AN ACT concerning people with certain disabilities; relating to vehicle registration, information included therein; state-issued identification cards, information included therein; amending K.S.A. 2016 Supp. 8-243 and 8-1324 and repealing the existing sections.

WHEREAS, The provisions of section 1 and the provisions of K.S.A. 2016 Supp. 8-243(f) and K.S.A. 2016 Supp. 8-1324(n), as amended by this act, shall be known and may be cited as Joey's Law.

Now, therefore:

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

New Section 1. (a) Any Kansas resident who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person needs assistance with cognition, including, but not limited to, persons with autism spectrum disorder, or is responsible for the transportation of such a person, may request that such information be included as part of the vehicle registration.

(b) Satisfactory proof that a person needs assistance with cognition shall include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed under K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or a Christian science practitioner listed in the Christian science journal certifying that such person needs assistance with cognition.

Sec. 2. K.S.A. 2016 Supp. 8-243 is hereby amended to read as follows: 8-243. (a) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act the driver's license as applied for by the applicant. Such license shall bear the class or classes of motor vehicles which the licensee is entitled to drive, a distinguishing number assigned to the licensee, the full legal name, date of birth, gender, address of principal residence and a brief description of the licensee, either: (1) A digital color image or photograph; or (2) a laser engraved photograph of the licensee, a facsimile of the signature of the licensee and the statement provided for in subsection (b). No driver's license shall be valid until it has been signed by the licensee. All drivers' licenses issued to persons under the age of 21 years shall be readily
distinguishable from licenses issued to persons age 21 years or older. In
addition, all drivers' licenses issued to persons under the age of 18 years
shall also be readily distinguishable from licenses issued to persons age 18
years or older. The secretary of revenue shall implement a vertical format
to make drivers' licenses issued to persons under the age of 21 more
readily distinguishable. Except as otherwise provided, no driver's license
issued by the division shall be valid until either: (1) A digital color image
or photograph; or (2) a laser engraved photograph of such licensee has
been taken and verified before being placed on the driver's license. The
secretary of revenue shall prescribe a fee of not more than $8 and upon the
payment of such fee, the division shall cause either: (1) A digital color
image or photograph; or (2) a laser engraved photograph of such applicant
to be placed on the driver's license. Upon payment of such fee prescribed
by the secretary of revenue, plus payment of the fee required by K.S.A. 8-
246, and amendments thereto, for issuance of a new license, the division
shall issue to such licensee a new license containing either: (1) A digital
color image or photograph; or (2) a laser engraved photograph of such
licensee. A driver's license which does not contain the principal address as
required may be issued to persons who are program participants pursuant
to K.S.A. 2016 Supp. 75-455, and amendments thereto, upon payment of
the fee required by K.S.A. 8-246, and amendments thereto. All Kansas
drivers' licenses and identification cards shall have physical security
features designed to prevent tampering, counterfeiting or duplication of the
document for fraudulent purposes. The secretary of revenue shall
incorporate common machine-readable technology into all Kansas drivers'
license and identification cards.

(b) All Kansas drivers' licenses issued to any person 16 years of age
or older shall contain a form which provides a statement for making a gift
of all or any part of the body of the licensee in accordance with the revised
uniform anatomical gift act, K.S.A. 2016 Supp. 65-3220 through 65-3244,
and amendments thereto, except as otherwise provided by this subsection.
The statement to be effective shall be signed by the licensee in the
presence of two witnesses who shall sign the statement in the presence of
the donor. The gift becomes effective upon the death of the donor.
Delivery of the license during the donor's lifetime is not necessary to make
a valid gift. Any valid gift statement executed prior to July 1, 1994, shall
remain effective until invalidated. The word "Donor" shall be placed on
the front of a licensee's driver's license, indicating that the statement for
making an anatomical gift under this subsection has been executed by such
licensee.

