

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**.