

Law Changes

Kansas Graduated Drivers license was amended by HB 2482(2010) to add "while going directly to or from any religious worship service held by a religious organization" for lesser restricted farm permits and restricted licenses. This applies to only the lesser restricted license at age 16. [Link to bill](#)

Kansas licensed drivers will no longer be required to fill out a renewal test when they renew their license under HB 2482(2010). People will receive a post card in the mail as a reminder to renew. They will still need to take an eye test.

Kansas passed a mandatory seat belt law with the passage of HB 2130r(2010). This requires all occupants of a vehicle to wear a seat belt. After July 1, 2010 fines can be assessed. [Link to bill](#)

Kansas passed SB 300(2010) which makes it against the law to text message. It states "write, send or read a written communication" means using a wireless communications device to write, send, or read a written communication. It does include some exceptions.
[Link to bill](#)

As of May 27, 2010, the anti-diversion provisions of K.S.A. 2009 Supp. 8-2,150 were expanded to include all commercial driver's license (CDL) holders. The new law prohibits a CDL holder or CDL driver from entering into a diversion for any charge, except a parking violation, if the defendant was a CDL holder at the time of arrest and/or citation. On or after May 27, 2010, all State, County, and local prosecutors should carefully review the new anti-masking rules of HB 2482 (2010) and incorporate these new prohibitions into their business rules for considering diversion agreement applications.

Section 7 of HB 2482 (2010) was enacted in response to the Atty Gen. Op. 2003-32. Prior to the passage of HB 2482 (2010), CDL holders were permitted to enter into diversion agreements if the CDL holder could convince a prosecutor or court that he or she was not a "driver" as the term was described in K.S.A. 2009 Supp. 8-2,128(k). In other circumstances, a CDL Holder would surrender his or her CDL after an arrest to avoid application of K.S.A. 2009 8-2,150. These exceptions to the rule were created by Atty Gen. Op. 2003-32. The Attorney General Opinion narrowly construed the CDL anti-masking provisions of K.S.A. 2009 Supp. 8-2,150. HB 2482 (2010) was enacted to specifically eliminate these exceptions.

The Driver Control Bureau for the Division of Vehicles will stop accepting any diversions associated with CDL holders. Any such diversion agreements will be returned to the Court with the statement that the diversion agreement was entered into in violation of amendments to K.S.A. 2009 Supp. 8-2,150 contained

in HB 2482. A copy of the statement will also be forwarded to the Kansas Attorney General's Office.