

<b>Conviction</b>	<b>Date when crime was committed</b>	<b>Time since sentence completed</b> Or	<b>Time since diversion completed</b> Or	<b>Time since discharged from probation, community correctional services, parole, postrelease supervision, conditional release or suspended sentence</b>	<b>Expungement Available</b>	<b>K.S.A. with more details</b>
applying for title of a motor vehicle under a false name or address	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
crime punishable as a felony wherein a motor vehicle was used	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
cigarette or tobacco infraction	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)
driving under the influence – regardless of number of offenses ( <i>see</i> K.S.A. 8-1567)	Prior to July 1, 2006	5 years	5 years	5 years	Yes	21-4619 (repealed and transferred to 21-6614 – L. 2010, Ch. 136)
driving under the influence – 1 <sup>st</sup> offense ( <i>see</i> K.S.A. 8-1567)	On or after July 1, 2006	5 years	5 years	5 years	Yes	21-6614(d)
driving under the influence – 2 <sup>nd</sup> or subsequent offense ( <i>see</i> K.S.A. 8-1567)	*On or after July 1, 2006 except those committed on or after July 1, 2014, and prior to July 1, 2015	10 years	N/A	10 years	Yes	21-6614(d)
driving under the influence – 2 <sup>nd</sup> or subsequent offense ( <i>see</i> K.S.A. 8-1567)	*On or after July 1, 2014, and prior to July 1, 2015	7 years	N/A	7 years	Yes	21-6614(d) L. 2014, Ch. 102 § 6. L. 2015 Ch. 71, § 4.
driving while canceled, suspended or revoked	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
failing to have motor vehicle insurance	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
failing to stop at the scene of an accident and perform required duties	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
misdemeanor	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)
nondrug crime ranked in severity levels 1 through 5	On or after July 1, 1993	5 years	5 years	5 years	Yes	21-6614(c)
nondrug crime ranked in severity levels 6 through 10	On or after July 1, 1993	3 years	3 years	3 years	Yes	21-6614(a)
perjury	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)

prostitution	Not relevant	1 year	1 year	1 year	Yes	21-6614(b)
traffic infraction	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)
vehicular homicide	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
class A, B, or C felony	Not relevant	5 years	5 years	5 years	Yes	21-6614(c)
class D or E felony	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)
felony ranked in severity levels 1 through 3 of drug grid	Between July 1, 1993 and July 1, 2012	5 years	5 years	5 years	Yes	21-6614(c)
felony ranked in severity levels 1 through 4 of drug grid	On or after July 1, 2012	5 years	5 years	5 years	Yes	21-6614(c)
felony ranked in severity level 4 of drug grid	Between July 1, 1993 and July 1, 2012	3 years	3 years	3 years	Yes	21-6614(a)
felony ranked in severity level 5 of drug grid	On or after July 1, 2012	3 years	3 years	3 years	Yes	21-6614(a)
off-grid felony	On or after July 1, 1993	5 years	5 years	5 years	Yes	21-6614(c)

\* Based on *State v. Anderson*, 12 Kan. App. 2d 342, 744 P.2d 143 (1987), the law in effect at the time of the offense applies with regard to eligibility for expungement unless the current law is more beneficial to the defendant. The current statute, K.S.A. 21-6614(d)(2), says a second or subsequent DUI conviction under K.S.A. 8-1567 cannot be expunged until 10 or more years have elapsed, but from July 1, 2014, to June 30, 2015, the statute allowed any DUI conviction or diversion to be expunged after 7 years. L. 2014 Ch. 102, § 6, effective July 1, 2014; L. 2015 Ch. 71, § 4, effective July 1, 2015. For a first DUI conviction or diversion, the current law, allowing expungement after 5 years, applies because it is more beneficial to a defendant than the 7 years required from July 1, 2014, to June 30, 2015. For a second or subsequent DUI conviction, the current statute, K.S.A. 21-6614(d)(2), does not allow expungement until 10 or more years have elapsed. Therefore, for second or subsequent DUIs that were committed on July 1, 2014, through June 30, 2015, the statute in effect at the time of the crime that allowed expungement after 7 years applies because it is more beneficial to the defendant.