

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.

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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~~ *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.