

HOUSE BILL No. 2475

By Representative Collins

1-11

1 AN ACT concerning traffic regulations; relating to Kansas highway patrol
2 spot inspections; prohibiting spot inspections of commercial motor
3 vehicles on highways with a posted speed limit above 40 miles per hour
4 unless certain conditions exist; amending K.S.A. 8-1759 and 66-1324
5 and repealing the existing sections.
6

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

8 Section 1. K.S.A. 8-1759 is hereby amended to read as follows: 8-
9 1759. (a) *Except as provided in subsection (b), every driver of a motor*
10 *vehicle shall stop and submit such vehicle and its equipment to an*
11 *inspection of the mechanical condition thereof and such test, with*
12 *reference thereto, as may be appropriate at any location where signs are*
13 *displayed requiring such stop and where members of the Kansas highway*
14 *patrol are conducting such inspections and tests of motor vehicles. Such an*
15 *inspection and test shall be referred to as a "spot inspection." Spot*
16 *inspections shall be conducted in a manner that the operator of a motor*
17 *vehicle, whether private or commercial, shall not be unnecessarily*
18 *inconvenienced by extended detours, unnecessary delays or any other*
19 *unreasonable cause.*

20 *(b) No spot inspection shall be conducted on a commercial motor*
21 *vehicle as defined in K.S.A. 2021 Supp. 8-2,128, and amendments thereto,*
22 *on any highway with a posted speed limit in excess of 40 miles per hour;*
23 *except that spot inspections on commercial motor vehicles may be*
24 *permitted on the shoulder at any entrance or exit of such highway where*
25 *there is adequate space on the shoulder to safely perform such inspection.*

26 ~~(b)~~(c) Violation of this section is a class A misdemeanor.

27 Sec. 2. K.S.A. 66-1324 is hereby amended to read as follows: 66-
28 1324. (a) The superintendent of the Kansas highway patrol shall have
29 authority to regulate the operation of motor carrier inspection stations
30 under the superintendent's supervision and control, including, when
31 necessary to the enforcement of any laws relating to the operation or
32 registration of motor carriers within this state, the authority to require all
33 motor carriers, trucks or truck tractors to stop at any such inspection
34 station to submit to inspection for compliance with any of the laws which
35 the superintendent is charged by this act with the duty to enforce.
36 Whenever the superintendent shall require motor carriers, trucks or truck

1 tractors to stop at any inspection station, the superintendent shall cause to
2 be displayed on the highway on which such inspection station is located,
3 an illuminated sign or other device indicating such requirement. No motor
4 carrier, truck or truck tractor shall be required to stop for inspection at any
5 motor carrier inspection station which is not displaying the sign
6 hereinabove provided for. Nothing in this section shall be construed to
7 relieve any person of the duty to stop at any motor carrier inspection
8 station when it is necessary for such person to register under or comply
9 with any of the laws of this state, or rules and regulations adopted
10 thereunder, relating to the size, weight and load of motor vehicles and
11 trailers, motor vehicle registration laws, registration and insurance laws
12 and requirements of the state corporation commission, motor fuel use tax
13 laws, liquid fuel carriers tax laws or livestock inspection laws. No motor
14 carrier, truck and truck tractor which is required to be registered under the
15 provisions of K.S.A. 66-1,139, and amendments thereto, shall be required
16 to stop for clearance inspection at any open motor carrier inspection
17 station before entering or traveling through this state, if such vehicle:

18 (a)(1) Has a valid annual registration with the state corporation
19 commission under the provisions of K.S.A. 66-1,139, and amendments
20 thereto;

21 (b)(2) is in current compliance with the vehicle registration laws
22 prescribed in chapter 8 of Kansas Statutes Annotated, *and amendments*
23 *thereto*; and

24 (e)(3) is in current compliance with the motor fuel tax laws
25 prescribed by article 34 of chapter 79 of Kansas Statutes Annotated, *and*
26 *amendments thereto*.

27 (b) *Except as provided in K.S.A. 8-1759, and amendments thereto,*
28 *nothing in this section shall be construed as prohibiting the superintendent*
29 *of the highway patrol or any member of the state highway patrol from*
30 *stopping any or all motor carriers, trucks or truck tractors for the purpose*
31 *of conducting spot checks to insure compliance with any state law relating*
32 *to the regulation of motor carriers, trucks or truck tractors. Any person*
33 *violating any of the provisions of this section, upon conviction thereof,*
34 *shall pay a fine in accordance with K.S.A. 8-2118, and amendments*
35 *thereto.*

36 Sec. 3. K.S.A. 8-1759 and 66-1324 and K.S.A. 2021 Supp. are
37 hereby repealed.

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