

SENATE BILL No. 567

By Committee on Federal and State Affairs

3-15

1 AN ACT concerning driver's licenses; relating to restricted driver's
2 licenses; allowing restricted driver's license holders to drive to and
3 from worship services held by any religious organization at age 15;
4 amending K.S.A. 2021 Supp. 8-2,101 and repealing the existing
5 section.

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

8 Section 1. K.S.A. 2021 Supp. 8-2,101 is hereby amended to read as
9 follows: 8-2,101. (a) (1) The division of vehicles may issue a restricted
10 class C or M driver's license in accordance with the provisions of this
11 section. A restricted class C license issued under this section shall entitle
12 the licensee, while possessing the license, to operate any motor vehicle in
13 class C, as designated in K.S.A. 8-234b, and amendments thereto. A
14 restricted class M license shall entitle the licensee, while possessing such
15 license, to operate a motorcycle.

16 ~~(a)~~(2) The division may issue a restricted class C or M driver's license
17 to any person who:

18 ~~(1)~~(A) Is at least 15 years of age;

19 ~~(2)~~(B) has successfully completed an approved course in driver
20 training;

21 ~~(3)~~(C) has held an instructional permit issued under the provisions of
22 K.S.A. 2021 Supp. 8-2,100, and amendments thereto, for a period of at
23 least one year and has completed at least 25 hours of adult supervised
24 driving or has obtained an instructional permit from another state or the
25 district of Columbia—~~which~~ *that* has equivalent or greater requirements;
26 and

27 ~~(4)~~(D) upon the written application of the person's parent or guardian,
28 which shall be submitted to the division.

29 (3) Any licensee issued a restricted license under this subsection—
30 shall provide, prior to reaching 16 years of age, a signed affidavit of either
31 a parent or guardian, stating that the applicant has completed the required
32 25 hours prior to being issued a restricted license and 25 hours of
33 additional adult supervised driving. Of the 50 hours required by this
34 subsection, at least 10 of those hours shall be at night. The adult
35 supervised driving shall be conducted by an adult who is at least 21 years
36 of age and is the holder of a valid commercial driver's license, class A, B

1 or C driver's license.

2 (b) (1) A restricted license issued under subsection (a) shall entitle a
3 licensee who is at least 15 years of age but less than 16 years of age, to
4 operate the appropriate motor vehicles at any time:

5 (A) While going to or from or in connection with any job,
6 employment or farm-related work;

7 (B) on days while school is in session, over the most direct and
8 accessible route between the licensee's residence and school of enrollment
9 for the purposes of school attendance;

10 (C) *while going directly to or from any religious worship service held*
11 *by a religious organization;*

12 ~~(C)~~(D) when the licensee is operating a passenger car, at any time
13 when accompanied by an adult, who is the holder of a valid commercial
14 driver's license, class A, B or C driver's license and who is actually
15 occupying a seat beside the driver; or

16 ~~(D)~~(E) when the licensee is operating a motorcycle, at any time when
17 accompanied by an adult, who is the holder of a valid class M driver's
18 license and who is either operating a motorcycle in the general proximity
19 of the licensee or is riding as a passenger on the motorcycle being operated
20 by the licensee.

21 (2) (A) For a period of six months, a restricted license issued under
22 subsection (a) shall entitle a licensee who is at least 16 years of age to
23 operate the appropriate motor vehicles at any time:

24 ~~(A)~~(i) From 5 a.m. to 9 p.m.;

25 ~~(B)~~(ii) while going to or from or in connection with any job,
26 employment or farm-related work;

27 ~~(C)~~(iii) while going to or from authorized school activities;

28 ~~(D)~~(iv) while going directly to or from any religious worship service
29 held by a religious organization;

30 ~~(E)~~(v) when the licensee is operating a passenger car, at any time
31 when accompanied by an adult, who is the holder of a valid commercial
32 driver's license, class A, B or C driver's license and who is actually
33 occupying a seat beside the driver; or

34 ~~(F)~~(vi) when the licensee is operating a motorcycle, at any time when
35 accompanied by an adult, who is the holder of a valid class M driver's
36 license and who is either operating a motorcycle in the general proximity
37 of the licensee or is riding as a passenger on the motorcycle being operated
38 by the licensee.

39 (B) After such six-month period, if the licensee has complied with the
40 provisions of this section, such restricted license shall entitle the licensee
41 to operate the appropriate motor vehicles at any time without any of the
42 restrictions required by this section.

43 (c) (1) The division may issue a restricted class C or M driver's

1 license to any person who is under 17 years of age but at least 16 years of
2 age, who:

3 (A) Has held an instructional permit issued under the provisions of
4 K.S.A. 2021 Supp. 8-2,100, and amendments thereto, for a period of at
5 least one year; and

6 (B) has submitted a signed affidavit of either a parent or guardian,
7 stating that the applicant has completed at least 50 hours of adult
8 supervised driving with at least 10 of those hours being at night. The
9 required adult supervised driving shall be conducted by an adult who is at
10 least 21 years of age and is the holder of a valid commercial driver's
11 license, class A, B or C driver's license.

