

CHAPTER 2

HOUSE BILL No. 2522 *

AN ACT relating to crimes and punishment; concerning traffic control signal preemption devices.

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

Section 1. (a) As used in this section “traffic control signal preemption device” means any device, instrument or mechanism designed, intended or used to interfere with the operation or cycle of a traffic-control signal, as defined in K.S.A. 8-1478, and amendments thereto.

(b) Except as provided in subsection (h), it shall be unlawful for any person to:

(1) Possess a traffic control signal preemption device;
(2) use a traffic control signal preemption device;
(3) sell a traffic control signal preemption device to a person other than a person specified in subsection (h); or

(4) purchase a traffic control signal preemption device for use other than a duty described in subsection (h).

(c) A person convicted of violating subsection (b)(1) shall be guilty of a class B misdemeanor.

(d) Except as provided in subsections (e) and (f), a person convicted of violating subsection (b)(2) shall be guilty of a severity level 9, nonperson felony.

(e) A person convicted of violating subsection (b)(2), which violation results in a traffic accident causing injury to any person or damage to any vehicle or other property, shall be guilty of a severity level 7, person felony.

(f) A person convicted of violating subsection (b)(2), which violation results in a traffic accident causing the death of any person, shall be guilty of a severity level 5, person felony.

(g) A person convicted of violating subsection (b)(3) or (4), shall be guilty of a severity level 9, nonperson felony.

(h) The provisions of this section shall not apply to the operator, passenger or owner of any of the following authorized emergency vehicles, in the course of such person’s emergency duties:

(1) Publicly owned fire department vehicles;
(2) publicly owned police vehicles; or
(3) motor vehicles operated by ambulance services permitted by the emergency medical services board under the provisions of K.S.A. 65-6101 *et seq.*, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved February 26, 2004.
