application of this limitation to any person
40 known to have suffered any seizure disorder is subject to the provisions of
41 K.S.A. 8-247, and amendments thereto.

42 (f) Who is required by the motor vehicle drivers' license act to take an
43 examination, unless the person has successfully passed the examination.

1 (g) Who is at least 16 years of age and less than 17 years of age, who
2 is applying for a driver's license for the first time since reaching 16 years
3 of age and who, three times or more, has been adjudged to be a traffic
4 offender under the Kansas juvenile code or a juvenile offender under the
5 revised Kansas juvenile justice code, by reason of violation of one or more
6 statutes regulating the movement of traffic on the roads, streets or
7 highways of this state, except that, in the discretion of the director, the
8 person may be issued a driver's license which is restricted in the manner
9 the division deems to be appropriate. No person described by this
10 subsection shall be eligible to receive a driver's license which is not
11 restricted until the person has reached the age of 17 years.

12 (h) Who has not submitted proof of age or proof of identity, as
13 required by K.S.A. 8-240, and amendments thereto.

14 (i) Whose presence in the United States is in violation of federal
15 immigration laws, *unless such person is applying for a limited driver's*
16 *license, limited and restricted license or limited instruction permit*
17 *pursuant to section 1, and amendments thereto.*

18 Sec. 3. K.S.A. 2018 Supp. 8-240 is hereby amended to read as
19 follows: 8-240. (a) (1) Every application for an instruction permit shall be
20 made upon a form furnished by the division of vehicles and accompanied
21 by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes.
22 Every other application shall be made upon a form furnished by the
23 division and accompanied by an examination fee of \$3, unless a different
24 fee is required by K.S.A. 8-241, and amendments thereto, and by the
25 proper fee for the license for which the application is made. All
26 commercial class applicants shall be charged a \$15 driving test fee for the
27 drive test portion of the commercial driver's license application. If the
28 applicant is not required to take an examination or the commercial license
29 drive test, the examination or commercial drive test fee shall not be
30 required. The examination shall consist of three tests, as follows: (A)
31 Vision; (B) written; and (C) driving. For a commercial driver's license, the
32 drive test shall consist of three components, as follows: (A) Pre-trip; (B)
33 skills test; and (C) road test. If the applicant fails the vision test, the
34 applicant may have correction of vision made and take the vision test
35 again without any additional fee. If an applicant fails the written test, the
36 applicant may take such test again upon the payment of an additional
37 examination fee of \$1.50. If an applicant fails the driving test, the
38 applicant may take such test again upon the payment of an additional
39 examination fee of \$1.50. If an applicant for a commercial driver's license
40 fails any portion of the commercial drive test, the applicant may take such
41 test again upon the payment of an additional drive test fee of \$10. If an
42 applicant fails to pass all three of the tests within a period of six months
43 from the date of original application and desires to take additional tests,

1 the applicant shall file an application for reexamination upon a form
2 furnished by the division, which shall be accompanied by a reexamination
3 fee of \$3, except that any applicant who fails to pass the written or driving
4 portion of an examination four times within a six-month period, shall be
5 required to wait a period of six months from the date of the last failed
6 examination before additional examinations may be given. Upon the filing
7 of such application and the payment of such reexamination fee, the
8 applicant shall be entitled to reexamination in like manner and subject to
9 the additional fees and time limitation as provided for examination on an
10 original application. If the applicant passes the reexamination, the
11 applicant shall be issued the classified driver's license for which the
12 applicant originally applied, which license shall be issued to expire as if
13 the applicant had passed the original examination.

14 (2) Applicants for class M licenses who have completed prior
15 motorcycle safety training in accordance with department of defense
16 instruction 6055.04 (DoDI 6055.04) or the motorcycle safety foundation
17 are not required to complete further written and driving testing pursuant to
18 paragraph (1). An applicant seeking exemption from the written and
19 driving tests pursuant to this paragraph shall provide a copy of the
20 motorcycle safety foundation completion form to the division prior to
21 receiving a class M license.

22 (3) On and after January 1, 2017, an applicant for a class M license
23 who passes a driving examination on a three-wheeled motorcycle which is
24 not an autocycle shall have a restriction placed on such applicant's license
25 limiting the applicant to the operation of a registered three-wheeled
26 motorcycle. An applicant for a class M license who passes a driving
27 examination on a two-wheeled motorcycle may operate any registered
28 two-wheeled or three-wheeled motorcycle. The driving examination
29 required by this paragraph shall be administered by the division, by the
30 department of defense or as part of a curriculum recognized by the
31 motorcycle safety foundation.