12 (2) (A) For a period of six months, a restricted license issued under
13 subsection (c)(1) shall entitle a licensee to operate the appropriate motor
14 vehicles at any time:

15 ~~(A)(i)~~ From 5 a.m. to 9 p.m.;

16 ~~(B)(ii)~~ while going to or from or in connection with any job,
17 employment or farm-related work;

18 ~~(C)(iii)~~ while going to or from authorized school activities;

19 ~~(D)(iv)~~ while going directly to or from any religious worship service
20 held by a religious organization;

21 ~~(E)(v)~~ when the licensee is operating a passenger car, at any time
22 when accompanied by an adult, who is the holder of a valid commercial
23 driver's license, class A, B or C driver's license and who is actually
24 occupying a seat beside the driver; or

25 ~~(F)(vi)~~ when the licensee is operating a motorcycle, at any time when
26 accompanied by an adult, who is the holder of a valid class M driver's
27 license and who is either operating a motorcycle in the general proximity
28 of the licensee or is riding as a passenger on the motorcycle being operated
29 by the licensee.

30 (B) After such six-month period, if the licensee has complied with the
31 provisions of this section, such restricted license shall entitle the licensee
32 to operate the appropriate motor vehicles at any time without any of the
33 restrictions required by this section.

34 (d) (1) Any licensee issued a restricted license under subsection (a)
35 *who is*:

36 (A) ~~Who is~~ Less than 16 years of age shall not operate any motor
37 vehicle with nonsibling minor passengers; or

38 (B) ~~who is~~ at least 16 years of age, for a period of six months after
39 reaching 16 years of age, shall not operate any motor vehicle with more
40 than one passenger who is less than 18 years of age and who is not a
41 member of the licensee's immediate family.

42 (2) Any licensee issued a restricted license under subsection (c), for a
43 period of six months after such restricted license is issued, shall not

1 operate any motor vehicle with more than one passenger who is less than
2 18 years of age and who is not a member of the licensee's immediate
3 family.

4 (3) Any conviction for violating this subsection shall be construed as
5 a moving traffic violation for the purpose of K.S.A. 8-255, and
6 amendments thereto.

7 (e) Any licensee issued a restricted license under this section shall not
8 operate a wireless communication device while driving a motor vehicle,
9 except that a licensee may operate a wireless communication device while
10 driving a motor vehicle to report illegal activity or to summons medical or
11 other emergency help.

12 (f) (1) A restricted driver's license issued under this section is subject
13 to suspension or revocation in the same manner as any other driver's
14 license.

15 (2) A restricted driver's license shall be suspended in accordance with
16 K.S.A. 8-291, and amendments thereto, for any violation of restrictions
17 under this section.

18 (3) The division shall suspend the restricted driver's license upon
19 receiving satisfactory evidence that the licensee has been involved in two
20 or more accidents chargeable to the licensee and such suspended license
21 shall not be reinstated for one year.

22 (g) Evidence of failure of any licensee who was required to complete
23 the 50 hours of adult supervised driving under this section shall not be
24 admissible in any action for the purpose of determining any aspect of
25 comparative negligence or mitigation of damages.

26 (h) Any licensee issued a restricted license under:

27 (1) Subsection (a) who:

28 (A) Is under the age of 16 years and is convicted of two or more
29 moving traffic violations committed on separate occasions shall not be
30 eligible to receive a driver's license—~~which~~ *that* is not restricted in
31 accordance with the provisions of subsection (b)(1) until the person
32 reaches 17 years of age;

33 (B) is under 17 years of age but at least 16 years of age and is
34 convicted of two or more moving traffic violations committed on separate
35 occasions shall not be eligible to receive a driver's license—~~which~~ *that* is not
36 restricted in accordance with the provisions of subsection (b)(2) until the
37 person reaches 18 years of age; or

38 (C) fails to provide the affidavit required under subsection (a) shall
39 not be eligible to receive a driver's license which is not restricted in
40 accordance with the provisions of subsection (b)(1) until the person
41 provides such affidavit to the division or the person reaches 17 years of
42 age, whichever occurs first.

43 (2) Subsection (c) who is under the age of 17 years and is convicted

1 of two or more moving traffic violations committed on separate occasions
2 shall not be eligible to receive a driver's license which is not restricted in
3 accordance with the provisions of subsection (c) until the person reaches
4 18 years of age.

5 (i) This section shall be a part of and supplemental to the motor
6 vehicle driver's license act.

7 Sec. 2. K.S.A. 2021 Supp. 8-2,101 is hereby repealed.

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