

SENATE BILL No. 63

AN ACT concerning transportation; relating to transportation network company vehicles, regulating the use of authorized lights, city ordinances; requiring vehicle drivers to stop for on-track train equipment at railroad grade crossing signals; allowing for the installation of certain light screening material on windshields and windows; allowing all-terrain and work-site utility vehicles to operate on a federal or state highway under certain conditions; regulating the use of electric-assisted scooters, definitions, requirements, penalty; amending K.S.A. 8-1551 and K.S.A. 2018 Supp. 8-126, 8-128, 8-1486, 8-15,100, 8-15,109, 8-1729, 8-1749a and 8-2118 and repealing the existing sections.

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

New Section 1. (a) The governing body of a city may adopt an ordinance that allows a driver for a transportation network company, who is logged on to the transportation network company's digital network, to equip the vehicle with a lighting device capable of displaying light visible from directly in front of the center of the vehicle. Such lighting device may display: (1) Steady light; and (2) light of any color, except red.

(b) The words and phrases used in this section have the meanings respectively ascribed thereto by K.S.A. 2018 Supp. 8-2702, and amendments thereto, unless a different meaning is plainly required by the context.

(c) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.

Sec. 2. K.S.A. 2018 Supp. 8-1729 is hereby amended to read as follows: 8-1729. (a) During the times specified in K.S.A. 8-1703, and amendments thereto, any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, vehicular hazard warning lamps and school bus warning lamps, ~~which~~ *that* projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(b) Except as required or permitted in K.S.A. 8-1720 and 8-1730, and amendments thereto, *or section 1, and amendments thereto*, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device capable of displaying a red light visible from directly in front of the center thereof, nor shall any vehicle or equipment upon any highway have any lamp or device displaying any color of light visible from directly in front of the center thereof except white or amber or any shade of color between white and amber.

(c) Flashing lights are prohibited except as authorized or required in K.S.A. 8-1717, 8-1720, 8-1721, 8-1722, 8-1723, 8-1730, 8-1730a and 8-1731, and amendments thereto.

(d) The flashing lights described in K.S.A. 8-1720, 8-1730 and 8-1730a, and amendments thereto, shall not be used on any vehicle other than a school bus, church bus or day care program bus, as defined in K.S.A. 8-1730a, and amendments thereto, or an authorized emergency vehicle.

(e) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber.

Sec. 3. K.S.A. 8-1551 is hereby amended to read as follows: 8-1551. (a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within ~~within fifty (50)~~ 50 feet but not less than ~~fifteen (15)~~ 15 feet from the nearest rail of such railroad, and shall not proceed until ~~he or she~~ *such driver* can do so safely. The foregoing

requirements shall apply when:

(1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train *or other on-track equipment*;

(2) a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train *or other on-track equipment*;

(3) a railroad train *or other on-track equipment* approaching within approximately ~~one thousand five hundred (1,500)~~ 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train *or other on-track equipment*, by reason of its speed or nearness to such crossing, is an immediate hazard; or

(4) an approaching railroad train *or other on-track equipment* is plainly visible and is in hazardous proximity to such crossing.

(b) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

Sec. 4. K.S.A. 2018 Supp. 8-1749a is hereby amended to read as follows: 8-1749a. (a) No motor vehicle required to be registered in this state and ~~which~~ *that* is operated on the highways of this state shall be equipped with one-way glass or any sun screening device, as defined in K.S.A. 8-1749b, and amendments thereto, and used in conjunction with windshields, side wings, side windows or rear windows that do not meet the following requirements:

(1) A sun screening device when used in conjunction with the windshield shall be nonreflective and shall not be red, yellow or amber in color. A sun screening device shall be used only along the top of the windshield and shall not extend downward beyond the AS1 line, which is clearly defined and marked;

(2) a sun screening device when used in conjunction with the side wings or side windows located at the immediate right and left of the driver, the side windows behind the driver and the rear most window shall be nonreflective; and

(3) the total light transmission shall not be less than 35% when a sun screening device is used in conjunction with other existing sun screening devices.

