

## HOUSE BILL No. 2200

By Committee on Transportation

Requested by Representative Hoye

1-31

1 AN ACT concerning traffic regulations; relating to the storage of firearms  
2 in unattended vehicles; creating a traffic infraction for leaving a firearm  
3 in an unattended vehicle without securely storing such firearm;  
4 providing exceptions and penalties therefor; requiring the office of the  
5 attorney general to create certain educational campaign materials;  
6 amending K.S.A. 8-2118 and repealing the existing section.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) (1) A person shall not knowingly leave a handgun  
10 in an unattended vehicle unless the handgun is in a locked, hard-sided  
11 container that is placed out of plain view, including a locked container that  
12 is permanently affixed to the vehicle's interior, and the container is in any  
13 of the following:

- 14 (A) A locked vehicle;  
15 (B) the locked trunk of a locked vehicle;  
16 (C) a locked truck-camper; or  
17 (D) a locked recreational vehicle.

18 (2) A person shall not knowingly leave a firearm that is not a handgun  
19 in an unattended vehicle unless the firearm is in a locked hard-sided or  
20 locked soft-sided container, including a locked container that is  
21 permanently affixed to the vehicle's interior, and the container is in any of  
22 the following:

- 23 (A) A locked vehicle;  
24 (B) the locked trunk of a locked vehicle;  
25 (C) a locked truck-camper; or  
26 (D) a locked recreational vehicle.

27 (3) A firearm that is not a handgun that is stored in a soft-sided  
28 container shall have a tamper-resistant mechanical lock or other safety  
29 device properly engaged so as to render the weapon inoperable while  
30 stored in such soft-sided container.

31 (4) For purposes of this subsection, a locked glove compartment or  
32 the locked center console of a vehicle is considered a locked hard-sided  
33 container.

34 (b) Subsection (a)(1) and (a)(2) shall apply to any unattended vehicle  
35 located on:

- 1 (1) A highway;
- 2 (2) public property;
- 3 (3) private property open to the public; or
- 4 (4) a parking lot or parking facility.
- 5 (c) Subsection (a)(1) or (a)(2) shall not apply to:

6 (1) The storage or keeping of any firearm with a matchlock,  
7 flintlock, percussion cap or similar type of ignition system  
8 manufactured in or before the year 1898 or to any replica of any such  
9 firearm, rifle or shotgun if such replica is not designed or redesigned for  
10 using rimfire or conventional centerfire fixed ammunition;

11 (2) the storage of a firearm that is not a handgun in a vehicle that is  
12 being used by a person for agricultural purposes, and such vehicle is being  
13 operated on the person's private farm or ranch;

14 (3) a law enforcement officer;

15 (4) a person who holds a valid Kansas or nonresident hunting license  
16 who is engaged in lawful hunting activities;

17 (5) a person engaged in the instruction of a hunter education course  
18 pursuant to K.S.A. 32-920 through 32-924, and amendments thereto; and

19 (6) an active member of the United States armed forces while on  
20 duty.

21 (d) Notwithstanding the provisions of subsection (a), a person who is  
22 considered to have a disability and stores a firearm in a locked soft-sided  
23 container does not violate subsection (a) with respect to the secure storage  
24 of the firearm that is in the locked soft-sided container.

25 (e) A person who reports a lost or stolen firearm that was lost or  
26 stolen as a result of a violation of subsection (a) shall be immune from any  
27 fines or penalties for violating subsection (a) if such person reports the lost  
28 or stolen firearm within 48 hours of such firearm being lost or stolen.

29 (f) The office of the attorney general, in coordination with the Kansas  
30 highway patrol, shall conduct a secure storage of firearms in vehicles  
31 educational campaign. Such campaign shall require the creation of:

32 (1) A public page on the office of the attorney general's concealed  
33 carry permit website that includes information about the unlawful storage  
34 of a firearm in an unattended vehicle as described in subsection (a); and

35 (2) a notice to be displayed on the premises of a licensed firearms  
36 dealer, designed to be printed with each letter on the notice being a  
37 minimum of one inch in height with black letters on a white background  
38 and containing the following text:

39 NOTICE: Unlawful storage of a firearm in an unattended vehicle may  
40 result in a fine.

41 (g) Every licensed firearms dealer shall post, in a conspicuous  
42 location on its premises and at any other location where the dealer sells a  
43 firearm, the notice developed by the office of the attorney general pursuant

1 to subsection (f) or a substantially similar warning notice containing  
2 information on the unlawful storage of a firearm in an unattended vehicle.

