

## Graduated Driver's License Provisions

(HB 2143)

\*Effective 01/01/2010

These guidelines are intended for general purposes only, and are not intended to provide information on all provisions of the Kansas Graduated Driver's License Law. Persons may consult the Kansas Department of Revenue (785-296-3963) for a complete reading of the Kansas Graduated Driver's License Law.

### Instruction Permit

- Minimum age 14; Expires in one year; May be renewed
- If under age 16, must have written application of parent/guardian
- Must pass vision and written examinations
- Must be accompanied by adult (at least age 21) in front seat who holds a valid driver's license with at least one year of driving experience
- NO person except supervising driver can be in front seat
- NO wireless communication device while driving except to report illegal activity or to summon emergency help

### Restricted License

- Minimum Age 15
- Issued only with written application of parent/guardian
- Must have held instruction permit for at least one year and completed at least 25 hours of supervised driving
- Must successfully complete approved Driver Education course (not required if applying at age 16)
  - ❖ If under age 16, may drive at any time:
    - to/from or in connection with any job, employment or farm-related work
    - over the most direct and accessible route between home and school for the purpose of attendance
    - when accompanied by an adult (at least age 21) in front seat who holds a valid driver's license
    - During this time:
      - must complete additional 25 hours of supervised driving (10 of the 50 hours total must be at night)
      - NO non-sibling minor passengers are allowed
      - NO wireless communication device while driving except to report illegal activity or to summon emergency help
  - ❖ If over age 16, first 6 months, may drive at any time:
    - From 5 a.m. to 9 p.m.
    - To/from or in connection with any job, employment or farm-related work
    - To/from authorized school activities
    - When accompanied by an adult (at least age 21) in front seat who holds a valid driver's license
    - During this time:
      - One non-immediate family member minor passenger (less than 18 years old) is allowed
      - NO wireless communication device while driving except to report illegal activity or to summon emergency help
  - ❖ Minimum age 16 ½
    - No restrictions if all prior requirements have been met and no infractions have occurred in the previous 6 months.

## Full (Unrestricted) License

- Age 17 – if first time applicant, not including instruction permit
- Must pass vision, written, and driving exams
- Must provide proof of age and identification
- Signed affidavit of parent or guardian, stating applicant has completed at least 50 hours of adult (at least age 21) supervised driving with at least 10 of those hours being at night.

## Farm Permit

- Minimum age 14
- Must reside on a farm (parcel of land larger than 20 acres used in agricultural operations), or be employed for compensation on a farm
- Issued only with written application of parent/guardian
- Must pass vision, written and driving examinations
  - ❖ If under age 16, may drive at any time:
    - to/from or in connection with any farm job, employment or other farm-related work
    - over the most direct and accessible route between home and school for the purpose of attendance
    - when accompanied by an adult (at least age 21) who holds a valid driver's license
    - NO non-sibling minor passengers are allowed
    - NO wireless communication device while driving except to report illegal activity or to summon emergency help
    - Prior to age 16, must provide signed affidavit attesting to completion of at least 50 hours of supervised driving, with at least 10 of those hours being at night.
  - ❖ If over age 16, first 6 months, may drive at any time:
    - From 5 a.m. to 9 p.m.
    - to/from or in connection with any farm job, employment or other farm-related work
    - to/from authorized school activities
    - when accompanied by an adult (at least age 21) who holds a valid driver's license
    - One non-immediate family member minor passenger (less than 18 years old) is allowed
    - NO wireless communication device while driving except to report illegal activity or to summon emergency help
  - ❖ Minimum age 16 ½
    - No restrictions if all prior requirements have been met and no infractions have occurred in the previous 6 months

## Motorcycle License

- Same restrictions as above
- Must be accompanied by an adult (at least age 21) who holds a valid class M driver's license
- Supervising rider must be operating a motorcycle in the general proximity of the licensee

## Revocations/Suspensions

- Restricted driver's license shall be suspended for any violation of restrictions
- License shall be suspended if involved in two or more accidents chargeable to the licensee – not reinstated for one year
- Under age 16 and convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive full (unrestricted) license until age 17
- Under age 17 (at least 16) and convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive full (unrestricted) license until age 18

## **“Grandfather Clause”**

**\*Sec. 9.** K.S.A. 8-297 is hereby amended to read as follows: 8-297. Notwithstanding any other provisions of this act, any person who held any valid restricted class C or class M driver's license, instruction permit, restricted instruction permit or farm permit on the effective date of this act may continue to operate motor vehicles subject to the conditions, limitations and restrictions contained in KSA 8-237, 8-239 and 8-296, and amendments thereto, as in effect on December 31, 2009.

## **Penalties**

Sec. 7. K.S.A. 8-291 is hereby amended to read as follows: 8-291. (a) It is a misdemeanor for any person to operate a motor vehicle in violation of the restrictions on any driver's license or permit imposed pursuant to any statute.

(b) *Except as provided in subsection (c):*

(1) Any person guilty of violating this section, upon the first conviction, shall be fined not to exceed \$250, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 30 days and not more than two years.

(2) Any person guilty of violating this section, upon a second or subsequent conviction, shall be fined not to exceed \$500, and the court shall suspend such person's privilege to operate a motor vehicle for not less than 90 days and not more than two years.

Any person guilty of violating this section, for violating restrictions on a driver's license or permit imposed pursuant to K.S.A. 8-237, 8-296, section 1 or section 2, and amendments thereto:

(1) Upon first conviction, the court shall suspend such person's privilege to operate a motor vehicle for 30 days;

(2) Upon a second conviction, the court shall suspend such person's privilege to operate a motor vehicle for 90 days; and

(3) Upon a third or subsequent conviction, the court shall suspend such person's privilege to operate a motor vehicle for one year.

(d) Nothing in this section shall limit a court in imposing penalties, conditions or restrictions authorized by any other statute arising from the same occurrence in addition to penalties and suspensions imposed under this section.