(b) Subsection (a)(3) shall not apply to a window of a law enforcement motor vehicle ~~that is clearly identified as such by words or other symbols on the outside of the vehicle.~~

(c) *The provisions of subsection (a) shall not apply to the installation, affixation or application of a clear, colorless and transparent material that may be installed, affixed or applied to the windshields, side wings, side windows or rear windows of a motor vehicle if the following conditions are met:*

(1) The material has a minimum visible light transmittance of 78%;

(2) the window glazing with the material applied meets all requirements of federal motor vehicle safety standard no. 205, including the specified minimum light transmittance of 70% and the abrasion resistance of AS-14 glazing, as specified in that federal standard;

(3) the material is designed and manufactured to enhance the ability of the existing window glass to block the sun's harmful ultraviolet A or B rays;

(4) the driver or occupant of the vehicle possesses a signed statement from a licensed physician or licensed optometrist that:

(A) Identifies with reasonable specificity the driver or occupant of the vehicle; and

(B) states that, in the physician's or optometrist's professional opinion, the equipping of the vehicle with the material is necessary to safeguard the health of the driver or occupant of the vehicle; and

(5) if the material described in this subsection tears or bubbles, or is

otherwise worn to prohibit clear vision, it shall be removed or replaced.

(d) Any driver who is issued a citation for failure to possess a signed statement pursuant to subsection (c)(4) shall have 60 days to either produce in court a signed statement or remove the material described in subsection (c). If such driver produces the signed statement or submits proof to the satisfaction of the court that the material described in subsection (c) has been removed, then the court shall dismiss the citation.

(e) The superintendent of the highway patrol may adopt such rules and regulations necessary to carry out the provisions of this section.

~~(f)~~*(f) This section shall not prohibit labels, stickers or other informational signs that are required or permitted by state law.*

~~(g)~~*(g) No motor vehicle required to be registered in this state—~~which~~ that is operated on the highways of this state shall be equipped with head lamps—~~which~~ that are covered with any sun screening device, adhesive film or other glaze or application, which, when such lamps are not in operation, is highly reflective or otherwise nontransparent.*

~~(h)~~*(h) Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor.*

Sec. 5. K.S.A. 2018 Supp. 8-15,100 is hereby amended to read as follows: 8-15,100. (a) Except as provided in subsection (b), (c) or (d), it shall be unlawful for any person to operate an all-terrain vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas department of transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway.

(c) Notwithstanding the provisions of subsection (a), all-terrain vehicles may be operated to cross a federal highway or state highway.

(d) Notwithstanding the provisions of subsection (a)(1), persons engaged in agricultural purposes may operate an all-terrain vehicle on a federal highway or state highway under the following conditions:

(1) The operator of the all-terrain vehicle must be a licensed driver and be operating within the restrictions of the operator's license;

(2) the federal highway or state highway must have a posted speed limit of 65 miles per hour or less;

(3) the operator of the all-terrain vehicle must operate the all-terrain vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and

(4) the purpose of the trip using the all-terrain vehicle must be for agricultural purposes.

(e) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

~~(f)~~*(f) This section shall be part of and supplemental to the uniform act regulating traffic on highways.*

Sec. 6. K.S.A. 2018 Supp. 8-15,109 is hereby amended to read as follows: 8-15,109. (a) It shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), work-site utility vehicles may be operated to cross a federal highway or state highway.

(c) Notwithstanding the provisions of subsection (a)(1), persons engaged in agricultural purposes may operate a work-site utility vehicle on a federal highway or state highway under the following conditions:

(1) *The operator of the work-site utility vehicle must be a licensed driver and be operating within the restrictions of the operator's license;*

(2) *the federal highway or state highway must have a posted speed limit of 65 miles per hour or less;*

(3) *the operator of the work-site utility vehicle must operate the work-site utility vehicle as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and*

(4) *the purpose of the trip using the work-site utility vehicle must be for agricultural purposes.*

(d) No work-site utility vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

~~(e)~~(e) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

New Sec. 7. "Electric-assisted scooter" means every self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.

New Sec. 8. (a) It shall be unlawful for any person to operate an electric-assisted scooter on any interstate highway, federal highway or state highway.

