

**Senate Substitute for HOUSE BILL No. 2458**

By Committee on Transportation

3-17

1 AN ACT concerning driver's licenses; relating to vision requirements;  
2 limiting the liability of optometrists and ophthalmologists who provide  
3 information to the division of vehicles; amending K.S.A. 8-295 and  
4 repealing the existing section.

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

7 Section 1. K.S.A. 8-295 is hereby amended to read as follows: 8-295.  
8 Each driver's license examiner shall use the following vision standards for  
9 driver's license applicants:

10 (a) Each applicant testing  $20/40$  or better in at least one eye at the  
11 examination station shall meet the vision requirements. The driver's  
12 license examiner shall give each applicant failing to meet this test a vision  
13 form and refer the applicant to an ophthalmologist or optometrist of the  
14 applicant's choice.

15 (b) Each applicant who has received a vision report from an  
16 ophthalmologist or optometrist shall have  $20/60$  or better vision in at least  
17 one eye, with or without standard corrective lens, as determined by an  
18 ophthalmologist or optometrist to be eligible to be issued a driver's license.

19 (c) The driver's license examiner shall require each individual with a  
20 reading of  $20/60$  in the better eye, with or without standard corrective lens,  
21 to submit to a driver's test.

22 (d) An applicant failing to meet any of the above standards may be  
23 issued a driver's license if the applicant can demonstrate that the applicant  
24 can safely operate a vehicle and has had a good driving record for the  
25 previous three years. The division may impose reasonable restrictions on  
26 such license, as provided in K.S.A. 8-245, and amendments thereto.

27 (e) An applicant failing to meet the standards in subsections (a)  
28 through (d) shall be afforded a hearing in the manner prescribed by  
29 ~~subsection (e) of K.S.A. 8-255(c)~~, and amendments thereto.

30 (f) ~~No optometrist or ophthalmologist reporting to the division or to~~  
31 ~~the medical advisory board in good faith any information which that such~~  
32 ~~person may have has relating to the visual condition or other ability vision~~  
33 ~~of an applicant for a driver's license to safely operate a motor vehicle shall~~  
34 ~~be subject to a civil action liable for damages as a result of reporting such~~  
35 ~~information including any information provided in a vision report to any~~  
36 ~~person subsequent to the issuance or the renewal of a driver's license to~~

1 *the applicant.*

2       Sec. 2. K.S.A. 8-295 is hereby repealed.

3       Sec. 3. This act shall take effect and be in force from and after its

4 publication in the Kansas register.