3 (h) As used in this section:

4 (1) "Agricultural purposes" means the same as defined in K.S.A. 50-  
5 624, and amendments thereto;

6 (2) "disability" means, with respect to a person:

7 (A) A physical or mental impairment that substantially limits one or  
8 more of such person's major life activities;

9 (B) a record of having such an impairment; or

10 (C) being regarded as having such an impairment;

11 (3) "firearm" means any weapon designed or having the capacity to  
12 propel a projectile by force of an explosion or combustion;

13 (4) "handgun" means:

14 (A) A pistol or revolver that is designed to be fired by the use of a  
15 single hand and that is designed to fire or capable of firing a fixed  
16 cartridge ammunition; or

17 (B) any other weapon that is designed to or will expel a projectile by  
18 the action of an explosive and fired by the use of a single hand;

19 (5) "recreational vehicle" means the same as defined in K.S.A. 75-  
20 1212, and amendments thereto.

21 (i) This section shall be a part of and supplemental to the uniform act  
22 regulating traffic on highways.

23 Sec. 2. K.S.A. 8-2118 is hereby amended to read as follows: 8-2118.

24 (a) A person charged with a traffic infraction shall, except as provided in  
25 subsection (b), appear at the place and time specified in the notice to  
26 appear. If the person enters an appearance, waives right to trial, pleads  
27 guilty or no contest, the fine shall be no greater than that specified in the  
28 uniform fine schedule in subsection (c) and court costs shall be taxed as  
29 provided by law.

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

41 (c) The following uniform fine schedule shall apply uniformly  
42 throughout the state but shall not limit the fine that may be imposed  
43 following a court appearance, except an appearance made for the purpose

1 of pleading and payment as permitted by subsection (a). The description of  
 2 offense contained in the following uniform fine schedule is for reference  
 3 only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
4 Unsafe speed for prevailing	8-1557	\$75
5 conditions		
6 Exceeding maximum speed	8-1558	1-10 mph over the
7 limit; or speeding in zone	to	limit, \$45
8 posted by the state depart-	8-1560	
9 ment of transportation; or	8-1560a	11-20 mph over the
10 speeding in locally posted	or	limit, \$45 plus \$6
11 zone	8-1560b	per mph over 10
12		mph over the limit;
13		21-30 mph over the
14		limit, \$105 plus \$9
15		per mph over 20
16		mph over the limit;
17		31 and more mph
18		over the limit, \$195
19		plus \$15 per mph
20		over 30 mph over
21		the limit;
22		
23 Disobeying traffic control de-	8-1507	\$75
24 vice		
25 Violating traffic control signal	8-1508	\$75
26 Violating pedestrian control	8-1509	\$45
27 signal		
28 Violating flashing traffic signals	8-1510	\$75
29 Violating lane-control signal	8-1511	\$75
30 Unauthorized sign, signal,	8-1512	\$45
31 marking or device		
32 Driving on left side of roadway	8-1514	\$75
33 Failure to keep right to pass	8-1515	\$75
34 oncoming vehicle		
35 Improper passing; increasing	8-1516	\$75
36 speed when passed		
37 Improper passing on right	8-1517	\$75
38 Passing on left with insuffi-	8-1518	\$75
39 cient clearance		
40 Driving on left side where	8-1519	\$75
41 curve, grade, intersec-		
42 tion railroad crossing, or		
43 obstructed view		