(b) Notwithstanding the provisions of subsection (a), traffic regulations applicable to bicycles shall apply to electric-assisted scooters.

(c) The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of electric-assisted scooters on any public highway, street or sidewalk within such city or county.

(d) Except as otherwise provided in subsection (c), the provisions of subsection (a) shall not prohibit an electric-assisted scooter from crossing a federal or state highway.

(e) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.

Sec. 9. K.S.A. 2018 Supp. 8-126 is hereby amended to read as follows: 8-126. The following words and phrases when used in this act shall have the meanings respectively ascribed to them herein:

(a) "All-terrain vehicle" means any motorized nonhighway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires.

(b) "Autocycle" means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(c) "Commission" or "state highway commission" means the director of vehicles of the department of revenue.

(d) "Contractor" means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the department to provide services associated with vehicle functions.

(e) "Department" or "motor vehicle department" or "vehicle department" means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(f) "Division" means the division of vehicles of the department of revenue.

(g) *"Electric-assisted scooter" means every self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.*

~~(g)~~(h) "Electric personal assistive mobility device" means a self-balancing two nontandem wheeled device, designed to transport only one

person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

~~(h)~~(i) "Electric vehicle" means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

- (1) Residential electric service;
- (2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, EVSE (Electric Vehicle Supply Equipment) or a public charging station.

~~(i)~~(j) "Electronic certificate of title" means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2018 Supp. 8-135d, and amendments thereto.

~~(j)~~(k) "Electronic notice of security interest" means the division's online internet program ~~which~~ that enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

~~(k)~~(l) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

~~(l)~~(m) "Farm trailer" means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

~~(m)~~(n) "Foreign vehicle" means every motor vehicle, trailer, or semitrailer ~~which~~ that shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and ~~which~~ has not been registered in this state.

~~(n)~~(o) "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

~~(o)~~(p) "Highway" means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

~~(p)~~(q) "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved or operated upon the highways. Such term shall include, but not be limited to:

- (1) A farm tractor;
- (2) a self-propelled farm implement;
- (3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;
- (4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung;
- (5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

~~(q)~~(r) "Lien" means a security interest as defined in this section.

~~(r)~~(s) "Lightweight roadable vehicle" means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation

administration.

~~(s)~~(t) "Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

~~(t)~~(u) "Micro utility truck" means any motor vehicle ~~which~~ *that* is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle or recreational off-highway vehicle.

~~(u)~~(v) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, ~~which~~ *that* is self-propelled.

~~(v)~~(w) "Motorcycle" means every motor vehicle, including autocycles, designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in this section.

~~(w)~~(x) "Motorized bicycle" means every device having two tandem wheels or three wheels, ~~which~~ *that* may be propelled by either human power or helper motor, or by both, and ~~which~~ has:

- (1) A motor which produces not more than 3.5 brake horsepower;
- (2) a cylinder capacity of not more than 130 cubic centimeters;
- (3) an automatic transmission; and
- (4) the capability of a maximum design speed of no more than 30 miles per hour.

~~(x)~~(y) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

~~(y)~~(z) "New vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles and who holds a dealer's contract therefor from a manufacturer or distributor and who has an established place of business in this state.

~~(z)~~(aa) "Nonresident" means every person who is not a resident of this state.

~~(aa)~~(bb) "Notice of security interest" means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle ~~which~~ *that* has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

~~(bb)~~(cc) "Oil well servicing, oil well clean-out or oil well drilling machinery or equipment" means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

~~(cc)~~(dd) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

~~(dd)~~(ee) "Passenger vehicle" means every motor vehicle, as defined in this section, ~~which~~ *that* is designed primarily to carry 10 or fewer passengers, and ~~which~~ is not used as a truck.

~~(ee)~~(ff) "Person" means every natural person, firm, partnership, association or corporation.

~~(ff)~~(gg) "Pole trailer" means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

~~(gg)~~(hh) "Recreational off-highway vehicle" means any motor vehicle more than 50 but not greater than 64 inches in width, having a dry weight of 2,000 pounds or less, traveling on four or more nonhighway tires.

