

## HOUSE BILL No. 2145

By Committee on Transportation

1-29

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9 AN ACT regulating traffic; failure to comply with traffic regulations or  
10 directions; amending K.S.A. 8-1531a and K.S.A. 2008 Supp. 8-2118  
11 and repealing the existing sections.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 8-1531a is hereby amended to read as follows: 8-  
15 1531a. (a) It shall be unlawful for any person to fail, neglect or refuse to  
16 comply with restrictions or traffic regulations in a road construction zone  
17 or fail to comply with traffic orders or traffic directions by a flagman or  
18 highway worker in a road construction zone.

19 (b) *It shall be unlawful for any person to fail, neglect or refuse to*  
20 *comply with traffic orders or traffic directions by a highway worker on*  
21 *an obstructed or closed roadway.*

22 (c) *As used in this section "highway worker" means any employee of*  
23 *the Kansas department of transportation, Kansas turnpike authority or*  
24 *any county, city or township whose job assignment includes working on*  
25 *the roadways within the state or motor assistance technician for the Kan-*  
26 *sas highway patrol.*

27 Sec. 2. K.S.A. 2008 Supp. 8-2118 is hereby amended to read as fol-  
28 lows: 8-2118. (a) A person charged with a traffic infraction shall, except  
29 as provided in subsection (b), appear at the place and time specified in  
30 the notice to appear. If the person enters an appearance, waives right to  
31 trial, pleads guilty or no contest, the fine shall be no greater than that  
32 specified in the uniform fine schedule in subsection (c) and court costs  
33 shall be taxed as provided by law.

34 (b) Prior to the time specified in the notice to appear, a person  
35 charged with a traffic infraction may enter a written appearance, waive  
36 right to trial, plead guilty or no contest and pay the fine for the violation  
37 as specified in the uniform fine schedule in subsection (c) and court costs  
38 provided by law. Payment may be made by mail or in person and may be  
39 by personal check. The traffic citation shall not have been complied with  
40 if a check is not honored for any reason, or if the fine and court costs are  
41 not paid in full. When a person charged with a traffic infraction makes  
42 payment without executing a written waiver of right to trial and plea of  
43 guilty or no contest, the payment shall be deemed such an appearance,

1 waiver of right to trial and plea of no contest.

2 (c) The following uniform fine schedule shall apply uniformly

3 throughout the state but shall not limit the fine which may be imposed

4 following a court appearance, except an appearance made for the purpose

5 of pleading and payment as permitted by subsection (a). The description

6 of offense contained in the following uniform fine schedule is for refer-

7 ence only and is not a legal definition.

8	<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
9	Refusal to submit to a preliminary breath test	8-1012	\$90
10	Unsafe speed for prevailing conditions	8-1557	\$60
11	Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
12	in zone posted by the state department of	to	11-20 mph over the limit,
13	transportation; or speeding in locally posted	8-1560	\$30 plus \$6 per mph over
14	zone	8-1560a	10 mph over the limit;
15		or	21-30 mph over the limit,
16		8-1560b	\$90 plus \$9 per mph over
17			20 mph over the limit;
18			31 and more mph over the
19			limit, \$180 plus \$15 per
20			mph over 30 mph over the
21			limit;
22	Disobeying traffic control device	8-1507	\$60
23	Violating traffic control signal	8-1508	\$60
24	Violating pedestrian control signal	8-1509	\$30
25	Violating flashing traffic signals	8-1510	\$60
26	Violating lane-control signal	8-1511	\$60
27	Unauthorized sign, signal, marking or device	8-1512	\$30
28	Driving on left side of roadway	8-1514	\$60
29	Failure to keep right to pass oncoming vehicle	8-1515	\$60
30	Improper passing; increasing speed when	8-1516	\$60
31	passed		
32	Improper passing on right	8-1517	\$60
33	Passing on left with insufficient clearance	8-1518	\$60
34	Driving on left side where curve, grade,	8-1519	\$60
35	intersection railroad crossing, or obstructed		
36	view		
37	Driving on left in no-passing zone	8-1520	\$60
38	Unlawful passing of stopped emergency	8-1520a	\$60
39	vehicle		
40	Driving wrong direction on one-way road	8-1521	\$60
41	Improper driving on laned roadway	8-1522	\$60
42	Following too close	8-1523	\$60
43	Improper crossover on divided highway	8-1524	\$30

