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MEMORANDUM

To: Chairman Huebert
Members of the House Committee on Education

From: The Office of Revisor of Statutes

Date: March 16, 2022

Subject: SB 215 – Driver's education programs and driver training school authority transferred to Department of Revenue.

Senate Bill No. 215 (SB 215) would transfer the State Board of Education's authority for driver training schools and the State Board of Regents' authority for postsecondary driver education programs to the Department of Revenue. Additionally, the bill would establish the commercial driver education fund to be administered by the Department of Revenue.

Currently, in the Drivers' Training School License Act (Act), driver training schools are licensed by the State Board of Education (KSBE) and the KSBE has authority to promulgate rules and regulations relating to driver training schools. SB 215 would transfer the authority for the driver training schools from the KSBE to the Department of Revenue. Additionally, the authority of the KSBE to promulgate rules and regulations for driver training schools and instructors would also transfer to the Department. Any rules and regulations or orders of the KSBE pertaining to functions of driver training schools in effect on July 1, 2022, would continue to be effective until amended, revised, or nullified by the Director of Vehicles.

Currently, the State Board of Regents (KBOR) has authority over postsecondary driver education programs, including motorcycle safety courses and truck driver training courses. SB 215 would amend K.S.A. 8-272 to transfer that authority to the Department of Revenue. Additionally, the authority of the KBOR to promulgate rules and regulations for motorcycle safety courses would also transfer to the Department. SB 215 would also require courses in truck driver training for an interstate commercial class license to comply with the Kansas Uniform Commercial Drivers' License Act.

Currently, all moneys received under the Act are credited to the State Safety Fund. SB 215 would credit such moneys to the Commercial Driver Education Fund established by the bill and to be administered by the Department of Revenue.

The Senate Committee on Education amended SB 315 to expand the types of students that may access the State Safety Fund when taking an approved driver training course. In addition to public and nonpublic high schools, students who are 19 or younger attending a community college course in driver training can also access the State Safety Fund.

If enacted, SB 215 would become effective on July 1, 2022.