1	Driving on left in no-passing	8-1520	\$75
2	zone		
3	Unlawful passing of stopped	8-1520a	\$75
4	emergency vehicle		
5	Driving wrong direction on	8-1521	\$75
6	one-way road		
7	Improper driving on laned	8-1522	\$75
8	roadway		
9	Following too close	8-1523	\$75
10	Improper crossover on di-	8-1524	\$45
11	vided highway		
12	Failure to yield right-of-way	8-1526	\$75
13	at uncontrolled intersection		
14	Failure to yield to approach-	8-1527	\$75
15	ing vehicle when turning		
16	left		
17	Failure to yield at stop or	8-1528	\$75
18	yield sign		
19	Failure to yield from private	8-1529	\$75
20	road or driveway		
21	Failure to yield to emergency	8-1530	\$195
22	vehicle		
23	Failure to yield to pedestrian	8-1531	\$105
24	or vehicle working on		
25	roadway		
26	Failure to comply with re-	8-1531a	\$45
27	strictions in road con-		
28	struction zone		
29	Disobeying pedestrian traffic	8-1532	\$45
30	control device		
31	Failure to yield to pedestrian	8-1533	\$75
32	in crosswalk; pedestrian		
33	suddenly entering road-		
34	way; passing vehicle		
35	stopped for pedestrian at		
36	crosswalk		
37	Improper pedestrian crossing	8-1534	\$45
38	Failure to exercise due care in	8-1535	\$45
39	regard to pedestrian		
40	Improper pedestrian move-	8-1536	\$45
41	ment in crosswalk		
42	Improper use of roadway by	8-1537	\$45
43	pedestrian		

1	Soliciting ride or business	8-1538	\$45
2	on roadway		
3	Driving through safety zone	8-1539	\$45
4	Failure to yield to pedestrian	8-1540	\$45
5	on sidewalk		
6	Failure of pedestrian to yield	8-1541	\$45
7	to emergency vehicle		
8	Failure to yield to blind pe-	8-1542	\$45
9	destrian		
10	Pedestrian disobeying bridge	8-1544	\$45
11	or railroad signal		
12	Improper turn or approach	8-1545	\$75
13	Improper "U" turn	8-1546	\$75
14	Unsafe starting of stopped	8-1547	\$45
15	vehicle		
16	Unsafe turning or stopping,	8-1548	\$75
17	failure to give proper sig-		
18	nal; using turn signal un-		
19	lawfully		
20	Improper method of giving	8-1549	\$45
21	notice of intention to turn		
22	Improper hand signal	8-1550	\$45
23	Failure to stop or obey	8-1551	\$195
24	road crossing signal		
25	Failure to stop at railroad	8-1552	\$135
26	crossing stop sign		
27	Certain hazardous vehicles	8-1553	\$195
28	failure to stop at railroad		
29	crossing		
30	Improper moving of heavy	8-1554	\$75
31	equipment at railroad		
32	crossing		
33	Vehicle emerging from alley,	8-1555	\$75
34	private roadway, building		
35	or driveway		
36	Improper passing of school	8-1556	\$315
37	bus; improper use of		
38	school bus signals		
39	Improper passing of church	8-1556a	\$195
40	or day-care bus; improper		
41	use of signals		
42	Impeding normal traffic	8-1561	\$45
43	by slow speed		

1	Speeding on motor-driven	8-1562	\$75
2	cycle		
3	Speeding in certain vehicles	8-1563	\$45
4	or on posted bridge		
5	Improper stopping, standing	8-1569	\$45
6	or parking on roadway		
7	Parking, standing or stopping	8-1571	\$45
8	in prohibited area		
9	Improper parking	8-1572	\$45
10	Unattended vehicle	8-1573	\$45
11	Improper backing	8-1574	\$45
12	Driving on sidewalk	8-1575	\$45
13	Driving with view or driving	8-1576	\$45
14	mechanism obstructed		
15	Unsafe opening of vehicle	8-1577	\$45
16	door		
17	Riding in house trailer	8-1578	\$45
18	Unlawful riding on vehicle	8-1578a	\$75
19	Improper driving in defiles,	8-1579	\$45
20	canyons, or on grades		
21	Coasting	8-1580	\$45
22	Following fire apparatus too	8-1581	\$75
23	closely		
24	Driving over fire hose	8-1582	\$45
25	Putting glass, etc., on high-	8-1583	\$105
26	way		
27	Driving into intersection,	8-1584	\$45
28	crosswalk, or crossing		
29	without sufficient space		
30	on other side		
31	Improper operation of snow-	8-1585	\$45
32	mobile on highway		
33	Parental responsibility of	8-1586	\$45
34	child riding bicycle		
35	Not riding on bicycle seat;	8-1588	\$45
36	too many persons on		
37	bicycle		
38	Clinging to other vehicle	8-1589	\$45
39	Improper riding of bicycle on	8-1590	\$45
40	roadway		
41	Carrying articles on bicycle;	8-1591	\$45
42	one hand on handlebars		
43	Improper bicycle lamps,	8-1592	\$45