~~(hh)~~(ii) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

~~(ii)~~(jj) "Self-propelled farm implement" means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

~~(jj)~~(kk) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

~~(kk)~~(ll) "Specially constructed vehicle" means any vehicle ~~which~~ *that* shall not have been originally constructed under a distinctive name, make, model or type, or ~~which~~ *that*, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

~~(ll)~~(mm) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

~~(mm)~~(nn) "Travel trailer" means every vehicle without motive power designed to be towed by a motor vehicle constructed primarily for recreational purposes.

~~(nn)~~(oo) "Truck" means a motor vehicle ~~which~~ *that* is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

~~(oo)~~(pp) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

~~(pp)~~(qq) "Used vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer's contract for the sale of new motor vehicles, travel trailers or vehicles.

~~(qq)~~(rr) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

~~(rr)~~(ss) "Vehicle functions" means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver's licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. "Vehicle functions" may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related

events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

~~(ss)~~*(tt)* "Work-site utility vehicle" means any motor vehicle ~~which~~ *that* is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle.

Sec. 10. K.S.A. 2018 Supp. 8-128 is hereby amended to read as follows: 8-128. (a) The following need not be registered under this act, any:

- (1) Implement of husbandry;
- (2) all-terrain vehicle;
- (3) micro utility truck;
- (4) golf cart;
- (5) work-site utility vehicle;
- (6) road roller or road machinery temporarily operated or moved upon the highways;
- (7) municipally owned fire truck;
- (8) privately owned fire truck subject to a mutual aid agreement with a municipality;
- (9) school bus owned and operated by a school district or a nonpublic school ~~which~~ *that* has the name of the municipality, school district or nonpublic school plainly painted thereon;
- (10) farm trailer used in carrying not more than 6,000 pounds owned by a person engaged in farming, which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or rented by the owner of such trailer and the weight of any such farm trailer, plus the cargo weight of 6,000 pounds or less, shall not be considered in determining the gross weight for which the truck or truck tractor propelling the same shall be registered; ~~or~~

(11) farm trailer used and designed for transporting hay or forage from a field to a storage area or from a storage area to a feedlot, ~~which~~ *that* is only incidentally moved or operated upon the highways, except that this paragraph shall not apply to a farm semitrailer; *or*

(12) electric-assisted scooter.

(b) Self-propelled cranes where the crane operator on a job site operates the controls of such crane from a permanent housing or module on the crane and the crane is not used for the transportation of property, except the property that is required for the operation of the crane itself and earth moving equipment ~~which~~ *that* are equipped with pneumatic tires may be moved on the highways of this state from one job location to another, or to or from places of storage, delivery or repair, without complying with the provisions of the law relating to registration and display of license plates but shall comply with all the other requirements of the law relating to motor vehicles.

(c) Oil well servicing, oil well clean-out or oil well drilling machinery or equipment need not be registered under this act but shall comply with all the other requirements of the law relating to motor vehicles.

(d) A truck permanently mounted with a hydraulic concrete pump and placing boom may be moved on the highways of this state from one job location to another, or to or from places of storage delivery or repair, without being registered under this act, but shall comply with all the other requirements of the law relating to motor vehicles. The provisions of this subsection shall not apply to ready-mix concrete trucks.

Sec. 11. K.S.A. 2018 Supp. 8-1486 is hereby amended to read as follows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-

1475a, 8-1487, 8-1488, 8-1489 and 8-1490, and amendments thereto, and K.S.A. 2018 Supp. 8-1491, 8-1492, 8-1493, 8-1494, 8-1495, 8-1496 ~~and~~, 8-1497 *and section 7*, and amendments thereto, shall be a part of, and supplemental to, the uniform act regulating traffic on highways.

