

*As Amended by Senate Committee*

*Session of 2018*

**SENATE BILL No. 274**

By Committee on Transportation

1-11

1 AN ACT regulating traffic; concerning negligent driving, penalty;  
2 amending K.S.A. 2017 Supp. 8-2118 and repealing the existing section.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 New Section 1. (a) ~~No person, while operating or attempting to~~  
6 ~~operate a vehicle shall engage in any activity or do any act that interferes~~  
7 ~~with the safe control and operation of the vehicle~~ ***No person shall operate***  
8 ***or halt any vehicle in such a manner as to indicate a careless or heedless***  
9 ***disregard for the right or the safety of others, or inattentively in such a***  
10 ***manner as to endanger, or be likely to endanger, any person or property.***

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

13 Sec. 2. K.S.A. 2017 Supp. 8-2118 is hereby amended to read as  
14 follows: 8-2118. (a) A person charged with a traffic infraction shall, except  
15 as provided in subsection (b), appear at the place and time specified in the  
16 notice to appear. If the person enters an appearance, waives right to trial,  
17 pleads guilty or no contest, the fine shall be no greater than that specified  
18 in the uniform fine schedule in subsection (c) and court costs shall be  
19 taxed as provided by law.

20 (b) Prior to the time specified in the notice to appear, a person  
21 charged with a traffic infraction may enter a written appearance, waive  
22 right to trial, plead guilty or no contest and pay the fine for the violation as  
23 specified in the uniform fine schedule in subsection (c) and court costs  
24 provided by law. Payment may be made in any manner accepted by the  
25 court. The traffic citation shall not have been complied with if the payment  
26 is not honored for any reason, or if the fine and court costs are not paid in  
27 full. When a person charged with a traffic infraction makes payment  
28 without executing a written waiver of right to trial and plea of guilty or no  
29 contest, the payment shall be deemed such an appearance, waiver of right  
30 to trial and plea of no contest.

31 (c) The following uniform fine schedule shall apply uniformly  
32 throughout the state but shall not limit the fine which may be imposed  
33 following a court appearance, except an appearance made for the purpose  
34 of pleading and payment as permitted by subsection (a). The description of  
35 offense contained in the following uniform fine schedule is for reference  
36 only and is not a legal definition.

1	<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
2	Refusal to submit to a preliminary breath test	8-1012	\$105
4	Unsafe speed for prevailing conditions	8-1557	\$75
6	Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone	8-1558 to 8-1560 8-1560a or 8-1560b	1-10 mph over the limit, \$45 11-20 mph over the limit, \$45 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$105 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit;
21	Disobeying traffic control device	8-1507	\$75
23	Violating traffic control signal	8-1508	\$75
24	Violating pedestrian control signal	8-1509	\$45
26	Violating flashing traffic signals	8-1510	\$75
28	Violating lane-control signal	8-1511	\$75
29	Unauthorized sign, signal, marking or device	8-1512	\$45
31	Driving on left side of roadway	8-1514	\$75
33	Failure to keep right to pass oncoming vehicle	8-1515	\$75
35	Improper passing; increasing speed when passed	8-1516	\$75
37	Improper passing on right	8-1517	\$75
38	Passing on left with insufficient clearance	8-1518	\$75
40	Driving on left side where curve, grade, intersection railroad crossing, or obstructed view	8-1519	\$75

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

1	Improper bicycle lamps,	8-1592	\$45
2	brakes or reflectors		
3	Improper operation of mo-	8-1594	\$45
4	torcycle; seats; passen-		
5	gers, bundles		
6	Improper operation of mo-	8-1595	\$75
7	torcycle on laned road		
8	way		
9	Motorcycle clinging to other	8-1596	\$45
10	vehicle		
11	Improper motorcycle handle-	8-1597	\$75
12	bars or passenger		
13	equipment		
14	Motorcycle helmet and eye-	8-1598	\$45
15	protection requirements		
16	Unlawful operation of all-ter-	8-15,100	\$75
17	rain vehicle		
18	Unlawful operation of	8-15,101	\$75
19	low-speed vehicle		
20	Littering	8-15,102	\$115
21	Disobeying school crossing	8-15,103	\$75
22	guard		
23	Unlawful operation of micro	8-15,106	\$75
24	utility truck		
25	Failure to remove vehicles in	8-15,107	\$75
26	accidents		
27	Unlawful operation of golf	8-15,108	\$75
28	cart		
29	Unlawful operation of work-	8-15,109	\$75
30	site utility vehicle		
31	Unlawful display of license	8-15,110	\$60
32	plate		
33	Unlawful text messaging	8-15,111	\$60
34	Equipment offenses that are	8-1701	\$75
35	not misdemeanors		
36	Driving without lights when	8-1703	\$45
37	needed		
38	Defective headlamps	8-1705	\$45
39	Defective tail lamps	8-1706	\$45
40	Defective reflector	8-1707	\$45
41	Improper stop lamp or turn	8-1708	\$45
42	signal		
43	Improper lighting equipment	8-1710	\$45