1	Failure to yield right-of-way at uncontrolled	8-1526	\$60
2	intersection		
3	Failure to yield to approaching vehicle when	8-1527	\$60
4	turning left		
5	Failure to yield at stop or yield sign	8-1528	\$60
6	Failure to yield from private road or driveway	8-1529	\$60
7	Failure to yield to emergency vehicle	8-1530	\$180
8	Failure to yield to pedestrian or vehicle	8-1531	\$90
9	working on roadway		
10	Failure to comply with restrictions <i>or traffic</i>	8-1531a	\$30
11	<i>orders or directions</i> in road construction		
12	<i>zone or a obstructed or closed roadway</i>		
13	Disobeying pedestrian traffic control device	8-1532	\$30
14	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
15	pedestrian suddenly entering roadway;		
16	passing vehicle stopped for pedestrian at		
17	crosswalk		
18	Improper pedestrian crossing	8-1534	\$30
19	Failure to exercise due care in regard to	8-1535	\$30
20	pedestrian		
21	Improper pedestrian movement in crosswalk	8-1536	\$30
22	Improper use of roadway by pedestrian	8-1537	\$30
23	Soliciting ride or business on roadway	8-1538	\$30
24	Driving through safety zone	8-1539	\$30
25	Failure to yield to pedestrian on sidewalk	8-1540	\$30
26	Failure of pedestrian to yield to emergency	8-1541	\$30
27	vehicle		
28	Failure to yield to blind pedestrian	8-1542	\$30
29	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
30	Improper turn or approach	8-1545	\$60
31	Improper "U" turn	8-1546	\$60
32	Unsafe starting of stopped vehicle	8-1547	\$30
33	Unsafe turning or stopping, failure to give	8-1548	\$60
34	proper signal; using turn signal unlawfully		
35	Improper method of giving notice of intention	8-1549	\$30
36	to turn		
37	Improper hand signal	8-1550	\$30
38	Failure to stop or obey railroad crossing signal	8-1551	\$180
39	Failure to stop at railroad crossing stop sign	8-1552	\$120
40	Certain hazardous vehicles failure to stop at	8-1553	\$180
41	railroad crossing		
42	Improper moving of heavy equipment at	8-1554	\$60
43	railroad crossing		

1	Vehicle emerging from alley, private roadway,	8-1555	\$60
2	building or driveway		
3	Improper passing of school bus; improper use	8-1556	\$300
4	of school bus signals		
5	Improper passing of church or day-care bus;	8-1556a	\$180
6	improper use of signals		
7	Impeding normal traffic by slow speed	8-1561	\$30
8	Speeding on motor-driven cycle	8-1562	\$60
9	Speeding in certain vehicles or on posted	8-1563	\$30
10	bridge		
11	Improper stopping, standing or parking on	8-1569	\$30
12	roadway		
13	Parking, standing or stopping in prohibited	8-1571	\$30
14	area		
15	Improper parking	8-1572	\$30
16	Unattended vehicle	8-1573	\$30
17	Improper backing	8-1574	\$30
18	Driving on sidewalk	8-1575	\$30
19	Driving with view or driving mechanism	8-1576	\$30
20	obstructed		
21	Unsafe opening of vehicle door	8-1577	\$30
22	Riding in house trailer	8-1578	\$30
23	Improper driving in defiles, canyons, or on	8-1579	\$30
24	grades		
25	Coasting	8-1580	\$30
26	Following fire apparatus too closely	8-1581	\$60
27	Driving over fire hose	8-1582	\$30
28	Putting glass, etc., on highway	8-1583	\$90
29	Driving into intersection, crosswalk, or	8-1584	\$30
30	crossing without sufficient space on other		
31	side		
32	Improper operation of snowmobile on	8-1585	\$30
33	highway		
34	Parental responsibility of child riding bicycle	8-1586	\$30
35	Not riding on bicycle seat; too many persons	8-1588	\$30
36	on bicycle		
37	Clinging to other vehicle	8-1589	\$30
38	Improper riding of bicycle on roadway	8-1590	\$30
39	Carrying articles on bicycle; one hand on	8-1591	\$30
40	handlebars		
41	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
42	Improper operation of motorcycle; seats;	8-1594	\$30
43	passengers, bundles		