(c) Any person who is deaf or hard of hearing may request that the
division issue to such person a driver's license which is readily
distinguishable from drivers' licenses issued to other drivers and upon such
request the division shall issue such license. Drivers' licenses issued to persons who are deaf or hard of hearing and under the age of 21 years shall be readily distinguishable from drivers' licenses issued to persons who are deaf or hard of hearing and 21 years of age or older. Upon satisfaction of subsection (a), the division shall issue a receipt of application permitting the operation of a vehicle consistent with the requested class, if there are no other restrictions or limitations, pending the division's verification of the information and production of a driver's license.

(d) A driver's license issued to a person required to be registered under K.S.A. 22-4901 et seq., and amendments thereto, shall be assigned a distinguishing number by the division which will readily indicate to law enforcement officers that such person is a registered offender. The division shall develop a numbering system to implement the provisions of this subsection.

(e) (1) Any person who is a veteran may request that the division issue to such person a driver's license which shall include the designation "VETERAN" displayed on the front of the driver's license at a location to be determined by the secretary of revenue. In order to receive a license described in this subsection, the veteran must provide proof of the veteran's military service and honorable discharge or general discharge under honorable conditions, including a copy of the veteran's DD214 form or equivalent.

(2) As used in this subsection, "veteran" means a person who:
   (A) Has served in: The army, navy, marine corps, air force, coast guard, air or army national guard or any branch of the military reserves of the United States; and
   (B) has been separated from the branch of service in which the person was honorably discharged or received a general discharge under honorable conditions.

(3) The director of vehicles may adopt any rules and regulations necessary to carry out the provisions of this subsection.

(f) (1) Any person who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person needs assistance with cognition, including, but not limited to, persons with autism spectrum disorder, may request that the division issue to such person a driver's license, which shall note such impairment on the driver's license at a location to be determined by the secretary of revenue.

(2) Satisfactory proof that a person needs assistance with cognition shall include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed under K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or a Christian science practitioner listed in the Christian science journal certifying that such person needs assistance with cognition.
Sec. 3. K.S.A. 2016 Supp. 8-1324 is hereby amended to read as follows: 8-1324. (a) Any resident who does not hold a current valid Kansas driver's license may make application to the division of vehicles and be issued one identification card.

(b) For the purpose of obtaining an identification card, an applicant shall submit, with the application, proof of age, proof of identity and proof of lawful presence. An applicant shall submit with the application a photo identity document, except that a non-photo identity document is acceptable if it includes both the applicant's full legal name and date of birth, and documentation showing the applicant's name, the applicant's address of principal residence and the applicant's social security account number. The applicant's social security number shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2014, and amendments thereto. If the applicant does not have a social security number, the applicant shall provide proof of lawful presence and Kansas residency. The division shall assign a distinguishing number to the identification card. Before issuing an identification card to a person, the division shall make reasonable efforts to verify with the issuing agency the issuance, validity and completeness of each document required to be presented by the applicant to prove age, identity and lawful presence.

(c) The division shall not issue an identification card to any person who fails to provide proof that the person is lawfully present in the United States. If an applicant provides evidence of lawful presence as set out in K.S.A. 8-240(b)(2)(E) through (2)(I), and amendments thereto, or is an alien lawfully admitted for temporary residence under K.S.A. 8-240(b)(2)(B), and amendments thereto, the division may only issue a temporary identification card to the person under the following conditions: (A) A temporary identification card issued pursuant to this subparagraph shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year; (B) a temporary identification card issued pursuant to this subparagraph shall clearly indicate that it is temporary and shall state the date upon which it expires; (C) no temporary identification card issued pursuant to this subparagraph shall be for a longer period of time than the time period permitted by K.S.A. 8-1325, and amendments thereto; and (D) a temporary identification card issued pursuant to this subparagraph may be renewed, subject at the time of renewal, to the same requirements and conditions set forth in this subsection (c) for the issuance of the original temporary identification card.

(d) The division shall not issue an identification card to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of K.S.A. 8-1002(e), and amendments thereto.
(e) The division shall refuse to issue an identification card to a person holding a driver's license or identification card issued by another state without confirmation that the person is terminating or has terminated the license or identification card.

(f) The parent or guardian of an applicant under 16 years of age shall sign the application for an identification card submitted by such applicant.