1	brakes or reflectors		
2	Improper operation of mo-	8-1594	\$45
3	torcycle; seats; passen-		
4	gers, bundles		
5	Improper operation of motor	8-1595	\$75
6	cycle on laned roadway		
7	Motorcycle clinging to other	8-1596	\$45
8	vehicle		
9	Improper motorcycle handle-	8-1597	\$75
10	bars or passenger		
11	equipment		
12	Motorcycle helmet and eye-	8-1598	\$45
13	protection requirements		
14	Unlawful operation of all-ter-	8-15,100	\$75
15	rain vehicle		
16	Unlawful operation of	8-15,101	\$75
17	low-speed vehicle		
18	Littering	8-15,102	\$115
19	Disobeying school crossing	8-15,103	\$75
20	guard		
21	Unlawful operation of micro	8-15,106	\$75
22	utility truck		
23	Failure to remove vehicles in	8-15,107	\$75
24	accidents		
25	Unlawful operation of golf	8-15,108	\$75
26	cart		
27	Unlawful operation of work-	8-15,109	\$75
28	site utility vehicle		
29	Unlawful display of license	8-15,110	\$60
30	plate		
31	Unlawful text messaging	8-15,111	\$60
32	Unlawful passing of a waste	8-15,112	\$45
33	collection vehicle		
34	Unlawful operation of	8-15,113	\$45
35	electric-assisted scooter		
36	Unlawful passing of a utility or	8-15,114	\$105
37	telecommunications vehicle		
38	<i>Unlawful storage of firearm</i>	<i>section 1</i>	<i>\$100</i>
39	<i>in unattended vehicle</i>		
40	Equipment offenses that are	8-1701	\$75
41	not misdemeanors		
42	Driving without lights when	8-1703	\$45
43	needed		



1	Defective headlamps	8-1705	\$45
2	Defective tail lamps	8-1706	\$45
3	Defective reflector	8-1707	\$45
4	Improper stop lamp or turn	8-1708	\$45
5	signal		
6	Improper lighting equipment	8-1710	\$45
7	on certain vehicles		
8	Improper lamp color on cer-	8-1711	\$45
9	tain vehicles		
10	Improper mounting of re-	8-1712	\$45
11	flectors and lamps on cer-		
12	tain vehicles		
13	Improper visibility of reflec-	8-1713	\$45
14	tors and lamps on certain		
15	vehicles		
16	No lamp or flag on projecting	8-1715	\$75
17	load		
18	Improper lamps on parked	8-1716	\$45
19	vehicle		
20	Improper lights, lamps, re-	8-1717	\$45
21	flectors and emblems on		
22	farm tractors or slow-		
23	moving vehicles		
24	Improper lamps and equip-	8-1718	\$45
25	ment on implements of		
26	husbandry, road machin-		
27	ery or animal-drawn ve-		
28	hicles		
29	Unlawful use of spot, fog, or	8-1719	\$45
30	auxiliary lamp		
31	Improper lamps or lights on	8-1720	\$45
32	emergency vehicle		
33	Improper stop or turn signal	8-1721	\$45
34	Improper vehicular hazard	8-1722	\$45
35	warning lamp		
36	Unauthorized additional	8-1723	\$45
37	lighting equipment		
38	Improper multiple-beam lights	8-1724	\$45
39	Failure to dim headlights	8-1725	\$75
40	Improper single-beam head-	8-1726	\$45
41	lights		
42	Improper speed with alter-	8-1727	\$45
43	nate lighting		

