

SESSION OF 2011

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2192**

As Amended by House Committee of the Whole

**Brief\***

HB 2192 would include the Safety Belt Use Act in the Uniform Act Regulating Traffic. It would clarify that no court costs are to be applied to seat belt violations and would remove outdated language. It also would remove unnecessary language redundant to the Child Passenger Safety Act.

The bill also would allow the driver of a motorcycle or the rider of a bicycle to proceed through a steady red signal, subject to other traffic rules governing right of way, if the red light has failed to change to green within a reasonable period of time because the signal has malfunctioned or has failed to detect the vehicle. The driver or rider must yield the right-of way to any vehicle in the intersection or approaching so as to constitute an immediate hazard, to any pedestrian lawfully within an adjacent crosswalk, and to any other traffic lawfully using the intersection.

The bill would become effective upon publication in the *Kansas Register*.

**Background**

Representatives Tom Burroughs, Rich Proehl, and Vince Wetta testified in support of the bill, and Representative Gary Hayzlett submitted written testimony as a proponent. A representative of AAA Kansas presented neutral testimony. A representative of the League of Kansas Municipalities submitted testimony opposing the bill.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Moving the Safety Belt Use Act into the Uniform Act Regulating Traffic would make penalty provisions for seat belt violations uniform throughout Kansas. The fine is \$10, and no court costs are to be added.

The House Committee on Transportation amended the bill to insert contents of HB 2058 as introduced but amended to include bicycles.

The House Committee of the Whole amended the bill to clarify when a motorcycle driver or bicycle rider must yield the right of way before proceeding through an intersection.

The fiscal note prepared by the Division of the Budget states that court cost charges for seat belt violations would decrease but, because a seat belt violation often is accompanied by another violation, the effect would be negligible. The League of Kansas Municipalities reported there would be a fiscal effect to cities that had adopted other fines and collected court costs for these violations, but it could not determine a precise fiscal effect on cities.

A fiscal note prepared by the Division of the Budget on the original HB 2058 states the portion of the bill allowing a motorcycle to proceed through a red light would have no effect on state budgets and was not expected to have an effect on any local budget.