

As Amended by House Committee

Session of 2022

HOUSE BILL No. 2736

By Committee on Federal and State Affairs

3-14

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~~ **in good faith** any information
32 ~~which that such person may have has~~ relating to the visual condition or
33 other ability ~~vision~~ of an applicant for a driver's license to safely operate a
34 motor vehicle shall be subject to a civil action ~~liable~~ for damages as a
35 result of reporting such information including any information provided in
36 a vision report to any person subsequent to the issuance or the renewal of

1 *a driver's license to 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 statute book **Kansas register.**