32 (b) (1) For the purposes of obtaining any driver's license or
33 instruction permit, an applicant shall submit, with the application, proof of
34 age and proof of identity as the division may require. The applicant also
35 shall provide a photo identity document, except that a non-photo identity
36 document is acceptable if it includes both the applicant's full legal name
37 and date of birth, and documentation showing the applicant's name, the
38 applicant's address of principal residence and the applicant's social security
39 number. The applicant's social security number shall remain confidential
40 and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012,
41 and amendments thereto. If the applicant does not have a social security
42 number the applicant shall provide proof of lawful presence and Kansas
43 residency, *unless such person is applying for a limited driver's license,*

1 *limited and restricted license or limited instruction permit pursuant to*
2 *section 1, and amendments thereto.* The division shall assign a
3 distinguishing number to the license or permit.

4 (2) (A) *Except as provided in subsection (B),* the division shall not
5 issue any driver's license or instruction permit to any person who fails to
6 provide proof that the person is lawfully present in the United States.
7 Before issuing a driver's license or instruction permit to a person, the
8 division shall require valid documentary evidence that the applicant: ~~(A)~~
9 (i) Is a citizen or national of the United States; ~~(B)~~ (ii) is an alien lawfully
10 admitted for permanent or temporary residence in the United States; ~~(C)~~
11 (iii) has conditional permanent resident status in the United States; ~~(D)~~ (iv)
12 has an approved application for asylum in the United States or has entered
13 into the United States in refugee status; ~~(E)~~ (v) has a valid, unexpired
14 nonimmigrant visa or nonimmigrant visa status for entry into the United
15 States; ~~(F)~~ (vi) has a pending application for asylum in the United States;
16 ~~(G)~~ (vii) has a pending or approved application for temporary protected
17 status in the United States; ~~(H)~~ (viii) has approved deferred action status;
18 or ~~(I)~~ (ix) has a pending application for adjustment of status to that of an
19 alien lawfully admitted for permanent residence in the United States or
20 conditional permanent resident status in the United States.

21 (B) *The division shall issue a limited driver's license, limited and*
22 *restricted license or limited instruction permit to any applicant who fulfills*
23 *the requirements set forth in section 1, and amendments thereto.*

24 (3) If an applicant provides evidence of lawful presence set out in
25 subsections ~~(b)(2)(E)~~ (b)(2)(A)(v) through ~~(2)(F)~~ (A)(ix), or is an alien
26 lawfully admitted for temporary residence under subsection ~~(b)(2)(B)~~ (b)
27 (2)(A)(ii), the division may only issue a driver's license to the person under
28 the following conditions: (A) A driver's license issued pursuant to this
29 subparagraph shall be valid only during the period of time of the
30 applicant's authorized stay in the United States or, if there is no definite
31 end to the period of authorized stay, a period of one year; (B) a driver's
32 license issued pursuant to this subparagraph shall clearly indicate that it is
33 temporary and shall state the date on which it expires; (C) no driver's
34 license issued pursuant to this subparagraph shall be for a longer period of
35 time than the time period permitted by K.S.A. 8-247(a), and amendments
36 thereto; and (D) a driver's license issued pursuant to this subparagraph may
37 be renewed, subject at the time of renewal, to the same requirements and
38 conditions as set out in this subsection (b) for the issuance of the original
39 driver's license.

40 (4) The division shall not issue any driver's license or instruction
41 permit to any person who is not a resident of the state of Kansas, except as
42 provided in K.S.A. 8-2,148, and amendments thereto.

43 (5) The division shall not issue a driver's license to a person holding a

1 driver's license issued by another state without making reasonable efforts
2 to confirm that the person is terminating or has terminated the driver's
3 license in the other state.

4 (6) The parent or guardian of an applicant under 16 years of age shall
5 sign the application for any driver's license submitted by such applicant.

6 (c) Every application shall state the full legal name, date of birth,
7 gender and address of principal residence of the applicant, and briefly
8 describe the applicant, and shall state whether the applicant has been
9 licensed as a driver prior to such application, and, if so, when and by what
10 state or country. Such application shall state whether any such license has
11 ever been suspended or revoked, or whether an application has ever been
12 refused, and, if so, the date of and reason for such suspension, revocation
13 or refusal. In addition, applications for commercial drivers' licenses and
14 instruction permits for commercial licenses must include the following:
15 The applicant's social security number; the person's signature; the person's:
16 (1) Digital color image or photograph; or (2) a laser engraved photograph;
17 certifications, including those required by 49 C.F.R. § 383.71(a), effective
18 January 1, 1991; a consent to release driving record information; and, any
19 other information required by the division. Each application for a driver's
20 license shall include a question asking if the applicant is willing to give
21 such applicant's authorization to be listed as an organ, eye or tissue donor
22 in the Kansas donor registry in accordance with the revised uniform
23 anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments
24 [thereto]. The gift would become effective upon the death of the donor.