1	Improper operation of motorcycle on laned	8-1595	\$60
2	roadway		
3	Motorcycle clinging to other vehicle	8-1596	\$30
4	Improper motorcycle handlebars or passenger	8-1597	\$60
5	equipment		
6	Motorcycle helmet and eye-protection	8-1598	\$30
7	requirements		
8	Unlawful riding on vehicle	8-1578a	\$60
9	Unlawful operation of all-terrain vehicle	8-15,100	\$60
10	Unlawful operation of low-speed vehicle	8-15,101	\$60
11	Littering	8-15,102	\$100
12	Disobeying school crossing guard	8-15,103	\$60
13	Unlawful operation of micro utility truck	8-15,106	\$60
14	Equipment offenses that are not	8-1701	\$60
15	misdemeanors		
16	Driving without lights when needed	8-1703	\$30
17	Defective headlamps	8-1705	\$30
18	Defective tail lamps	8-1706	\$30
19	Defective reflector	8-1707	\$30
20	Improper stop lamp or turn signal	8-1708	\$30
21	Improper lighting equipment on certain	8-1710	\$30
22	vehicles		
23	Improper lamp color on certain vehicles	8-1711	\$30
24	Improper mounting of reflectors and lamps on	8-1712	\$30
25	certain vehicles		
26	Improper visibility of reflectors and lamps on	8-1713	\$30
27	certain vehicles		
28	No lamp or flag on projecting load	8-1715	\$60
29	Improper lamps on parked vehicle	8-1716	\$30
30	Improper lights, lamps, reflectors and	8-1717	\$30
31	emblems on farm tractors or slow-moving		
32	vehicles		
33	Improper lamps and equipment on	8-1718	\$30
34	implements of husbandry, road machinery		
35	or animal-drawn vehicles		
36	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
37	Improper lamps or lights on emergency	8-1720	\$30
38	vehicle		
39	Improper stop or turn signal	8-1721	\$30
40	Improper vehicular hazard warning lamp	8-1722	\$30
41	Unauthorized additional lighting equipment	8-1723	\$30
42	Improper multiple-beam lights	8-1724	\$30
43	Failure to dim headlights	8-1725	\$60

1	Improper single-beam headlights	8-1726	\$30
2	Improper speed with alternate lighting	8-1727	\$30
3	Improper number of driving lamps	8-1728	\$30
4	Unauthorized lights and signals	8-1729	\$30
5	Improper school bus lighting equipment and	8-1730	\$30
6	warning devices		
7	Unauthorized lights and devices on church or	8-1730a	\$30
8	day-care bus		
9	Improper lights on highway construction or	8-1731	\$30
10	maintenance vehicles		
11	Defective brakes	8-1734	\$30
12	Defective or improper use of horn or warning	8-1738	\$30
13	device		
14	Defective muffler	8-1739	\$30
15	Defective mirror	8-1740	\$30
16	Defective wipers; obstructed windshield or	8-1741	\$30
17	windows		
18	Improper tires	8-1742	\$30
19	Improper flares or warning devices	8-1744	\$30
20	Improper use of vehicular hazard warning	8-1745	\$30
21	lamps and devices		
22	Improper air-conditioning equipment	8-1747	\$30
23	Improper safety belt or shoulder harness	8-1749	\$30
24	Improper wide-based single tires	8-1742b	\$60
25	Improper compression release engine braking	8-1761	\$60
26	system		
27	Defective motorcycle headlamp	8-1801	\$30
28	Defective motorcycle tail lamp	8-1802	\$30
29	Defective motorcycle reflector	8-1803	\$30
30	Defective motorcycle stop lamps and turn	8-1804	\$30
31	signals		
32	Defective multiple-beam lighting	8-1805	\$30
33	Improper road-lighting equipment on motor-	8-1806	\$30
34	driven cycles		
35	Defective motorcycle or motor-driven cycle	8-1807	\$30
36	brakes		
37	Improper performance ability of brakes	8-1808	\$30
38	Operating motorcycle with disapproved	8-1809	\$30
39	braking system		
40	Defective horn, muffler, mirrors or tires	8-1810	\$30
41	Unlawful statehouse parking	75-4510a	\$15

