

**SENATE BILL No. 274**

By Committee on Transportation

1-11

1 AN ACT regulating traffic; concerning negligent driving, penalty;  
2 amending K.S.A. 2017 Supp. 8-2118 and repealing the existing section.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 New Section 1. (a) No person, while operating or attempting to  
6 operate a vehicle shall engage in any activity or do any act that interferes  
7 with the safe control and operation of the vehicle.

8 (b) This section shall be part of and supplemental to the uniform act  
9 regulating traffic on highways.

10 Sec. 2. K.S.A. 2017 Supp. 8-2118 is hereby amended to read as  
11 follows: 8-2118. (a) A person charged with a traffic infraction shall, except  
12 as provided in subsection (b), appear at the place and time specified in the  
13 notice to appear. If the person enters an appearance, waives right to trial,  
14 pleads guilty or no contest, the fine shall be no greater than that specified  
15 in the uniform fine schedule in subsection (c) and court costs shall be  
16 taxed as provided by law.

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
34 Refusal to submit to a prelim- 35 inary breath test 36	8-1012	\$105

1	Unsafe speed for prevailing	8-1557	\$75
2	conditions		
3	Exceeding maximum speed	8-1558	1-10 mph over the
4	limit; or speeding in zone	to	limit, \$45
5	posted by the state depart-	8-1560	11-20 mph over the
6	ment of transportation; or	8-1560a	limit, \$45 plus \$6
7	speeding in locally posted	or	per mph over 10
8	zone	8-1560b	mph over the limit;
9			21-30 mph over the
10			limit, \$105 plus \$9
11			per mph over 20
12			mph over the limit;
13			31 and more mph
14			over the limit, \$195
15			plus \$15 per mph
16			over 30 mph over
17			the limit;
18	Disobeying traffic control de-	8-1507	\$75
19	vice		
20	Violating traffic control signal	8-1508	\$75
21	Violating pedestrian control	8-1509	\$45
22	signal		
23	Violating flashing traffic sig-	8-1510	\$75
24	nals		
25	Violating lane-control signal	8-1511	\$75
26	Unauthorized sign, signal,	8-1512	\$45
27	marking or device		
28	Driving on left side of road-	8-1514	\$75
29	way		
30	Failure to keep right to pass	8-1515	\$75
31	oncoming vehicle		
32	Improper passing; increasing	8-1516	\$75
33	speed when passed		
34	Improper passing on right	8-1517	\$75
35	Passing on left with insuffi-	8-1518	\$75
36	cient clearance		
37	Driving on left side where	8-1519	\$75
38	curve, grade, intersec-		
39	tion railroad crossing, or		
40	obstructed view		
41	Driving on left in no-passing	8-1520	\$75
42	zone		
43	Unlawful passing of stopped	8-1520a	\$75

1	emergency vehicle		
2	Driving wrong direction on	8-1521	\$75
3	one-way road		
4	Improper driving on laned	8-1522	\$75
5	roadway		
6	Following too close	8-1523	\$75
7	Improper crossover on di-	8-1524	\$45
8	vided highway		
9	Failure to yield right-of-way	8-1526	\$75
10	at uncontrolled intersection		
11	Failure to yield to approach-	8-1527	\$75
12	ing vehicle when turning		
13	left		
14	Failure to yield at stop or	8-1528	\$75
15	yield sign		
16	Failure to yield from private	8-1529	\$75
17	road or driveway		
18	Failure to yield to emergency	8-1530	\$195
19	vehicle		
20	Failure to yield to pedestrian	8-1531	\$105
21	or vehicle working on		
22	roadway		
23	Failure to comply with re-	8-1531a	\$45
24	strictions in road con-		
25	struction zone		
26	Disobeying pedestrian traffic	8-1532	\$45
27	control device		
28	Failure to yield to pedestrian	8-1533	\$75
29	in crosswalk; pedestrian		
30	suddenly entering road-		
31	way; passing vehicle		
32	stopped for pedestrian at		
33	crosswalk		
34	Improper pedestrian crossing	8-1534	\$45
35	Failure to exercise due care in	8-1535	\$45
36	regard to pedestrian		
37	Improper pedestrian move-	8-1536	\$45
38	ment in crosswalk		
39	Improper use of roadway by	8-1537	\$45
40	pedestrian		
41	Soliciting ride or business	8-1538	\$45
42	on roadway		
43	Driving through safety zone	8-1539	\$45

