Senate Substitute for HOUSE BILL No. 2458

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

Be it enacted by the Legislature of the State of Kansas:

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

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

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

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

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

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

(f) No optometrist or ophthalmologist reporting to the division or to the medical advisory board in good faith any information which that person may have relating to the visual condition or other ability of an applicant for a driver's license to safely operate a motor vehicle shall be subject to a civil action liable for damages as a result of reporting such information including any information provided in a vision report to any person subsequent to the issuance or the renewal of a driver's license to the applicant.
Sec. 2. K.S.A. 8-295 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above Bill originated in the House, and passed that body

__________________________________________________________________

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE as amended

__________________________________________________________________

President of the Senate.

Secretary of the Senate.

APPROVED

__________________________________________________________________

Governor.