

2023 Kansas Statutes

8-1026. Ignition interlock device restriction; reinstatement of driver's license without completion; ignition interlock device program, when; procedures and eligibility. (a) Any person whose license is restricted to operating only a motor vehicle with an ignition interlock device installed and who meets the requirements of subsection (b) may request reinstatement of such person's driver's license by submitting a request to the division in a form and manner prescribed by the division.

(b) The division shall approve the request for reinstatement of the person's driver's license if the division determines all the following conditions are met:

(1) The person's ignition interlock device restriction period has been extended at least five years, not including any period of incarceration, beyond the initial ignition interlock device restriction period required by law due to the person's failure to provide the division with proof of completion of the ignition interlock device program as required by K.S.A. 8-1015, and amendments thereto;

(2) during the person's ignition interlock device restriction period and any extension thereof, the person has not had an alcohol or drug-related conviction or occurrence, as those terms are defined by K.S.A. 8-1013, and amendments thereto, or a conviction of a violation of K.S.A. 8-1017, and amendments thereto, or of a law of another state, or of a political subdivision thereof, that prohibits the acts prohibited by K.S.A. 8-1017, and amendments thereto;

(3) during the person's ignition interlock device restriction period and any extension thereof, the person has not had any of the following:

(A) Conviction of a violation of K.S.A. 8-1599, and amendments thereto;

(B) conviction of a violation of K.S.A. 41-727, and amendments thereto;

(C) conviction of any violation listed in K.S.A. 8-285(a), and amendments thereto;

(D) conviction of two or more moving traffic violations committed on separate occasions; or

(E) revocation, suspension, cancellation or withdrawal of the person's driving privileges due to another action by the division or a court; and

(4) at the time of submitting the request to the division, the person does not have any pending charges or proceedings involving any violation listed in subsection (b)(2) or (3).

History: L. 2022, ch. 80, § 5; July 1.