(g) (1) The division shall require payment of a fee of $14 at the time application for an identification card is made, except that persons who are 65 or more years of age or who are handicapped, as defined in K.S.A. 8-1,124, and amendments thereto, shall be required to pay a fee of only $10. In addition to the fees prescribed by this subsection, the division shall require payment of the photo fee established pursuant to K.S.A. 8-243, and amendments thereto, for the cost of the photograph to be placed on the identification card.

(2) The division shall not require or accept payment of application or photo fees under this subsection for any person 17 years of age or older for purposes of meeting the voter identification requirements of K.S.A. 25-2908, and amendments thereto. Such person shall:

(A) Swear under oath that such person desires an identification card in order to vote in an election in Kansas and that such person does not possess any of the forms of identification acceptable under K.S.A. 25-2908, and amendments thereto. The affidavit shall specifically list the acceptable forms of identification under K.S.A. 25-2908, and amendments thereto; and

(B) produce evidence that such person is registered to vote in Kansas.

(3) The secretary of revenue shall adopt rules and regulations in order to implement the provisions of paragraph (2).

(h) All Kansas identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication for fraudulent purposes.

(i) For the purposes of K.S.A. 8-1324 through 8-1328, and amendments thereto, a person shall be deemed to be a resident of the state if:

(1) The person owns, leases or rents a place of domicile in this state;

(2) the person engages in a trade, business or profession in this state;

(3) the person is registered to vote in this state;

(4) the person enrolls the person's child in a school in this state; or

(5) the person registers the person's motor vehicle in this state.

(j) The division shall require that any person applying for an identification card submit to a mandatory facial image capture. The captured facial image shall be displayed on the front of the applicant's identification card.

(k) (1) Any person who is a veteran may request that the division
issue to such person a nondriver identification card which shall include the
designation "VETERAN" displayed on the front of the nondriver
identification card at a location to be determined by the secretary of
revenue. In order to receive a nondriver identification card described in
this subsection, the veteran must provide proof of the veteran's military
service and honorable discharge or general discharge under honorable
conditions, including a copy of the veteran's DD214 form or equivalent.

(2) As used in this subsection, "veteran" means a person who:

(A) Has served in: The army, navy, marine corps, air force, coast
guard, air or army national guard or any branch of the military reserves of
the United States; and

(B) has been separated from the branch of service in which the person
was honorably discharged or received a general discharge under honorable
conditions.

(3) The director of vehicles may adopt any rules and regulations
necessary to carry out the provisions of this subsection.

(l) The director of vehicles may issue a temporary identification card
to an applicant who cannot provide valid documentary evidence as defined
by subsection (c), if the applicant provides compelling evidence proving
current lawful presence. Any temporary identification card issued pursuant
to this subparagraph shall be valid for one year.

(m) Upon payment of the required fee, the division shall issue to
every applicant qualifying under the provisions of this act an identification
card. Such identification card shall bear a distinguishing number assigned
to the cardholder, the full legal name, date of birth, address of principal
residence, a brief description of the cardholder, either: (1) A digital color
image or photograph; or (2) a laser engraved photograph of the cardholder,
and a facsimile of the signature of the cardholder. An identification card
which does not contain the address of principal residence of the cardholder
as required may be issued to persons who are program participants
pursuant to K.S.A. 2016 Supp. 75-455, and amendments thereto.

(n) (1) Any person who submits satisfactory proof to the director of
vehicles, on a form provided by the director, that such person needs
assistance with cognition, including, but not limited to, persons with
autism spectrum disorder, may request that the division issue to such
person a nondriver identification card, which shall note such impairment
on the nondriver identification card at a location to be determined by the
secretary of revenue.

(2) Satisfactory proof that a person needs assistance with cognition
shall include a statement from a person licensed to practice the healing
arts in any state, an advanced practice registered nurse licensed under
K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or
a Christian science practitioner listed in the Christian science journal
certifying that such person needs assistance with cognition.
Sec. 4. K.S.A. 2016 Supp. 8-243 and 8-1324 are hereby repealed.
Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.