**Memorandum**

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| **Identifying Information:** | **Violation of Age Restricted Driver's License-KDOR Policy and Procedure-** |

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| **Tax Type:** | **Vehicles** |
| **Brief Description:** | **Violation of Age Restricted Driver's License** |
| **Keywords:** |  |
| **Approval Date:** | **03/24/2004** |

**Body:**

**M E M O R A N D U M**

**DEPARTMENT OF REVENUE**
**DIVISION OF VEHICLES**

March 24, 2004

**KDOR POLICY AND PROCEDURE**

Subject: Violation of Age Restricted Driver’s License

Reference: K.S.A 8-237 and K.S.A. 8-291

Since October 25, 1993 the Division of Motor Vehicles has followed an internal policy of always imposing the license sanction allowed by K.S.A. 8-237 upon receipt of a conviction for driving in violation of a restricted license when the convicting court did not order a license sanction as required by K.S.A. 8-291. The 1993 policy was directed towards violations of an age-restricted driver’s license. The suspensions due to farm permit are excluded since K.S.A. 8-296 specifically requires the division to suspend for one year or until age 16, whichever is longer.

Over time, this internal policy has created an inconsistent and unfair environment for young motorists who have violated the age-restricted driver’s license. While one driver may only see a 30 day suspension as ordered by the court, another driver will face a one year administrative suspension if the court fails to take action.

Effective this date , the Division of Motor Vehicles will no longer routinely suspend pursuant to K.S.A. 8-237. Instead, convictions for driving in violation of an age restricted license received by the Division without an order suspending the driving privileges will be returned to the convicting court with notification of their requirement to suspend pursuant to K.S.A. 8-291. As set out in K.S.A. 8-291, upon a first conviction, the court shall suspend a person’s privilege to operate a motor vehicle for not less than 30 days and not more than two years. Upon a second or subsequent conviction, the court is required to suspend the license for not less than 90 days and not more than two years.

Effective this date, the Division will reinstate all current suspensions that were imposed pursuant to K.S.A. 8-237.

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Carmen Alldritt Joan Wagnon
Director of Vehicles Secretary of Revenue

**Date Composed: 03/30/2004 Date Modified: 03/30/2004**