1	Improper number of driving	8-1728	\$45
2	lamps		
3	Unauthorized lights and sig-	8-1729	\$45
4	nals		
5	Improper school bus lighting	8-1730	\$45
6	equipment and warning		
7	devices		
8	Unauthorized lights and de-	8-1730a	\$45
9	vices on church or day-		
10	care bus		
11	Improper lights on highway	8-1731	\$45
12	construction or maintenance		
13	vehicles		
14	Defective brakes	8-1734	\$45
15	Defective or improper use of	8-1738	\$45
16	horn or warning device		
17	Defective muffler	8-1739	\$45
18	Defective mirror	8-1740	\$45
19	Defective wipers; obstructed	8-1741	\$45
20	windshield or windows		
21	Improper tires	8-1742	\$45
22	Improper flares or warning	8-1744	\$45
23	devices		
24	Improper use of vehicular	8-1745	\$45
25	hazard warning lamps		
26	and devices		
27	Improper air-conditioning	8-1747	\$45
28	equipment		
29	Improper safety belt or	8-1749	\$45
30	shoulder harness		
31	Improper wide-based single	8-1742b	\$75
32	tires		
33	Improper compression re-	8-1761	\$75
34	lease engine braking sys-		
35	tem		
36	Defective motorcycle head-	8-1801	\$45
37	lamp		
38	Defective motorcycle tail	8-1802	\$45
39	lamp		
40	Defective motorcycle reflec-	8-1803	\$45
41	tor		
42	Defective motorcycle stop	8-1804	\$45
43	lamps and turn signals		

1	Defective multiple-beam	8-1805	\$45
2	lighting		
3	Improper road-lighting equip-	8-1806	\$45
4	ment on motor-driven cy-		
5	cles		
6	Defective motorcycle or mo-	8-1807	\$45
7	tor-driven cycle brakes		
8	Improper performance abil-	8-1808	\$45
9	ity of brakes		
10	Operating motorcycle with	8-1809	\$45
11	disapproved braking sys-		
12	tem		
13	Defective horn, muffler, mir-	8-1810	\$45
14	rors or tires		
15	Unlawful statehouse parking	75-4510a	\$30
16	Exceeding gross weight of	8-1909	Pounds Overweight
17	vehicle or combination		up to 1000.....\$40
18			1001 to 2000.....3¢
19			per pound
20			2001 to 5000.....5¢
21			per pound
22			5001 to 7500.....7¢
23			per pound
24			7501 and over.....10¢
25			per pound
26	Exceeding gross weight on	8-1908	Pounds Overweight
27	any axle or tandem,		up to 1000.....\$40
28	triple or quad axles		1001 to 2000.....3¢
29			per pound
30			2001 to 5000.....5¢
31			per pound
32			5001 to 7500.....7¢
33			per pound
34			7501 and over.....10¢
35			per pound
36	Failure to obtain proper re-	66-1324	\$287
37	gistration, clearance or		
38	to have current cer-		
39	tification		
40	Insufficient liability insur-	66-1,128	\$137
41	ance for motor carriers	or 66-1314	
42	Failure to obtain interstate	79-34,122	\$137
43	motor fuel tax author-		

1	ization		
2	No authority as private or	66-1,111	\$137
3	common carrier		
4	Violation of motor carrier	66-1,129	\$115
5	safety rules and regula-		
6	tions, except for viola-		
7	tions specified in K.S.A.		
8	66-1,130(b)(2), and		
9	amendments thereto		

10

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

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

24 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
 25 amendments thereto, within two years after a prior conviction of K.S.A. 8-  
 26 1908 or 8-1909, and amendments thereto, such person, upon conviction  
 27 shall be fined 1½ times the applicable amount from one, but not both, of  
 28 the schedules listed in the uniform fine schedule contained in subsection  
 29 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments  
 30 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or  
 31 8-1909, and amendments thereto, such person, upon conviction shall be  
 32 fined two times the applicable amount from one, but not both, of the  
 33 schedules listed in the uniform fine schedule contained in subsection (c).  
 34 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,  
 35 and amendments thereto, within two years after three prior convictions of  
 36 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
 37 conviction shall be fined 2½ times the applicable amount from one, but  
 38 not both, of the schedules listed in the uniform fine schedule contained in  
 39 subsection (c).

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

1 (h) For a second violation of K.S.A. 8-1556, and amendments thereto,  
2 within five years after a prior conviction of K.S.A. 8-1556, and  
3 amendments thereto, such person, upon conviction, shall be fined \$750 for  
4 the second violation. For a third and each succeeding violation of K.S.A.  
5 8-1556, and amendments thereto, within five years after two prior  
6 convictions of K.S.A. 8-1556, and amendments thereto, such person, upon  
7 conviction, shall be fined \$1,000 for the third and each succeeding  
8 violation.

9 Sec. 3. K.S.A. 8-2118 is hereby repealed.

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