Session of 2025

SENATE BILL No. 113

By Committee on Transportation

1-30

AN ACT concerning traffic regulations; relating to reckless driving; including operating a motor vehicle at a speed of 100 miles per hour or more and 35 miles per hour over the posted speed limit under the crime of reckless driving; amending K.S.A. 8-254 and 8-1566 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 8-254 is hereby amended to read as follows: 8-254. (a) Subject to the provisions of subsection (b), the division shall revoke a person's driving privileges upon receiving a record of the person's conviction of any of the following offenses, including municipal violations, when the conviction has become final, or upon receiving a record of a person's adjudication as a juvenile offender for commission of an act which, if committed by a person 18 or more years of age, would constitute any of the following offenses when the adjudication has become final:

(1) Involuntary manslaughter, as defined in subsection (a)(2) of K.S.A. 21-5405, and amendments thereto, if the crime is committed while committing a violation of K.S.A. 8-1566 or subsection (a) of 8-1568, and amendments thereto, or the ordinance of a city or resolution of a county which prohibits any acts prohibited by those statutes;

(2) vehicular homicide, as defined in K.S.A. 21-5406, and amendments thereto;

(3) battery, as defined in subsection (a)(1) of K.S.A. 21-5413, and amendments thereto, if the crime is committed while committing a violation of K.S.A. 8-1566 or 8-1568, and amendments thereto, or the ordinance of a city or resolution of a county which prohibits the acts prohibited by those statutes;

(4) failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(5) conviction, or forfeiture of bail not vacated, upon a charge of reckless driving*, except violations committed under K.S.A. 8-1566(a)(2), and amendment thereto, shall not apply under this paragraph*;

(6) conviction, or forfeiture of bail not vacated ~~of~~ *for* any felony in the commission of which a motor vehicle is used; or

(7) fleeing or attempting to elude a police officer as provided in K.S.A. 8-1568, and amendments thereto, or conviction of violation of an ordinance of any city or a law of another state which is in substantial conformity with such statute.

(b) In lieu of revoking a person's driving privileges as provided by subsection (a), the court in which the person is convicted or adjudicated may place restrictions on the person's driving privileges as provided by K.S.A. 8-292, and amendments thereto, unless the violation was committed while operating a commercial motor vehicle, as defined in K.S.A. 8-2,128. Driving privileges are to be automatically revoked if the violation which leads to the subsequent conviction occurs in a commercial motor vehicle, as defined in K.S.A. 8-2,128.

Sec. 2. K.S.A. 8-1566 is hereby amended to read as follows: 8-1566. (a) Any person ~~who drives any~~ *shall be guilty of reckless driving if such person operates a* vehicle*:*

(1) in willful or wanton disregard for the safety of persons or property ~~is guilty of reckless driving~~*; or*

(2) at a speed of 100 miles per hour or more or 35 miles per hour or more over the maximum posted speed limit, except as provided in K.S.A. 8-1506, and amendments thereto, without regard to any culpable mental state.

(b) Except as provided in K.S.A. 8-2,142, *and amendments thereto,* violation of this section is a misdemeanor. Upon a first conviction of a violation of this section, a person shall be sentenced to not less than five days nor more than 90 days imprisonment or fined not less than $25 nor more than $500, or both such fine and imprisonment. On a second or subsequent conviction of a violation of this section, a person shall be sentenced to not less than 10 days nor more than six months imprisonment, or fined not less than $50 nor more than $500 or both such fine and imprisonment.

Sec. 3. K.S.A. 8-254 and 8-1566 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.