1	on certain vehicles		
2	Improper lamp color on cer-	8-1711	\$45
3	tain vehicles		
4	Improper mounting of re-	8-1712	\$45
5	flectors and lamps on cer-		
6	tain vehicles		
7	Improper visibility of reflec-	8-1713	\$45
8	tors and lamps on certain		
9	vehicles		
10	No lamp or flag on projecting	8-1715	\$75
11	load		
12	Improper lamps on parked	8-1716	\$45
13	vehicle		
14	Improper lights, lamps, re-	8-1717	\$45
15	flectors and emblems on		
16	farm tractors or slow-		
17	moving vehicles		
18	Improper lamps and equip-	8-1718	\$45
19	ment on implements of		
20	husbandry, road machin-		
21	ery or animal-drawn ve-		
22	hicles		
23	Unlawful use of spot, fog, or	8-1719	\$45
24	auxiliary lamp		
25	Improper lamps or lights on	8-1720	\$45
26	emergency vehicle		
27	Improper stop or turn signal	8-1721	\$45
28	Improper vehicular hazard	8-1722	\$45
29	warning lamp		
30	Unauthorized additional	8-1723	\$45
31	lighting equipment		
32	Improper multiple-beam lights	8-1724	\$45
33	Failure to dim headlights	8-1725	\$75
34	Improper single-beam head-	8-1726	\$45
35	lights		
36	Improper speed with alter-	8-1727	\$45
37	nate lighting		
38	Improper number of driving	8-1728	\$45
39	lamps		
40	Unauthorized lights and sig-	8-1729	\$45
41	nals		
42	Improper school bus lighting	8-1730	\$45
43	equipment and warning		

1	devices		
2	Unauthorized lights and de-	8-1730a	\$45
3	vices on church or day-		
4	care bus		
5	Improper lights on highway	8-1731	\$45
6	construction or maintenance		
7	vehicles		
8	Defective brakes	8-1734	\$45
9	Defective or improper use of	8-1738	\$45
10	horn or warning device		
11	Defective muffler	8-1739	\$45
12	Defective mirror	8-1740	\$45
13	Defective wipers; obstructed	8-1741	\$45
14	windshield or windows		
15	Improper tires	8-1742	\$45
16	Improper flares or warning	8-1744	\$45
17	devices		
18	Improper use of vehicular	8-1745	\$45
19	hazard warning lamps		
20	and devices		
21	Improper air-conditioning	8-1747	\$45
22	equipment		
23	Improper safety belt or	8-1749	\$45
24	shoulder harness		
25	Improper wide-based single	8-1742b	\$75
26	tires		
27	Improper compression re-	8-1761	\$75
28	lease engine braking sys-		
29	tem		
30	Defective motorcycle head-	8-1801	\$45
31	lamp		
32	Defective motorcycle tail	8-1802	\$45
33	lamp		
34	Defective motorcycle reflec-	8-1803	\$45
35	tor		
36	Defective motorcycle stop	8-1804	\$45
37	lamps and turn signals		
38	Defective multiple-beam	8-1805	\$45
39	lighting		
40	Improper road-lighting equip-	8-1806	\$45
41	ment on motor-driven cy-		
42	cles		
43	Defective motorcycle or mo-	8-1807	\$45



1	tor-driven cycle brakes		
2	Improper performance abil-	8-1808	\$45
3	ity of brakes		
4	Operating motorcycle with	8-1809	\$45
5	disapproved braking sys-		
6	tem		
7	Defective horn, muffler, mir-	8-1810	\$45
8	rors or tires		
9	Unlawful statehouse parking	75-4510a	\$30
10	Exceeding gross weight of	8-1909	Pounds Overweight
11	vehicle or combination		up to 1000.....\$40
12			1001 to 2000.....3¢
13			per pound
14			2001 to 5000.....5¢
15			per pound
16			5001 to 7500.....7¢
17			per pound
18			7501 and over.....10¢
19			per pound
20	Exceeding gross weight on	8-1908	Pounds Overweight
21	any axle or tandem,		up to 1000\$40
22	triple or quad axles		1001 to 2000.....3¢
23			per pound
24			2001 to 5000.....5¢
25			per pound
26			5001 to 7500.....7¢
27			per pound
28			7501 and over.....10¢
29			per pound
30	Failure to obtain proper re-	66-1324	\$287
31	gistration, clearance or		
32	to have current cer-		
33	tification		
34	Insufficient liability insur-	66-1,128	\$137
35	ance for motor carriers	or 66-1314	
36	Failure to obtain interstate	79-34,122	\$137
37	motor fuel tax author-		
38	ization		
39	No authority as private or	66-1,111	\$137
40	common carrier		
41	Violation of motor carrier	66-1,129	\$115
42	safety rules and regula-		
43	tions, except for viola-		

1 tions specified in sub-  
2 section (b)(2) of K.S.A.  
3 66-1,130, and amend-  
4 ments thereto  
5

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

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

19 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
20 amendments thereto, within two years after a prior conviction of K.S.A. 8-  
21 1908 or 8-1909, and amendments thereto, such person, upon conviction  
22 shall be fined 1½ times the applicable amount from one, but not both, of  
23 the schedules listed in the uniform fine schedule contained in subsection  
24 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments  
25 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or  
26 8-1909, and amendments thereto, such person, upon conviction shall be  
27 fined two times the applicable amount from one, but not both, of the  
28 schedules listed in the uniform fine schedule contained in subsection (c).  
29 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,  
30 and amendments thereto, within two years after three prior convictions of  
31 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
32 conviction shall be fined 2½ times the applicable amount from one, but not  
33 both, of the schedules listed in the uniform fine schedule contained in  
34 subsection (c).

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

40 Sec. 3. K.S.A. 2017 Supp. 8-2118 is hereby repealed.

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