Kansas Driving Laws

DUI Law & Penalties: It is illegal to operate a motor vehicle with a blood or breath alcohol and/or drug concentration (BAC) of .08 or more, or if the influence or drugs and/or alcohol render the driver incapable of safely driving a motor vehicle.
http://www.kslegislature.org/legsrv-statutes/getStatuteFile.do?number=/8-1005.html

If you are charged with driving under the influence of alcohol and/or drugs (DUI), under Kansas law you could:

- Be arrested and booked into jail.
- Have your vehicle towed.
- Lose your driver's license.
- Face criminal charges.
- Be required to complete a screening assessment for placement in an intervention program at your expense.
- Incur numerous personal and financial losses.

Move Over Law: When driving on a highway located outside the corporate limits of any city divided into two lanes of traffic proceeding in the same direction, all vehicles shall be driven in the right lane except when:

(1) Overtaking and passing another vehicle;
(2) Preparing to make a proper left turn;
(3) Otherwise directed by official traffic-control devices; or
(4) Otherwise required by other provisions of law
http://www.kslegislature.org/legsrv-statutes/getStatuteFile.do?number=/8-1522.html

Headlights with Wipers Law: (a) Every vehicle, except as provided in subsection (b), upon a highway within this state, at all times shall display lighted head and other lamps and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles:

(1) From sunset to sunrise;
(2) when due to insufficient light or unfavorable atmospheric conditions, including smoke or fog, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead; or
(3) when windshield wipers are in continuous use as a result of rain, sleet or snow.
http://www.kslegislature.org/legsrv-statutes/getStatuteFile.do?number=/8-1703.html

Motorcycle Helmets Law: Kansas law requires that all persons less than 18 years of age wear a DOT-approved helmet while riding or operating a motorcycle or moped.

Motorcycle operators are required to wear eye protection, unless they have a windscreen at least 10 inches high when measured from the center of the handlebars. Eye protection shall consist of protective glasses, goggles, or transparent face shields that are shatter proof and impact resistant. http://www.kansashighwaypatrol.org/faqs/motorcyles.html

Kansas Basic Speed Law: Kansas' basic speed law provides that you must never drive a vehicle at a speed greater than is reasonable and prudent under the existing road conditions. Even when the posted speed limit is 70 mph, it may only be safe to go 45 mph due to heavy rain, snow, ice, or blowing dust. http://www.kansashighwaypatrol.org/faqs/violations.html

Change of Name or Address: Must notify the division of vehicles within 10 days. This may be done on-line. https://www.kdor.org/dl/default.aspx

License Renewal Procedures: Kansas licensed drivers will no longer be required to fill out a renewal test when they renew their license under HB 2482(2010). People will receive a post card in the mail as a reminder to renew. They will still need to take an eye test. http://www.kslegislature.org/bills/2010/2482.pdf

Child Safety Seats: A driver can be stopped and issued a citation when a law enforcement officer observes an unrestrained child riding in a vehicle. Violations of the Child Passenger Safety Act will cost you a $60 fine, plus court costs. The Kansas Child Passenger Safety Act was amended during the 2006 Legislative Session to require children ages 4, 5, 6, and 7 to be in secured booster seats. http://www.kansashighwaypatrol.org/faqs/belts.html

Mandatory Seat Belt Law: Kansas passed a mandatory seat bill law with the passage of HB 2130r (2010). This requires all occupants of a vehicle to wear a seat belt. After July 1, 2010 fines can be assessed. http://www.kslegislature.org/bills/2010/2130.pdf

Texting Law: Kansas passed SB 300(2010) which makes it against the law to text message. It states "write, send or read a written communication" means using a wireless communications device to write, send, or read a written communication. It does include some exceptions. http://www.kslegislature.org/bills/2010/300.pdf

Foreign Exchange Students:

Check to see that visa/passport/paperwork does not restrict from driving the host family vehicle. (50 hours of practice will be required if they are under the age of 18)

Foreign exchange students need to be able to apply for a license from the KS Department of Revenue within a window of not less than 60 days before their Visa expires. In other words, they must be able to complete the driver education course and get into the exam station with at least 60 days or more left on their visa. They will get the KS license and then go to AAA to get an International license. In 1947, AAA was designated as one of two official issuing agents for the International Driving Permit.

