



Written by [C. Mitchell Shaw](#) on July 13, 2023

## Kansas State Judge Rules Driver's Licenses Must Reflect Biological Sex

In a victory for reason, truth, and reality, a Kansas state judge has ruled that driver's licenses in the Heartland state must show the actual biological sex of the person to whom the license is issued instead of his preferred (read: *imagined*) "gender identity." The ruling comes as the result of a lawsuit filed by Republican Attorney General Kris Kobach.

As *The New American's* Luis Miguel [previously reported](#), Kobach filed his lawsuit against Democratic Governor Laura Kelly to prevent her from allowing gender-confused Kansans from changing the sex on their licenses, since a state law passed in late June prohibits the practice. When Kelly ignored the new law — which she had tried unsuccessfully to [block by veto](#) — Kobach sued to force the liberal governor to enforce it.

As Miguel reported at the time:

Kobach argues that Kelly's administration is violating the law by allowing transgender changes to go forward. Kelly vetoed the law when it came to her desk, but the Republican majorities in the state legislature overrode her veto.

Already, over 900 trans Kansans have changed the sex on their birth certificates during the last four years, and approximately 400 of these individuals have also had their driver's licenses updated during that time. This year, the monthly number of such changes is four times as many as past years — a surge prompted by LGBTQ groups, which encouraged people to make the change before the new law went into effect this month.

Kobach addressed the issue of LGBT "gender identity" driver's licenses, [saying](#):

State records must be accurate and reflect the truth as defined in state law. A birth certificate is a record of what happened at the moment a baby came out of the womb. That baby weighed a specific amount and was a specific sex. Similarly, a driver's license is a state document reflecting a state database for state purposes. It is not a canvas on which a person can paint one's expression and preferences.

And while Kansas Democrats — including and especially Governor Kelly — seem to have found the new



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law and its application too confusing and complex, District Judge Teresa Watson appears to have had little trouble deciding on the matter. Just three days after Kobach filed his lawsuit, Watson [ruled that](#) “Licenses are used by law enforcement to identify criminal suspects, crime victims, wanted persons, missing persons and others,” adding, “Compliance with state legal requirements for identifying license holders is a public safety concern.”

Watson’s ruling was a logical application of common sense in an age of LGBT insanity. But, to put in the for-what-it’s-worth column, the logic and reasonableness of her ruling is a perfect fit for the logic and reasonableness of the law Governor Kelly tried and failed to block by veto and then tried and failed to ignore. Because while this particular battle over the law was focused on sex vs. “gender identity” on driver’s licenses, the law — [S.B. 180](#) — is about so much more than that.

In fact, the law takes great pains to use very clear and ordinary language to define some things that never needed defining until very recently: boys and girls, men and women.

The law states, “An individual’s ‘sex’ means such individual’s biological sex, either male or female, at birth,” and goes on to define “male” as “an individual whose biological reproductive system is developed to fertilize the ova of a female” and “female” as “an individual whose biological reproductive system is developed to produce ova.” It further defines the terms “woman” and “girl” as referring to “human females,” and “boy” and “man” as referring to “human males.” It defines the terms “mother” and “father” in equally clear language.

Since the law recognizes a binary distinction between “male” and “female,” it only makes sense that it also addresses the transgender elephant in the ladies’ room. The law states, “With respect to biological sex, the term ‘equal’ does not mean ‘same’ or ‘identical,’” and “with respect to biological sex, separate accommodations are not inherently unequal.” So, while “separate but equal” has a bad reputation due to its use as a means of keeping blacks out of white bathrooms, it is a perfect fit for keeping men out of women’s bathrooms. After all, who can reasonably argue that men and women are not equal though they are not the same?

The law goes on to lay out a list of provisions and requirements that will regulate how government entities must distinguish between males and females, and do so equally. It specifically addresses “athletics, prisons or other detention facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms and other areas where biology, safety or privacy are implicated,” and makes it clear that “separate accommodations are substantially related to the important governmental objectives of protecting the health, safety and privacy of individuals.” As such, “separate accommodations” are not discriminatory.

So, in Kansas, driver’s licenses will reflect reality, not imagination. Males will use male bathrooms and locker rooms, and females will use female bathrooms and locker rooms. Males will not compete in sports as females. Furthermore, with male and female being the only sexes recognized by the state (and defined by biology), there is no wiggle room for the LGBT lobby to push their agenda.

It is little wonder that Governor Kelly sought to block S.B. 180 and then tried to ignore it. It is a law of truth in an age of lies. State Representative Tory-Marie Blew — who voted for the law and to override Kelly’s veto — addressed frustration at Kelly’s attempt to make the law controversial, saying, “It is bizarre that this is controversial, and for most Kansans, it is not. For most of human history, everyone understood the difference between a man and a woman.”

Fortunately for the Sunflower State, Judge Watson ruled on the side of reason and truth. With this



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success, perhaps other states will follow.



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