



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

February 24, 1975

Opinion No. 75-77

The Honorable Fred W. Rosenau
State Representative
3rd Floor - State Capitol Building
Topeka, Kansas 66612

Dear Representative Rosenau:

You have asked for an opinion as to whether it is legal to revoke a driver's license if the driver has no insurance.

It is our opinion that under the law in its present state, there is no authority to revoke a driver's license for failure to have automobile insurance. It is possible, however, to implement legislation which would allow a driver's license to be revoked.

However, it is doubtful that legislation of that type is even necessary. K.S.A. 40-3104(e) provides that a person violating the insurance requirements is guilty of a Class C misdemeanor, which calls for criminal sanctions, i.e., fine and/or imprisonment. It would appear that these sanctions are adequate to enforce the law as it now stands.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS:GFW:kj