25 (d) When an application is received from a person previously licensed
26 in another jurisdiction, the division shall request a copy of the driver's
27 record from the other jurisdiction. When received, the driver's record shall
28 become a part of the driver's record in this state with the same force and
29 effect as though entered on the driver's record in this state in the original
30 instance.

31 (e) When the division receives a request for a driver's record from
32 another licensing jurisdiction the record shall be forwarded without charge.

33 (f) A fee shall be charged as follows:

34 (1) For a class C driver's license issued to a person at least 21 years of
35 age, but less than 65 years of age, \$18;

36 (2) for a class C driver's license issued to a person 65 years of age or
37 older, \$12;

38 (3) for a class M driver's license issued to a person at least 21 years of
39 age, but less than 65 years of age, \$12.50;

40 (4) for a class M driver's license issued to a person 65 years of age or
41 older, \$9;

42 (5) for a class A or B driver's license issued to a person who is at least
43 21 years of age, but less than 65 years of age, \$24;

1 (6) for a class A or B driver's license issued to a person 65 years of
2 age or older, \$16;

3 (7) for any class of commercial driver's license issued to a person 21
4 years of age or older, \$18; or

5 (8) for class A, B, C or M, or a farm permit, or any commercial
6 driver's license issued to a person less than 21 years of age, \$20.

7 A fee of \$10 shall be charged for each commercial driver's license
8 endorsement, except air brake endorsements which shall have no charge.

9 A fee of \$3 per year shall be charged for any renewal of a license issued
10 prior to the effective date of this act to a person less than 21 years of age.

11 If one fails to make an original application or renewal application for a
12 driver's license within the time required by law, or fails to make
13 application within 60 days after becoming a resident of Kansas, a penalty
14 of \$1 shall be added to the fee charged for the driver's license.

15 (g) Any person who possesses an identification card as provided in
16 K.S.A. 8-1324, and amendments thereto, shall surrender such
17 identification card to the division upon being issued a valid Kansas driver's
18 license or upon reinstatement and return of a valid Kansas driver's license.

19 (h) The division shall require that any person applying for a driver's
20 license submit to a mandatory facial image capture. The captured facial
21 image shall be displayed on the front of the applicant's driver's license.

22 (i) The director of vehicles may issue a temporary driver's license to
23 an applicant who cannot provide valid documentary evidence as defined
24 by subsection (b)(2), if the applicant provides compelling evidence
25 proving current lawful presence. Any temporary license issued pursuant to
26 this subsection shall be valid for one year.

27 (j) (1) For purposes of this subsection, the division may rely on the
28 division's most recent, existing color digital image and signature image of
29 the applicant for the class C or M driver's license if the division has the
30 information on file. The determination on whether an electronic online
31 renewal application or equivalent of a driver's license is permitted shall be
32 made by the director of vehicles or the director's designee. The division
33 shall not renew a driver's license through an electronic online or equivalent
34 process if the license has been previously renewed through an electronic
35 online application in the immediately preceding driver's license period. No
36 renewal under this subsection shall be granted to any person who is: (A)
37 Younger than 30 days from turning 21 years of age; (B) 65 years of age or
38 older; (C) a registered offender pursuant to K.S.A. 22-4901 et seq., and
39 amendments thereto; or (D) has a temporary driver's license issued
40 pursuant to K.S.A. 8-240(b)(3), and amendments thereto, provided the
41 license is not otherwise withdrawn.

42 (2) The vision examination requirements in K.S.A. 8-247(e), and
43 amendments thereto, are not required for electronic online renewal

1 applications, except that the electronic online renewal applicant must
2 certify under penalty of law that the applicant's vision satisfies the
3 requirements of K.S.A. 8-295, and amendments thereto, and has
4 undergone an examination of eyesight by a licensed ophthalmologist or a
5 licensed optometrist within the last year. As a condition for any electronic
6 online renewal application, the applicant must: (A) Authorize the exchange
7 of vision and medical information between the division and the applicant's
8 ophthalmologist or optometrist; and (B) is at least 21 years of age, but less
9 than 50 years of age. The ophthalmologist or optometrist shall have four
10 business days to confirm or deny the vision and medical information of the
11 applicant. If no response is received by the division, the division shall
12 accept the vision and medical information provided for processing the
13 renewal application. The waiver of vision examination for online renewal
14 applications contained within this subsection shall expire on July 1, 2022.