1	Failure to yield to pedestrian	8-1540	\$45
2	on sidewalk		
3	Failure of pedestrian to yield	8-1541	\$45
4	to emergency vehicle		
5	Failure to yield to blind pe-	8-1542	\$45
6	destrian		
7	Pedestrian disobeying bridge	8-1544	\$45
8	or railroad signal		
9	Improper turn or approach	8-1545	\$75
10	Improper "U" turn	8-1546	\$75
11	Unsafe starting of stopped	8-1547	\$45
12	vehicle		
13	Unsafe turning or stopping,	8-1548	\$75
14	failure to give proper sig-		
15	nal; using turn signal un-		
16	lawfully		
17	Improper method of giving	8-1549	\$45
18	notice of intention to turn		
19	Improper hand signal	8-1550	\$45
20	Failure to stop or obey	8-1551	\$195
21	road crossing signal		
22	Failure to stop at railroad	8-1552	\$135
23	crossing stop sign		
24	Certain hazardous vehicles	8-1553	\$195
25	failure to stop at railroad		
26	crossing		
27	Improper moving of heavy	8-1554	\$75
28	equipment at railroad		
29	crossing		
30	Vehicle emerging from alley,	8-1555	\$75
31	private roadway, building		
32	or driveway		
33	Improper passing of school	8-1556	\$315
34	bus; improper use of		
35	school bus signals		
36	Improper passing of church	8-1556a	\$195
37	or day-care bus; improper		
38	use of signals		
39	Impeding normal traffic	8-1561	\$45
40	by slow speed		
41	Speeding on motor-driven	8-1562	\$75
42	cycle		
43	Speeding in certain vehicles	8-1563	\$45

1	or on posted bridge		
2	<i>Negligent driving</i>	<i>section 1</i>	\$45
3	Improper stopping, standing	8-1569	\$45
4	or parking on roadway		
5	Parking, standing or stopping	8-1571	\$45
6	in prohibited area		
7	Improper parking	8-1572	\$45
8	Unattended vehicle	8-1573	\$45
9	Improper backing	8-1574	\$45
10	Driving on sidewalk	8-1575	\$45
11	Driving with view or driving	8-1576	\$45
12	mechanism obstructed		
13	Unsafe opening of vehicle	8-1577	\$45
14	door		
15	Riding in house trailer	8-1578	\$45
16	Unlawful riding on vehicle	8-1578a	\$75
17	Improper driving in defiles,	8-1579	\$45
18	canyons, or on grades		
19	Coasting	8-1580	\$45
20	Following fire apparatus too	8-1581	\$75
21	closely		
22	Driving over fire hose	8-1582	\$45
23	Putting glass, etc., on high-	8-1583	\$105
24	way		
25	Driving into intersection,	8-1584	\$45
26	crosswalk, or crossing		
27	without sufficient space		
28	on other side		
29	Improper operation of snow-	8-1585	\$45
30	mobile on highway		
31	Parental responsibility of	8-1586	\$45
32	child riding bicycle		
33	Not riding on bicycle seat;	8-1588	\$45
34	too many persons on		
35	bicycle		
36	Clinging to other vehicle	8-1589	\$45
37	Improper riding of bicycle on	8-1590	\$45
38	roadway		
39	Carrying articles on bicycle;	8-1591	\$45
40	one hand on handlebars		
41	Improper bicycle lamps,	8-1592	\$45
42	brakes or reflectors		
43	Improper operation of mo-	8-1594	\$45

