

As Amended by House Committee

Session of 2010

HOUSE BILL No. 2623

By Committee on Economic Development and Tourism

2-3

10 AN ACT regulating traffic; concerning license plates; amending K.S.A.
11 2009 Supp. 8-2118 and repealing the existing section.
12

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

14 New Section 1. (a) It shall be unlawful for any person to attach and
15 display on any vehicle a license plate, as required under article 1 of chap-
16 ter 8 of the Kansas Statutes Annotated, which is covered, in whole or in
17 part, with ~~any material, including~~ any clear or opaque material or any
18 other plastic-like material that affects the plate's visibility or reflectivity.

19 (b) This section shall be part of and supplemental to the uniform act
20 regulating traffic on highways.

21 Sec. 2. K.S.A. 2009 Supp. 8-2118 is hereby amended to read as fol-
22 lows: 8-2118. (a) A person charged with a traffic infraction shall, except
23 as provided in subsection (b), appear at the place and time specified in
24 the notice to appear. If the person enters an appearance, waives right to
25 trial, pleads guilty or *pleads* no contest, the fine shall be no greater than
26 that specified in the uniform fine schedule in subsection (c) and court
27 costs shall be taxed as provided by law.

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

39 (c) The following uniform fine schedule shall apply uniformly
40 throughout the state but shall not limit the fine which may be imposed
41 following a court appearance, except an appearance made for the purpose
42 of pleading and payment as permitted by subsection (a). The description
43 of offense contained in the following uniform fine schedule is for refer-

1	ence only and is not a legal definition.		
2	<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
3	Refusal to submit to a preliminary breath test	8-1012	\$90
4	Unsafe speed for prevailing conditions	8-1557	\$60
5	Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
6	in zone posted by the state department of	to	
7	transportation; or speeding in locally posted	8-1560	11-20 mph over the limit,
8	zone	8-1560a	\$30 plus \$6 per mph over
9		or	10 mph over the limit;
10		8-1560b	
11			21-30 mph over the limit,
12			\$90 plus \$9 per mph over
13			20 mph over the limit;
14			
15			31 and more mph over the
16			limit, \$180 plus \$15 per
17			mph over 30 mph over the
18			limit;
19	Disobeying traffic control device	8-1507	\$60
20	Violating traffic control signal	8-1508	\$60
21	Violating pedestrian control signal	8-1509	\$30
22	Violating flashing traffic signals	8-1510	\$60
23	Violating lane-control signal	8-1511	\$60
24	Unauthorized sign, signal, marking or device	8-1512	\$30
25	Driving on left side of roadway	8-1514	\$60
26	Failure to keep right to pass oncoming vehicle	8-1515	\$60
27	Improper passing; increasing speed when	8-1516	\$60
28	passed		
29	Improper passing on right	8-1517	\$60
30	Passing on left with insufficient clearance	8-1518	\$60
31	Driving on left side where curve, grade,	8-1519	\$60
32	intersection railroad crossing, or obstructed		
33	view		
34	Driving on left in no-passing zone	8-1520	\$60
35	Unlawful passing of stopped emergency	8-1520a	\$60
36	vehicle		
37	Driving wrong direction on one-way road	8-1521	\$60
38	Improper driving on laned roadway	8-1522	\$60
39	Following too close	8-1523	\$60
40	Improper crossover on divided highway	8-1524	\$30
41	Failure to yield right-of-way at uncontrolled	8-1526	\$60
42	intersection		
43			

1	Failure to yield to approaching vehicle when	8-1527	\$60
2	turning left		
3	Failure to yield at stop or yield sign	8-1528	\$60
4	Failure to yield from private road or driveway	8-1529	\$60
5	Failure to yield to emergency vehicle	8-1530	\$180
6	Failure to yield to pedestrian or vehicle	8-1531	\$90
7	working on roadway		
8	Failure to comply with restrictions in road	8-1531a	\$30
9	construction zone		
10	Disobeying pedestrian traffic control device	8-1532	\$30
11	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
12	pedestrian suddenly entering roadway;		
13	passing vehicle stopped for pedestrian at		
14	crosswalk		
15	Improper pedestrian crossing	8-1534	\$30
16	Failure to exercise due care in regard to	8-1535	\$30
17	pedestrian		
18	Improper pedestrian movement in crosswalk	8-1536	\$30
19	Improper use of roadway by pedestrian	8-1537	\$30
20	Soliciting ride or business on roadway	8-1538	\$30
21	Driving through safety zone	8-1539	\$30
22	Failure to yield to pedestrian on sidewalk	8-1540	\$30
23	Failure of pedestrian to yield to emergency	8-1541	\$30
24	vehicle		
25	Failure to yield to blind pedestrian	8-1542	\$30
26	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
27	Improper turn or approach	8-1545	\$60
28	Improper "U" turn	8-1546	\$60
29	Unsafe starting of stopped vehicle	8-1547	\$30
30	Unsafe turning or stopping, failure to give	8-1548	\$60
31	proper signal; using turn signal unlawfully		
32	Improper method of giving notice of intention	8-1549	\$30
33	to turn		
34	Improper hand signal	8-1550	\$30
35	Failure to stop or obey railroad crossing signal	8-1551	\$180
36	Failure to stop at railroad crossing stop sign	8-1552	\$120
37	Certain hazardous vehicles failure to stop at	8-1553	\$180
38	railroad crossing		
39	Improper moving of heavy equipment at	8-1554	\$60
40	railroad crossing		
41	Vehicle emerging from alley, private roadway,	8-1555	\$60
42	building or driveway		
43			