1	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
2	combination		up to 1000 ..... \$25
3			1001 to 2000 ..... 3¢ per pound
4			2001 to 5000 ..... 5¢ per pound
5			5001 to 7500 ..... 7¢ per pound
6			7501 and over .. 10¢ per pound
7	Exceeding gross weight on any axle or tandem,	8-1908	Pounds Overweight
8	triple or quad axles		up to 1000 ..... \$25
9			1001 to 2000 ..... 3¢ per pound
10			2001 to 5000 ..... 5¢ per pound
11			5001 to 7500 ..... 7¢ per pound
12			7501 and over .. 10¢ per pound
13	Failure to obtain proper registration, clearance	66-1324	\$272
14	or to have current certification		
15	Insufficient liability insurance for motor	66-1,128	\$122
16	carriers	or 66-1314	
17	Failure to obtain interstate motor fuel tax	79-34,122	\$122
18	authorization		
19	No authority as private or common carrier	66-1,111	\$122
20	Violation of motor carrier safety rules and	66-1,129	\$100
21	regulations, except for violations specified in		
22	subsection (b)(2) of K.S.A. 66-1,130, and		
23	amendments thereto		

24 (d) Traffic offenses classified as traffic infractions by this section shall  
 25 be classified as ordinance traffic infractions by those cities adopting  
 26 ordinances prohibiting the same offenses. A schedule of fines for all  
 27 ordinance traffic infractions shall be established by the municipal judge  
 28 in the manner prescribed by K.S.A. 12-4305, and amendments thereto.  
 29 Such fines may vary from those contained in the uniform fine schedule  
 30 contained in subsection (c).

31 (e) Fines listed in the uniform fine schedule contained in subsection  
 32 (c) shall be doubled if a person is convicted of a traffic infraction, which  
 33 is defined as a moving violation in accordance with rules and regulations  
 34 adopted pursuant to K.S.A. 8-249, and amendments thereto, committed  
 35 within any road construction zone as defined in K.S.A. 8-1458a, and  
 36 amendments thereto.

37 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
 38 amendments thereto, within two years after a prior conviction of K.S.A.  
 39 8-1908 or 8-1909, and amendments thereto, such person, upon conviction  
 40 shall be fined 1½ times the applicable amount from one, but not both,  
 41 of the schedules listed in the uniform fine schedule contained in  
 42 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and  
 43 amendments thereto, within two years, after two prior convictions of

1 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
2 conviction shall be fined two times the applicable amount from one, but  
3 not both, of the schedules listed in the uniform fine schedule contained  
4 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-  
5 1908 or 8-1909, and amendments thereto, within two years after three  
6 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,  
7 such person, upon conviction shall be fined 2½ times the applicable  
8 amount from one, but not both, of the schedules listed in the uniform  
9 fine schedule contained in subsection (c).

10 (g) Fines listed in the uniform fine schedule contained in subsection  
11 (c) relating to exceeding the maximum speed limit, shall be doubled if a  
12 person is convicted of exceeding the maximum speed limit in a school  
13 zone authorized under subsection (a)(4) of K.S.A. 8-1560, and  
14 amendments thereto.

15 Sec. 3. K.S.A. 8-1531a and K.S.A. 2008 Supp. 8-2118 are hereby  
16 repealed.

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