

## 2021 Kansas Statutes

**8-15,114. Unlawful passing of an authorized utility or telecommunications vehicle.** (a) The driver of a vehicle shall not overtake and pass another vehicle when approaching within 100 feet of a stationary authorized utility or telecommunications vehicle.

(b) The driver of a vehicle shall yield the right-of-way to any authorized utility or telecommunications vehicle or pedestrian actually engaged in work on the highway whenever such vehicle displays flashing lights meeting the requirements of K.S.A. 8-1731, and amendments thereto.

(c) The driver of a motor vehicle, upon approaching a stationary authorized utility or telecommunications vehicle that is obviously and actually engaged in work upon a highway, when such authorized utility or telecommunications vehicle is displaying flashing lights meeting the requirements of K.S.A. 8-1731, and amendments thereto, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road and weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized public utility or telecommunications vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type described in paragraph (1) but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road and weather and traffic conditions.

(d) This section shall not operate to relieve the driver of an authorized utility or telecommunications vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(e) As used in this section, "authorized utility or telecommunications vehicle" means:

(1) A motor vehicle operated by an authorized person as defined in K.S.A. 66-1710, and amendments thereto, for an electric or natural gas public utility as defined in K.S.A. 66-104, and amendments thereto, or a municipality-owned utility, when such motor vehicle is utilized for repairs that are needed on electric utility or natural gas equipment to restore necessary services or ensure public safety and is making use of visual signals meeting the requirements of K.S.A. 8-1731, and amendments thereto; and

(2) a motor vehicle operated by a provider, as defined in K.S.A. 17-1902, and amendments thereto, or a wireless infrastructure provider or a wireless services provider, as defined in K.S.A. 66-2019, and amendments thereto, when such vehicle is utilized for repairs and is making use of visual signals meeting the requirements of K.S.A. 8-1731, and amendments thereto.

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

**History:** L. 2021, ch. 71, § 5; July 1.