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

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	Failure to remove vehicles in accidents	8-15,107	\$60
15	Unlawful operation of golf cart	8-15,108	\$60
16	Unlawful operation of work-site utility vehicle	8-15,109	\$60
17	<i>Unlawful display of license plate</i>	<i>section 1</i>	\$60
18	Equipment offenses that are not	8-1701	\$60
19	misdemeanors		
20	Driving without lights when needed	8-1703	\$30
21	Defective headlamps	8-1705	\$30
22	Defective tail lamps	8-1706	\$30
23	Defective reflector	8-1707	\$30
24	Improper stop lamp or turn signal	8-1708	\$30
25	Improper lighting equipment on certain	8-1710	\$30
26	vehicles		
27	Improper lamp color on certain vehicles	8-1711	\$30
28	Improper mounting of reflectors and lamps on	8-1712	\$30
29	certain vehicles		
30	Improper visibility of reflectors and lamps on	8-1713	\$30
31	certain vehicles		
32	No lamp or flag on projecting load	8-1715	\$60
33	Improper lamps on parked vehicle	8-1716	\$30
34	Improper lights, lamps, reflectors and	8-1717	\$30
35	emblems on farm tractors or slow-moving		
36	vehicles		
37	Improper lamps and equipment on	8-1718	\$30
38	implements of husbandry, road machinery		
39	or animal-drawn vehicles		
40	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
41	Improper lamps or lights on emergency	8-1720	\$30
42	vehicle		
43	Improper stop or turn signal	8-1721	\$30

1	Improper vehicular hazard warning lamp	8-1722	\$30
2	Unauthorized additional lighting equipment	8-1723	\$30
3	Improper multiple-beam lights	8-1724	\$30
4	Failure to dim headlights	8-1725	\$60
5	Improper single-beam headlights	8-1726	\$30
6	Improper speed with alternate lighting	8-1727	\$30
7	Improper number of driving lamps	8-1728	\$30
8	Unauthorized lights and signals	8-1729	\$30
9	Improper school bus lighting equipment and	8-1730	\$30
10	warning devices		
11	Unauthorized lights and devices on church or	8-1730a	\$30
12	day-care bus		
13	Improper lights on highway construction or	8-1731	\$30
14	maintenance vehicles		
15	Defective brakes	8-1734	\$30
16	Defective or improper use of horn or warning	8-1738	\$30
17	device		
18	Defective muffler	8-1739	\$30
19	Defective mirror	8-1740	\$30
20	Defective wipers; obstructed windshield or	8-1741	\$30
21	windows		
22	Improper tires	8-1742	\$30
23	Improper flares or warning devices	8-1744	\$30
24	Improper use of vehicular hazard warning	8-1745	\$30
25	lamps and devices		
26	Improper air-conditioning equipment	8-1747	\$30
27	Improper safety belt or shoulder harness	8-1749	\$30
28	Improper wide-based single tires	8-1742b	\$60
29	Improper compression release engine braking	8-1761	\$60
30	system		
31	Defective motorcycle headlamp	8-1801	\$30
32	Defective motorcycle tail lamp	8-1802	\$30
33	Defective motorcycle reflector	8-1803	\$30
34	Defective motorcycle stop lamps and turn	8-1804	\$30
35	signals		
36	Defective multiple-beam lighting	8-1805	\$30
37	Improper road-lighting equipment on motor-	8-1806	\$30
38	driven cycles		
39	Defective motorcycle or motor-driven cycle	8-1807	\$30
40	brakes		
41	Improper performance ability of brakes	8-1808	\$30
42	Operating motorcycle with disapproved	8-1809	\$30
43	braking system		

1	Defective horn, muffler, mirrors or tires	8-1810	\$30
2	Unlawful statehouse parking	75-4510a	\$15
3	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
4	combination		up to 1000 \$25
5			1001 to 2000 3¢ per pound
6			2001 to 5000 5¢ per pound
7			5001 to 7500 7¢ per pound
8			7501 and over ... 10¢ per pound
9	Exceeding gross weight on any axle or tandem,	8-1908	Pounds Overweight
10	triple or quad axles		up to 1000 \$25
11			1001 to 2000 3¢ per pound
12			2001 to 5000 5¢ per pound
13			5001 to 7500 7¢ per pound
14			7501 and over ... 10¢ per pound
15	Failure to obtain proper registration, clearance	66-1324	\$272
16	or to have current certification		
17	Insufficient liability insurance for motor	66-1,128	\$122
18	carriers	or 66-1314	
19	Failure to obtain interstate motor fuel tax	79-34,122	\$122
20	authorization		
21	No authority as private or common carrier	66-1,111	\$122
22	Violation of motor carrier safety rules and	66-1,129	\$100
23	regulations, except for violations specified in		
24	subsection (b)(2) of K.S.A. 66-1,130, and		
25	amendments thereto		

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

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

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

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

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

17 Sec. 3. K.S.A. 2009 Supp. 8-2118 is hereby repealed.

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