GDL Requirements:

Instruction Permit

- Minimum age 14; Expires in one year; May be renewed
- If under age 16, must have written application of parent/guardian
- Must pass vision and written examinations
- Must be accompanied by adult (at least age 21) in front seat who holds a valid driver's license with at least one year of driving experience
- NO person except supervising driver can be in front seat
- NO wireless communication device while driving except to report illegal activity or to summon emergency help

Restricted License

- Minimum Age 15
- Issued only with written application of parent/guardian
- Must have held instruction permit for at least one year and completed at least 25 hours of supervised driving
- Must successfully complete approved Driver Education course (not required if applying at age 16)

❖ If under age 16, may drive at any time:

to/from or in connection with any job, employment or farm-related work

over the most direct and accessible route between home and school for the purpose of attendance

when accompanied by an adult (at least age 21) in front seat who holds a valid driver's license

➢ During this time:

must complete additional 25 hours of supervised driving (10 of the 50 hours total must be at night)

NO non-sibling minor passengers are allowed

NO wireless communication device while driving except to report illegal activity or to summon emergency help

❖ If over age 16, first 6 months, may drive at any time:

From 5 a.m. to 9 p.m.

To/from or in connection with any job, employment or farm-related work

To/from authorized school activities

When accompanied by an adult (at least age 21) in front seat who holds a valid driver's license

➢ During this time:

One non-immediate family member minor passenger (less than 18 years old) is allowed

NO wireless communication device while driving except to report illegal activity or to summon emergency help

❖ Minimum age 16 ½

No restrictions if all prior requirements have been met and no infractions have occurred in the previous 6 months.

Full (Unrestricted) License

- Age 17 – if first time applicant, not including instruction permit
- Must pass vision, written, and driving exams
- Must provide proof of age and identification
- Signed affidavit of parent or guardian, stating applicant has completed at least 50 hours of adult (at least age 21) supervised driving with at least 10 of those hours being at night.

Farm Permit

- Minimum age 14
- Must reside on a farm (parcel of land larger than 20 acres used in agricultural operations), or be employed for compensation on a farm
- Issued only with written application of parent/guardian
- Must pass vision, written and driving examinations

❖ If under age 16, may drive at any time:

to/from or in connection with any farm job, employment or other farm-related work

over the most direct and accessible route between home and school for the purpose of attendance

when accompanied by an adult (at least age 21)who holds a valid driver's license

NO non-sibling minor passengers are allowed

NO wireless communication device while driving except to report illegal activity or to summon emergency help

Prior to age 16, must provide signed affidavit attesting to completion of at least 50 hours of supervised driving, with at least 10 of those hours being at night.

❖ If over age 16, first 6 months, may drive at any time:

From 5 a.m. to 9 p.m.

to/from or in connection with any farm job, employment or other farm-related work

to/from authorized school activities

when accompanied by an adult (at least age 21)who holds a valid driver's license

One non-immediate family member minor passenger (less than 18 years old) is allowed

NO wireless communication device while driving except to report illegal activity or to summon emergency help

❖ Minimum age 16 ½

No restrictions if all prior requirements have been met and no infractions have occurred in the previous 6 months http://www.kslegislature.org/bills/2010/2143.pdf

To search for a Statute: http://www.kslegislature.org/legsrv-statutes/index.do

To search for a Regulation: https://svapp15586.ksde.org/regs_statutes/searchregulation.aspx

To search for a House or Senate Bill: http://www.kslegislature.org/legsrv-bills/enrolledBills.do

An Equal Employment/Educational Opportunity Agency

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KSDE General Counsel, 120 SE 10th Ave., Topeka, KS 66612 785-296-3201