Sec. 12. K.S.A. 2018 Supp. 8-2118 is hereby amended to read as follows: 8-2118. (a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

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

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

| <i>Description of Offense</i> | <i>Statute</i> | <i>Fine</i> |
|---|--|---|
| Refusal to submit to a preliminary breath test | 8-1012 | \$105 |
| Unsafe speed for prevailing conditions | 8-1557 | \$75 |
| 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; |
| Disobeying traffic control device | 8-1507 | \$75 |
| Violating traffic control signal | 8-1508 | \$75 |
| Violating pedestrian control signal | 8-1509 | \$45 |
| Violating flashing traffic signals | 8-1510 | \$75 |
| Violating lane-control signal | 8-1511 | \$75 |
| Unauthorized sign, signal, marking or device | 8-1512 | \$45 |
| Driving on left side of roadway | 8-1514 | \$75 |
| Failure to keep right to pass | 8-1515 | \$75 |

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|--|---------|-------|
| oncoming vehicle | | |
| Improper passing; increasing speed when passed | 8-1516 | \$75 |
| Improper passing on right | 8-1517 | \$75 |
| Passing on left with insufficient clearance | 8-1518 | \$75 |
| Driving on left side where curve, grade, intersection railroad crossing, or obstructed view | 8-1519 | \$75 |
| Driving on left in no-passing zone | 8-1520 | \$75 |
| Unlawful passing of stopped emergency vehicle | 8-1520a | \$75 |
| Driving wrong direction on one-way road | 8-1521 | \$75 |
| Improper driving on laned roadway | 8-1522 | \$75 |
| Following too close | 8-1523 | \$75 |
| Improper crossover on divided highway | 8-1524 | \$45 |
| Failure to yield right-of-way at uncontrolled intersection | 8-1526 | \$75 |
| Failure to yield to approaching vehicle when turning left | 8-1527 | \$75 |
| Failure to yield at stop or yield sign | 8-1528 | \$75 |
| Failure to yield from private road or driveway | 8-1529 | \$75 |
| Failure to yield to emergency vehicle | 8-1530 | \$195 |
| Failure to yield to pedestrian or vehicle working on roadway | 8-1531 | \$105 |
| Failure to comply with restrictions in road construction zone | 8-1531a | \$45 |
| Disobeying pedestrian traffic control device | 8-1532 | \$45 |
| Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk | 8-1533 | \$75 |
| Improper pedestrian crossing | 8-1534 | \$45 |
| Failure to exercise due care in regard to pedestrian | 8-1535 | \$45 |
| Improper pedestrian movement in crosswalk | 8-1536 | \$45 |
| Improper use of roadway by pedestrian | 8-1537 | \$45 |
| Soliciting ride or business on roadway | 8-1538 | \$45 |
| Driving through safety zone | 8-1539 | \$45 |
| Failure to yield to pedestrian on sidewalk | 8-1540 | \$45 |
| Failure of pedestrian to yield to emergency vehicle | 8-1541 | \$45 |

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| Failure to yield to blind pedestrian | 8-1542 | \$45 |
| Pedestrian disobeying bridge or railroad signal | 8-1544 | \$45 |
| Improper turn or approach | 8-1545 | \$75 |
| Improper "U" turn | 8-1546 | \$75 |
| Unsafe starting of stopped vehicle | 8-1547 | \$45 |
| Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully | 8-1548 | \$75 |
| Improper method of giving notice of intention to turn | 8-1549 | \$45 |
| Improper hand signal | 8-1550 | \$45 |
| Failure to stop or obey road crossing signal | 8-1551 | \$195 |
| Failure to stop at railroad crossing stop sign | 8-1552 | \$135 |
| Certain hazardous vehicles failure to stop at railroad crossing | 8-1553 | \$195 |
| Improper moving of heavy equipment at railroad crossing | 8-1554 | \$75 |
| Vehicle emerging from alley, private roadway, building or driveway | 8-1555 | \$75 |
| Improper passing of school bus; improper use of school bus signals | 8-1556 | \$315 |
| Improper passing of church or day-care bus; improper use of signals | 8-1556a | \$195 |
| Impeding normal traffic by slow speed | 8-1561 | \$45 |
| Speeding on motor-driven cycle | 8-1562 | \$75 |
| Speeding in certain vehicles or on posted bridge | 8-1563 | \$45 |
| Improper stopping, standing or parking on roadway | 8-1569 | \$45 |
| Parking, standing or stopping in prohibited area | 8-1571 | \$45 |
| Improper parking | 8-1572 | \$45 |
| Unattended vehicle | 8-1573 | \$45 |
| Improper backing | 8-1574 | \$45 |
| Driving on sidewalk | 8-1575 | \$45 |
| Driving with view or driving mechanism obstructed | 8-1576 | \$45 |
| Unsafe opening of vehicle door | 8-1577 | \$45 |
| Riding in house trailer | 8-1578 | \$45 |
| Unlawful riding on vehicle | 8-1578a | \$75 |
| Improper driving in defiles, canyons, or on grades | 8-1579 | \$45 |
| Coasting | 8-1580 | \$45 |
| Following fire apparatus too closely | 8-1581 | \$75 |
| Driving over fire hose | 8-1582 | \$45 |