15 (3) The secretary of revenue shall adopt and administer rules and
16 regulations to implement a program to permit an electronic online renewal
17 of a driver's license, including, but not limited to, requirements that an
18 electronic online renewal applicant shall have previously provided
19 documentation of identity, lawful presence and residence to the division
20 for electronic scanning.

21 (4) Prior to February 1, 2022, the division shall report to the house
22 and senate committees on transportation regarding the online renewal
23 process of this subsection and its effects to safety on the state's roads and
24 highways.

25 Sec. 4. K.S.A. 2018 Supp. 8-1324 is hereby amended to read as
26 follows: 8-1324. (a) Any resident who does not hold a current valid Kansas
27 driver's license may make application to the division of vehicles and be
28 issued one identification card.

29 (b) (1) Each application for an identification card shall include a
30 question asking if the applicant is willing to give such applicant's
31 authorization to be listed as an organ, eye and tissue donor in the Kansas
32 donor registry in accordance with the revised uniform anatomical gift act,
33 K.S.A. 65-3220 through 65-3244, and amendments thereto. The gift would
34 become effective upon the death of the donor.

35 (2) For the purpose of obtaining an identification card, an applicant
36 shall submit, with the application, proof of age, proof of identity and proof
37 of lawful presence. An applicant shall submit with the application a photo
38 identity document, except that a non-photo identity document is acceptable
39 if it includes both the applicant's full legal name and date of birth, and
40 documentation showing the applicant's name, the applicant's address of
41 principal residence and the applicant's social security account number. The
42 applicant's social security number shall remain confidential and shall not
43 be disclosed, except as provided pursuant to K.S.A. 74-2014, and

1 amendments thereto. If the applicant does not have a social security
2 number, the applicant shall provide proof of lawful presence and Kansas
3 residency. The division shall assign a distinguishing number to the
4 identification card. Before issuing an identification card to a person, the
5 division shall make reasonable efforts to verify with the issuing agency the
6 issuance, validity and completeness of each document required to be
7 presented by the applicant to prove age, identity and lawful presence.

8 (c) The division shall not issue an identification card to any person
9 who fails to provide proof that the person is lawfully present in the United
10 States. If an applicant provides evidence of lawful presence as set out in
11 K.S.A. 8-240(b)(2)(~~E~~)(A)(v) through ~~(2)(F)(A)(ix)~~, and amendments
12 thereto, or is an alien lawfully admitted for temporary residence under
13 K.S.A. 8-240(b)(2)(~~B~~)(A)(ii), and amendments thereto, the division may
14 only issue a temporary identification card to the person under the
15 following conditions: ~~(A) (1) A temporary identification card issued~~
16 ~~pursuant to this subparagraph subsection shall be valid only during the~~
17 ~~period of time of the applicant's authorized stay in the United States or, if~~
18 ~~there is no definite end to the period of authorized stay, a period of one~~
19 ~~year;~~ ~~(B) (2) a temporary identification card issued pursuant to this~~
20 ~~subparagraph subsection shall clearly indicate that it is temporary and shall~~
21 ~~state the date upon which it expires;~~ ~~(C) (3) no temporary identification~~
22 ~~card issued pursuant to this subparagraph subsection shall be for a longer~~
23 ~~period of time than the time period permitted by K.S.A. 8-1325, and~~
24 ~~amendments thereto; and~~ ~~(D) (4) a temporary identification card issued~~
25 ~~pursuant to this subparagraph subsection may be renewed, subject at the~~
26 ~~time of renewal, to the same requirements and conditions set forth in this~~
27 ~~subsection~~ ~~(e) for the issuance of the original temporary identification~~
28 ~~card.~~

29 (d) The division shall not issue an identification card to any person
30 who holds a current valid Kansas driver's license unless such driver's
31 license has been physically surrendered pursuant to the provisions of
32 K.S.A. 8-1002(e), and amendments thereto.

33 (e) The division shall refuse to issue an identification card to a person
34 holding a driver's license or identification card issued by another state
35 without confirmation that the person is terminating or has terminated the
36 license or identification card.

37 (f) The parent or guardian of an applicant under 16 years of age shall
38 sign the application for an identification card submitted by such applicant.

39 (g) (1) The division shall require payment of a fee of \$14 at the time
40 application for an identification card is made, except that persons who are
41 65 or more years of age or who are handicapped, as defined in K.S.A. 8-
42 1,124, and amendments thereto, shall be required to pay a fee of only \$10.
43 In addition to the fees prescribed by this subsection, the division shall

1 require payment of the photo fee established pursuant to K.S.A. 8-243, and
2 amendments thereto, for the cost of the photograph to be placed on the
3 identification card.

