

HOUSE BILL No. 2835

By Committee on Federal and State Affairs

Requested by Representative Featherston

3-12

1 AN ACT concerning law enforcement; requiring cities of the first class
2 and counties that have cities of the first class to adopt by ordinance or
3 resolution, respectively, law enforcement vehicle pursuit protocols.

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

6 Section 1. (a) All cities of the first class and all counties that have
7 cities of the first class shall adopt by ordinance or resolution, respectively,
8 an official policy regarding law enforcement vehicle pursuit protocols.

9 (b) The chief of police, in cities of the first class, shall submit to the
10 governing body a proposed law enforcement vehicle pursuit protocol. The
11 city governing body may adopt such protocol or may amend the protocol
12 and adopt the law enforcement vehicle pursuit protocol by ordinance.

13 (c) The county sheriff in counties that have a city of the first class and
14 the director of the Riley county police department shall submit to the
15 board of county commissioners a proposed law enforcement vehicle
16 pursuit protocol. The board of county commissioners may adopt such
17 protocol or may amend the protocol and adopt the law enforcement vehicle
18 pursuit protocol by resolution.

19 (d) Any law enforcement vehicle pursuit protocol, at a minimum,
20 shall require:

21 (1) Adherence to K.S.A. 8-1506, and amendments thereto;

22 (2) officers to weigh the need for immediate apprehension against the
23 danger of a pursuit to both the community and the officer;

24 (3) the pursuit to be terminated immediately upon order of the
25 supervising officer;

26 (4) emergency lights and headlights to be employed during a pursuit;
27 and

28 (5) dispatchers to notify the community and the surrounding law
29 enforcement agencies that a pursuit is in progress.

30 (e) Any law enforcement officer following a law enforcement vehicle
31 pursuit protocol shall not be relieved of the duty to drive with due regard
32 for the safety of all persons, nor shall such provisions protect the driver
33 from the consequences of reckless disregard for the safety of others.

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