

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Senate Committee on Judiciary  
From: Office of Revisor of Statutes  
Date: March 18, 2022  
Subject: Bill Brief for SB 533

Senate Bill 533 increases the period of time that a person is disqualified from driving a commercial motor vehicle for certain violations and prohibits prosecuting attorneys from concealing certain traffic violations from the CDLIS driver report for holders of commercial driver's licenses and commercial learner's permits.

Section 1 amends K.S.A. 8-2,142, regarding disqualification from driving a commercial motor vehicle. Current law in subsection (h) provides that a person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order shall be disqualified from driving a commercial motor vehicle for a period of not less than 90 days nor more than one year on a first violation and not less than two years not more that five years on a second violation when such prior violation was committed within the 10 years immediately preceding the date of the present violation. The bill changes the minimum period of such disqualification to 180 days on a first violation and two years on a second violation. The maximum period is not amended.

Section 2 amends K.S.A. 8-2,150, regarding restrictions on a driver or a holder of a commercial driver's license entering into a diversion agreement for certain violations of state or local traffic control laws. The bill adds a new subsection (c) to provide that a prosecuting attorney shall not mask or defer imposition of judgment or allow an individual to enter into a diversion program that would prevent a commercial learner's permit or commercial driver's license holder's conviction from appearing on the CDLIS driver record of any violation of a state or local traffic control law that occurred in any type of motor vehicle. The subsection applies regardless of whether the driver was convicted for an offense committed in the state where the driver is licensed or in any another state. The subsection does not apply to parking, vehicle weight or vehicle defect violations.