4 (2) The division shall not require or accept payment of application or
5 photo fees under this subsection for any person 17 years of age or older for
6 purposes of meeting the voter identification requirements of K.S.A. 25-
7 2908, and amendments thereto. Such person shall:

8 (A) Swear under oath that such person desires an identification card
9 in order to vote in an election in Kansas and that such person does not
10 possess any of the forms of identification acceptable under K.S.A. 25-
11 2908, and amendments thereto. The affidavit shall specifically list the
12 acceptable forms of identification under K.S.A. 25-2908, and amendments
13 thereto; and

14 (B) produce evidence that such person is registered to vote in Kansas.

15 (3) The secretary of revenue shall adopt rules and regulations in order
16 to implement the provisions of paragraph (2).

17 (h) All Kansas identification cards shall have physical security
18 features designed to prevent tampering, counterfeiting or duplication for
19 fraudulent purposes.

20 (i) For the purposes of K.S.A. 8-1324 through 8-1328, and
21 amendments thereto, a person shall be deemed to be a resident of the state
22 if:

23 (1) The person owns, leases or rents a place of domicile in this state;

24 (2) the person engages in a trade, business or profession in this state;

25 (3) the person is registered to vote in this state;

26 (4) the person enrolls the person's child in a school in this state; or

27 (5) the person registers the person's motor vehicle in this state.

28 (j) The division shall require that any person applying for an
29 identification card submit to a mandatory facial image capture. The
30 captured facial image shall be displayed on the front of the applicant's
31 identification card.

32 (k) (1) Any person who is a veteran may request that the division
33 issue to such person a nondriver identification card which shall include the
34 designation "VETERAN" displayed on the front of the nondriver
35 identification card at a location to be determined by the secretary of
36 revenue. In order to receive a nondriver identification card described in
37 this subsection, the veteran must provide proof of the veteran's military
38 service and honorable discharge or general discharge under honorable
39 conditions, including a copy of the veteran's DD214 form or equivalent.

40 (2) As used in this subsection, "veteran" means a person who:

41 (A) Has served in: The army, navy, marine corps, air force, coast
42 guard, air or army national guard or any branch of the military reserves of
43 the United States; and

1 (B) has been separated from the branch of service in which the person
2 was honorably discharged or received a general discharge under honorable
3 conditions.

4 (3) The director of vehicles may adopt any rules and regulations
5 necessary to carry out the provisions of this subsection.

6 (l) The director of vehicles may issue a temporary identification card
7 to an applicant who cannot provide valid documentary evidence as defined
8 by subsection (c), if the applicant provides compelling evidence proving
9 current lawful presence. Any temporary identification card issued pursuant
10 to this subparagraph shall be valid for one year.

11 (m) Upon payment of the required fee, the division shall issue to
12 every applicant qualifying under the provisions of this act an identification
13 card. Such identification card shall bear a distinguishing number assigned
14 to the cardholder, the full legal name, date of birth, address of principal
15 residence, a brief description of the cardholder, either: (1) A digital color
16 image or photograph; or (2) a laser engraved photograph of the cardholder,
17 and a facsimile of the signature of the cardholder. An identification card
18 which does not contain the address of principal residence of the cardholder
19 as required may be issued to persons who are program participants
20 pursuant to K.S.A. 75-455, and amendments thereto.

21 (n) An identification card issued to any person who indicated on the
22 application that the person wished to make an anatomical gift in
23 accordance with the revised uniform anatomical gift act, K.S.A. 65-3220
24 through 65-3244, and amendments thereto, shall have the word "Donor"
25 placed on the front of the applicant's identification card.

26 (o) (1) Any person who submits satisfactory proof to the director of
27 vehicles, on a form provided by the director, that such person needs
28 assistance with cognition, including, but not limited to, persons with
29 autism spectrum disorder, may request that the division issue to such
30 person a nondriver identification card, that shall note such impairment on
31 the nondriver identification card at a location to be determined by the
32 secretary of revenue.

33 (2) Satisfactory proof that a person needs assistance with cognition
34 shall include a statement from a person licensed to practice the healing arts
35 in any state, an advanced practice registered nurse licensed under K.S.A.
36 65-1131, and amendments thereto, a licensed physician assistant or a
37 person clinically licensed by the Kansas behavioral sciences regulatory
38 board certifying that such person needs assistance with cognition.

39 Sec. 5. K.S.A. 2018 Supp. 8-237, 8-240 and 8-1324 are hereby
40 repealed.

41 Sec. 6. This act shall take effect and be in force from and after its
42 publication in the statute book.