

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 215

As Amended by House Committee on Education

Brief*

SB 215, as amended, would transfer authority for driver's education, motorcycle education, and truck driver training programs operated by postsecondary institutions from the State Board of Regents to the Department of Revenue and authority for driver training schools from the State Board of Education to the Department of Revenue.

The bill also would authorize a student aged 19 or younger attending an approved community college driver training course to participate in the State Safety Fund.

The term "vocational education school" within the bill would be changed to "institution" and would be defined as a "technical school affiliated with a public university in this state, a technical college, or community college."

The bill would require all courses in truck driver training taught for an interstate commercial class license to comply with the Kansas Uniform Commercial Driver's License Act.

A requirement for becoming a licensed teacher at a driver training school would be amended from requiring the applicant provide a certificate of health from a medical doctor declaring such person "free from contagious disease" to one declaring such person "physically and mentally able to safely operate a motor vehicle."

The bill would state that all rules and regulations, orders, and directives from the State Department of Education

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

regarding driver's training school licensure shall remain in effect until revised, amended, or nullified by the Director of Vehicles, Department of Revenue. The bill would authorize the Department of Revenue to establish standards for motorcycle safety courses and truck driver training by public declaration of the Director of Vehicles, as well as by rules and regulations.

The bill would establish the Commercial Driver Education Fund within the State Treasury under the administration of the Department of Revenue. All expenditures from the fund would be subject to appropriations. Moneys collected under the Drivers' Training School License Act would be deposited into this fund rather than into the State Safety Fund.

The bill would make various technical amendments and date changes. The bill would make a conforming amendment to KSA 8-267 to permit moneys in the State Safety Fund to provide funds for driver training courses in community colleges in Kansas.

Background

The bill was introduced by the Senate Committee on Commerce at the request of a representative of the Department of Revenue.

Senate Committee on Education

In the Senate Committee hearing on January 27, 2022, **proponent** testimony was provided by representatives of Johnson County Community College and the Department of Revenue. The proponents primarily discussed the efficiency gained by having driver education programs overseen by the agency that issues licenses. Written-only proponent testimony was provided by representatives of the State Board of Regents and the State Department of Education.

No other testimony was provided.

The Senate Committee made the following amendments to the bill:

- Included community colleges as being entitled to participate in the State Safety Fund when conducting approved courses of driver training;
- Limited State Safety Fund reimbursements to community colleges to reimbursements for students 19 years of age and under; and
- Made technical amendments and date changes.

[*Note:* The State Safety Fund, created in KSA 2021 Supp. 8-267, receives a percentage of moneys received from classes A, B, C, and M driver's licenses.]

House Committee on Education

In the House Committee hearing on March 16, 2022, **proponent** testimony was provided by representatives from Johnson County Community College, Division of Vehicles of the Department of Revenue, and the State Department of Education. The proponents spoke to how cost-effective and efficient the process would be if the bill were to pass. Written-only proponent testimony was provided by the State Board of Regents.

No other testimony was provided.

The House Committee amended the bill to allow moneys in the State Safety Fund to be used to provide driver training courses in community colleges in Kansas. [*Note:* This amendment was at the recommendation of the Office of the Revisor of Statutes staff in order to conform to existing statute.]

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Revenue would require \$74,483 from the State General Fund to update the driver's licensing system and for 1.0 position to maintain the program. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Department of Revenue; State Board of Regents; community college; driver's education; State Safety Fund