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| Putting glass, etc., on highway | 8-1583 | \$105 |
| Driving into intersection, crosswalk, or crossing without sufficient space on other side | 8-1584 | \$45 |
| Improper operation of snowmobile on highway | 8-1585 | \$45 |
| Parental responsibility of child riding bicycle | 8-1586 | \$45 |
| Not riding on bicycle seat; too many persons on bicycle | 8-1588 | \$45 |
| Clinging to other vehicle | 8-1589 | \$45 |
| Improper riding of bicycle on roadway | 8-1590 | \$45 |
| Carrying articles on bicycle; one hand on handlebars | 8-1591 | \$45 |
| Improper bicycle lamps, brakes or reflectors | 8-1592 | \$45 |
| Improper operation of motorcycle; seats; passengers, bundles | 8-1594 | \$45 |
| Improper operation of motor cycle on laned roadway | 8-1595 | \$75 |
| Motorcycle clinging to other vehicle | 8-1596 | \$45 |
| Improper motorcycle handlebars or passenger equipment | 8-1597 | \$75 |
| Motorcycle helmet and eye-protection requirements | 8-1598 | \$45 |
| Unlawful operation of all-terrain vehicle | 8-15,100 | \$75 |
| Unlawful operation of low-speed vehicle | 8-15,101 | \$75 |
| Littering | 8-15,102 | \$115 |
| Disobeying school crossing guard | 8-15,103 | \$75 |
| Unlawful operation of micro utility truck | 8-15,106 | \$75 |
| Failure to remove vehicles in accidents | 8-15,107 | \$75 |
| Unlawful operation of golf cart | 8-15,108 | \$75 |
| Unlawful operation of work-site utility vehicle | 8-15,109 | \$75 |
| Unlawful display of license plate | 8-15,110 | \$60 |
| Unlawful text messaging | 8-15,111 | \$60 |
| Unlawful passing of a waste collection vehicle | 8-15,112 | \$45 |
| <i>Unlawful operation of electric-assisted scooter</i> | <i>section 8</i> | <i>\$45</i> |
| Equipment offenses that are not misdemeanors | 8-1701 | \$75 |
| Driving without lights when needed | 8-1703 | \$45 |
| Defective headlamps | 8-1705 | \$45 |
| Defective tail lamps | 8-1706 | \$45 |

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| Defective reflector | 8-1707 | \$45 |
| Improper stop lamp or turn signal | 8-1708 | \$45 |
| Improper lighting equipment on certain vehicles | 8-1710 | \$45 |
| Improper lamp color on certain vehicles | 8-1711 | \$45 |
| Improper mounting of reflectors and lamps on certain vehicles | 8-1712 | \$45 |
| Improper visibility of reflectors and lamps on certain vehicles | 8-1713 | \$45 |
| No lamp or flag on projecting load | 8-1715 | \$75 |
| Improper lamps on parked vehicle | 8-1716 | \$45 |
| Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles | 8-1717 | \$45 |
| Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles | 8-1718 | \$45 |
| Unlawful use of spot, fog, or auxiliary lamp | 8-1719 | \$45 |
| Improper lamps or lights on emergency vehicle | 8-1720 | \$45 |
| Improper stop or turn signal | 8-1721 | \$45 |
| Improper vehicular hazard warning lamp | 8-1722 | \$45 |
| Unauthorized additional lighting equipment | 8-1723 | \$45 |
| Improper multiple-beam lights | 8-1724 | \$45 |
| Failure to dim headlights | 8-1725 | \$75 |
| Improper single-beam headlights | 8-1726 | \$45 |
| Improper speed with alternate lighting | 8-1727 | \$45 |
| Improper number of driving lamps | 8-1728 | \$45 |
| Unauthorized lights and signals | 8-1729 | \$45 |
| Improper school bus lighting equipment and warning devices | 8-1730 | \$45 |
| Unauthorized lights and devices on church or day-care bus | 8-1730a | \$45 |
| Improper lights on highway construction or maintenance vehicles | 8-1731 | \$45 |
| Defective brakes | 8-1734 | \$45 |
| Defective or improper use of horn or warning device | 8-1738 | \$45 |
| Defective muffler | 8-1739 | \$45 |
| Defective mirror | 8-1740 | \$45 |
| Defective wipers; obstructed | 8-1741 | \$45 |

