

## Senate Substitute for HOUSE BILL No. 2693

By Committee on Transportation

3-21

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1 AN ACT concerning motor vehicles; relating to driver's licenses;  
2 commercial vehicles, skills test; examiners; amending K.S.A. 74-2015  
3 and K.S.A. 2013 Supp. 8-2,133 and repealing the existing sections.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2013 Supp. 8-2,133 is hereby amended to read as  
7 follows: 8-2,133. (a) Except as provided in K.S.A. 8-2,146, and  
8 amendments thereto, or as provided in K.S.A. 8-2,148, and amendments  
9 thereto, no person may be issued a commercial driver's license unless that  
10 person is a resident of this state and has passed a knowledge and skills test  
11 for driving a commercial motor vehicle which complies with minimum  
12 federal standards established by 49 C.F.R. § 383, subparts E, G and H and  
13 has satisfied all other requirements of the commercial motor vehicle safety  
14 act in addition to other requirements imposed by state law or federal  
15 regulation. The tests shall be prescribed and conducted by the secretary,  
16 except that the secretary may accept the results of a person's knowledge  
17 test conducted in another state if such test complies with minimum federal  
18 standards. *The secretary shall accept results of a person's skills test given*  
19 *in accordance with the provisions of subsection (c).*

20 (b) The secretary may authorize a person, including an agency of this  
21 or another state, an employer, a private driver training facility or other  
22 private institution, or a department, agency or instrumentality of local  
23 government, to administer the skills test specified by this section, if:

24 (1) The test is the same which would otherwise be administered by  
25 the state; and

26 (2) the third party has entered into an agreement with the state which  
27 complies with requirements of 49 C.F.R. § 383.75.

28 (c) *The secretary shall authorize any community college or technical*  
29 *college, upon such community college's or technical college's request, to*  
30 *administer the skills test required by subsection (a). The secretary shall*  
31 *grant priority status to requests by any community college or technical*  
32 *college with a truck driver training course in place as of July 1, 2014. The*  
33 *secretary shall authorize such testing which complies with the*  
34 *requirements of 49 C.F.R. Part 383 in an agreement between the*  
35 *requesting community college or technical college and the state. The*  
36 *secretary shall adopt rules and regulations to implement the testing*

1 *procedure provided for in this subsection.*

2 (d) A commercial driver's license or commercial driver's instruction  
3 permit may not be issued to a person while the person is subject to a  
4 disqualification from driving a commercial motor vehicle, or while the  
5 person's driver's license is suspended, revoked or canceled in any state; nor  
6 shall a commercial driver's license be issued to a person who has a  
7 commercial driver's license issued by any other state unless the person first  
8 surrenders all such licenses, which must be returned to the issuing state for  
9 cancellation.

10 ~~(d)~~(e) The director may authorize the skills test required by  
11 subsection (a) to be waived for an applicant that provides evidence of  
12 military commercial vehicle driving experience. To qualify for such a  
13 waiver, the applicant must satisfy the criteria established by 49 C.F.R. §  
14 383.77.

15 Sec. 2. K.S.A. 74-2015 is hereby amended to read as follows: 74-  
16 2015. Within the division of vehicles, there shall be a supervisor of driver's  
17 license examiners and such driver's license examiners as may be needed.  
18 Said supervisor and all such driver's license examiners shall be within the  
19 classified service under the Kansas civil service act. *Any person employed*  
20 *by a third party who has entered into a contract with the department of*  
21 *revenue pursuant to K.S.A. 8-129, and amendments thereto, to provide*  
22 *services of a driver's license examiner shall not be required to be within*  
23 *the classified service under the Kansas civil service act.* Such driver's  
24 license examiners shall make and conduct all examinations of applicants  
25 for operator's and chauffeur's licenses required by law, and shall exercise  
26 and enforce the licensing provisions of the operator's and chauffeur's  
27 licensing act, and shall perform such other duties as may be prescribed by  
28 law or by the director of vehicles. All such driver's license examiners are  
29 hereby vested with the power and authority of peace and police officers in  
30 the execution of the duties imposed upon them by this act and by the  
31 director of vehicles. The director of vehicles shall determine what, if any,  
32 vehicles, equipment and supplies, and insignia of office are needed by  
33 driver's license examiners. The property so determined to be needed shall  
34 be furnished without expense to such examiners. All property so furnished  
35 shall remain the property of the state and be strictly accounted for by each  
36 driver's license examiner. The secretary of revenue may adopt rules and  
37 regulations for the conduct and duties of driver's license examiners.

38 Sec. 3. K.S.A. 74-2015 and K.S.A. 2013 Supp. 8-2,133 are hereby  
39 repealed.

40 Sec. 4. This act shall take effect and be in force from and after its  
41 publication in the statute book.