

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 476

As Amended by Senate Committee on
Transportation

Brief*

SB 476, as amended, would create a new traffic infraction of excessive speeding for individuals driving faster than 100 miles per hour (mph), with these possible penalties:

- Restricted driving privileges for 15 days upon a first conviction;
- Restricted driving privileges for 30 days upon a second conviction within three years after a prior conviction; and
- Suspended driving privileges for 30 days upon a third conviction within three years.

The bill would specify these penalties would be in addition to those provided in additional statutes related to speeding.

The bill would also specify under what circumstances an individual with driving privileges restricted under provisions of the bill would be authorized to drive:

- In going to or returning from the person's place of employment or schooling;
- In the course of the person's employment;

*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>

- In going to or returning from an appointment with a health care provider or during a medical emergency; and
- In going to and returning from probation or parole meetings, drug or alcohol counseling, or any place the person is required to go by a court.

Background

The bill was introduced by the Senate Committee on Transportation at the request of a representative of the Kansas Highway Patrol.

Senate Committee on Transportation

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association; Kansas Department of Transportation; and Kansas Highway Patrol. The proponents generally stated that the current statute and fine amounts relating to driving over 100 mph in Kansas do not sufficiently deter drivers from exceeding this speed. They also stated the safety issues, accident results from, and costs directly caused by driving over 100 mph.

Written-only proponent testimony was provided by representatives of AAA Kansas, Kansas Corporation Commission, Kansas Motor Carriers Association, Johnson County Sheriff's Office, and Safe Kids Kansas.

No other testimony was provided.

The Senate Committee amended the bill to specify the penalties in the bill would be in addition to those under other statutes related to speeding.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration (Office) states that enactment of the bill could increase the number of cases filed in district court because it would create a new crime, which could result in more time spent by court employees and judges processing and deciding these cases. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. The Office estimates enactment of the bill could result in the collection of docket fees and fines in those cases filed under the bill's provisions, which would be credited to the State General Fund.

The Department of Revenue indicates the bill would require \$1,250 from the State General Fund in FY 2025 to implement the bill and modify its systems. The required programming for this bill by itself would be performed by existing agency staff. In addition, if the combined effect of implementing this bill and other enacted legislation exceeds the Department's programming resources, or if the time for implementing the changes is too short, additional expenditures for outside contract programmer services beyond the Department's current budget may be required.

The Kansas Department of Transportation states enactment of the bill would not have an effect on agency operations. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2025 Governor's Budget Report*.

The League of Kansas Municipalities states enactment of the bill would not have a fiscal effect on cities. The Kansas Association of Counties states that the bill's enactment could have a fiscal effect on counties if there is an increase in speed enforcement.

Transportation; Kansas Highway Patrol; 100 miles per hour; traffic infraction; traffic violation