

HOUSE BILL No. 2748

AN ACT concerning motor vehicles; relating to license plates; concerning traffic; relating to the duties of drivers or occupants to report accidents; use of head lamps; amending K.S.A. 8-1602 and 8-1703 and K.S.A. 2005 Supp. 8-1,146 and 8-1606 and repealing the existing sections.

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

Section 1. K.S.A. 8-1602 is hereby amended to read as follows: 8-1602. (a) The driver of any vehicle involved in an accident resulting in injury to, *great bodily harm to* or death of any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall then forthwith return to and in every event shall remain at the scene of the accident until ~~he or she~~ *the driver* has fulfilled the requirements of K.S.A. 8-1604, *and amendments thereto*. Every such stop shall be made without obstructing traffic more than is necessary.

(b) ~~Any person failing to stop or to comply with said requirements under such circumstances shall be guilty of a class A misdemeanor. A person who violates this section which results in:~~

(1) *Injury to any person shall be guilty of a class A person misdemeanor.*

(2) *Great bodily harm to any person shall be guilty of a severity level 10, person felony.*

(3) *The death of any person shall be guilty of a severity level 9, person felony.*

(c) The director may revoke the license or permit to drive or any nonresident operating privilege of any person so convicted.

Sec. 2. K.S.A. 2005 Supp. 8-1606 is hereby amended to read as follows: 8-1606. (a) The driver of a vehicle involved in an accident resulting in injury to, *great bodily harm to* or death of any person or total damage to all property to an apparent extent of \$1,000 or more shall give notice immediately of such accident, by the quickest means of communication, to the nearest office of a duly authorized police authority.

(b) Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in subsection (a) and there was ~~another~~ *an* occupant *18 years of age or older* in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.

(c) Whenever the driver of a vehicle is involved in an accident resulting in property damage in the amount of \$1,000 or more and such driver believes the conduct of other individuals causing or involved in such accident would place such driver in imminent danger of bodily injury by such individuals, such driver shall be required to provide the notice required by subsection (a), as soon as the imminent danger has passed.

(d) ~~Violation of this section is a misdemeanor. A person who violates this section which results in:~~

(1) *Injury to any person or property damages in excess of \$1,000 shall be guilty of a class A person misdemeanor.*

(2) *Great bodily harm to any person shall be guilty of a severity level 10, person felony.*

(3) *The death of any person shall be guilty of a severity level 9, person felony.*

Sec. 3. K.S.A. 8-1703 is hereby amended to read as follows: 8-1703.

(a) Every vehicle, except as provided in subsection (b), upon a highway within this state, at ~~any time~~ *all times shall display lighted head and other lamps and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles:*

(1) ~~From sunset to sunrise and at any other time;~~

(2) ~~when due to insufficient light or unfavorable atmospheric conditions, including smoke or fog, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead, shall display lighted head and other lamps and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles; or~~

(3) ~~when windshield wipers are in continuous use as a result of rain, sleet or snow.~~

Stop lights, turn signals and other signaling devices shall be lighted as prescribed for the use of such devices.

(b) Motorcycles, motor-driven cycles and motorized bicycles manufactured after January 1, 1978, shall display lighted head and tail lights at all times that such vehicles are operated on any highway.

(c) *Law enforcement officers shall issue a warning citation to anyone violating subsection (a)(3).*

Sec. 4. K.S.A. 2005 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less ~~or~~, motorcycles *or travel trailers*, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person has proof of having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard or merchant marines, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck ~~or~~, motorcycle *or travel trailer* designating such person as an United States military veteran. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

On and after January 1, 2005, any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served.

(b) Any person who is a veteran of the United States army, navy, air force, marine corps, coast guard or merchant marines may make application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the director shall require that the applicant is a veteran of the United States army, navy, air force, marine corps, coast guard or merchant marines. Application for the registration of a passenger vehicle, truck ~~or~~, motorcycle *or travel trailer* and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(e) A fee of \$2 shall be paid for each decal issued under subsection (a). The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.

Sec. 5. K.S.A. 8-1602 and 8-1703 and K.S.A. 2005 Supp. 8-1,146 and 8-1606 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.