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| windshield or windows | | |
| Improper tires | 8-1742 | \$45 |
| Improper flares or warning devices | 8-1744 | \$45 |
| Improper use of vehicular hazard warning lamps and devices | 8-1745 | \$45 |
| Improper air-conditioning equipment | 8-1747 | \$45 |
| Improper safety belt or shoulder harness | 8-1749 | \$45 |
| Improper wide-based single tires | 8-1742b | \$75 |
| Improper compression release engine braking system | 8-1761 | \$75 |
| Defective motorcycle headlamp | 8-1801 | \$45 |
| Defective motorcycle tail lamp | 8-1802 | \$45 |
| Defective motorcycle reflector | 8-1803 | \$45 |
| Defective motorcycle stop lamps and turn signals | 8-1804 | \$45 |
| Defective multiple-beam lighting | 8-1805 | \$45 |
| Improper road-lighting equipment on motor-driven cycles | 8-1806 | \$45 |
| Defective motorcycle or motor-driven cycle brakes | 8-1807 | \$45 |
| Improper performance ability of brakes | 8-1808 | \$45 |
| Operating motorcycle with disapproved braking system | 8-1809 | \$45 |
| Defective horn, muffler, mirrors or tires | 8-1810 | \$45 |
| Unlawful statehouse parking | 75-4510a | \$30 |
| Exceeding gross weight of vehicle or combination | 8-1909 | Pounds Overweight up to 1000.....\$40 1001 to 2000.....3¢ per pound 2001 to 5000.....5¢ per pound 5001 to 7500.....7¢ per pound 7501 and over...10¢ per pound |
| Exceeding gross weight on any axle or tandem, triple or quad axles | 8-1908 | Pounds Overweight up to 1000.....\$40 1001 to 2000.....3¢ per pound 2001 to 5000.....5¢ per pound 5001 to 7500.....7¢ per pound 7501 and over...10¢ per pound |
| Failure to obtain proper re- | 66-1324 | \$287 |

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| gistration, clearance or to have current cer- tification | | |
| Insufficient liability insur- ance for motor carriers | 66-1,128 or 66-1314 | \$137 |
| Failure to obtain interstate motor fuel tax author- ization | 79-34,122 | \$137 |
| No authority as private or common carrier | 66-1,111 | \$137 |
| Violation of motor carrier safety rules and regula- tions, except for viola- tions specified in K.S.A. 66-1,130(b)(2), and amendments thereto | 66-1,129 | \$115 |

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

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

(f) For a second violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after a prior conviction of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 1½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years, after two prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined two times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after three prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 2½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c).

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

(h) For a second violation of K.S.A. 8-1556, and amendments thereto, within five years after a prior conviction of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$750 for the second violation. For a third and each succeeding violation of K.S.A. 8-1556, and amendments thereto, within five years after two prior convictions of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$1,000 for the third and each succeeding violation.

Sec. 5. K.S.A. 8-1551 and K.S.A. 2018 Supp. 8-126, 8-128, 8-1486, 8-15,100, 8-15,109, 8-1729, 8-1749a and 8-2118 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE adopted

Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE

as amended _____

HOUSE adopted

Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.