

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

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

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**MEMORANDUM**

To: House Committee on Transportation  
From: Office of Revisor of Statutes  
Date: February 17, 2022  
Subject: Bill Brief – HB 2629

HB 2629 removes mandatory jail time for a habitual violator convicted of driving while the driver's license of the person is cancelled, suspended, or revoked.

K.S.A. 8-287 provides that a person who drives a vehicle while the driver's license of the person is revoked for being a habitual violator is a class A nonperson misdemeanor. That person becomes a habitual violator, as defined in K.S.A. 8-285, if convicted of driving on a suspended, canceled, or revoked license three or more times. Upon the third or subsequent conviction of K.S.A. 8-287, the person shall be sentenced to not less than 90 days imprisonment and not less than \$1,500 in fines. K.S.A. 8-262 provides that anyone who has been convicted of violating K.S.A. 8-262 for driving on a suspended, canceled, or revoked license and the reason for that loss of license is for being a habitual violator under K.S.A. 8-287 shall be sentenced to not less than 90 days imprisonment and not less than \$1,500 in fines.

HB 2629 would strike the mandatory fines and jail time in K.S.A. 8-287 and relatedly the mandatory jail time and fines found in K.S.A. 8-262 for habitual violators who are convicted of driving on a suspended, canceled, or revoked license three or more times. The effect would be to continue to classify violations of driving while privileges to do so are revoked for being a habitual violator as a class A nonperson misdemeanor. That classification carries a sentence of up to a year in jail and fines not more than \$2,500 to be determined by the court.