1	torcycle; seats; passen-		
2	gers, bundles		
3	Improper operation of mo-	8-1595	\$75
4	torcycle on laned road		
5	way		
6	Motorcycle clinging to other	8-1596	\$45
7	vehicle		
8	Improper motorcycle handle-	8-1597	\$75
9	bars or passenger		
10	equipment		
11	Motorcycle helmet and eye-	8-1598	\$45
12	protection requirements		
13	Unlawful operation of all-ter-	8-15,100	\$75
14	rain vehicle		
15	Unlawful operation of	8-15,101	\$75
16	low-speed vehicle		
17	Littering	8-15,102	\$115
18	Disobeying school crossing	8-15,103	\$75
19	guard		
20	Unlawful operation of micro	8-15,106	\$75
21	utility truck		
22	Failure to remove vehicles in	8-15,107	\$75
23	accidents		
24	Unlawful operation of golf	8-15,108	\$75
25	cart		
26	Unlawful operation of work-	8-15,109	\$75
27	site utility vehicle		
28	Unlawful display of license	8-15,110	\$60
29	plate		
30	Unlawful text messaging	8-15,111	\$60
31	Equipment offenses that are	8-1701	\$75
32	not misdemeanors		
33	Driving without lights when	8-1703	\$45
34	needed		
35	Defective headlamps	8-1705	\$45
36	Defective tail lamps	8-1706	\$45
37	Defective reflector	8-1707	\$45
38	Improper stop lamp or turn	8-1708	\$45
39	signal		
40	Improper lighting equipment	8-1710	\$45
41	on certain vehicles		
42	Improper lamp color on cer-	8-1711	\$45
43	tain vehicles		

1	Improper mounting of re-	8-1712	\$45
2	flectors and lamps on cer-		
3	tain vehicles		
4	Improper visibility of reflec-	8-1713	\$45
5	tors and lamps on certain		
6	vehicles		
7	No lamp or flag on projecting	8-1715	\$75
8	load		
9	Improper lamps on parked	8-1716	\$45
10	vehicle		
11	Improper lights, lamps, re-	8-1717	\$45
12	flectors and emblems on		
13	farm tractors or slow-		
14	moving vehicles		
15	Improper lamps and equip-	8-1718	\$45
16	ment on implements of		
17	husbandry, road machin-		
18	ery or animal-drawn ve-		
19	hicles		
20	Unlawful use of spot, fog, or	8-1719	\$45
21	auxiliary lamp		
22	Improper lamps or lights on	8-1720	\$45
23	emergency vehicle		
24	Improper stop or turn signal	8-1721	\$45
25	Improper vehicular hazard	8-1722	\$45
26	warning lamp		
27	Unauthorized additional	8-1723	\$45
28	lighting equipment		
29	Improper multiple-beam lights	8-1724	\$45
30	Failure to dim headlights	8-1725	\$75
31	Improper single-beam head-	8-1726	\$45
32	lights		
33	Improper speed with alter-	8-1727	\$45
34	nate lighting		
35	Improper number of driving	8-1728	\$45
36	lamps		
37	Unauthorized lights and sig-	8-1729	\$45
38	nals		
39	Improper school bus lighting	8-1730	\$45
40	equipment and warning		
41	devices		
42	Unauthorized lights and de-	8-1730a	\$45
43	vices on church or day-		

1	care bus		
2	Improper lights on highway	8-1731	\$45
3	construction or maintenance		
4	vehicles		
5	Defective brakes	8-1734	\$45
6	Defective or improper use of	8-1738	\$45
7	horn or warning device		
8	Defective muffler	8-1739	\$45
9	Defective mirror	8-1740	\$45
10	Defective wipers; obstructed	8-1741	\$45
11	windshield or windows		
12	Improper tires	8-1742	\$45
13	Improper flares or warning	8-1744	\$45
14	devices		
15	Improper use of vehicular	8-1745	\$45
16	hazard warning lamps		
17	and devices		
18	Improper air-conditioning	8-1747	\$45
19	equipment		
20	Improper safety belt or	8-1749	\$45
21	shoulder harness		
22	Improper wide-based single	8-1742b	\$75
23	tires		
24	Improper compression re-	8-1761	\$75
25	lease engine braking sys-		
26	tem		
27	Defective motorcycle head-	8-1801	\$45
28	lamp		
29	Defective motorcycle tail	8-1802	\$45
30	lamp		
31	Defective motorcycle reflec-	8-1803	\$45
32	tor		
33	Defective motorcycle stop	8-1804	\$45
34	lamps and turn signals		
35	Defective multiple-beam	8-1805	\$45
36	lighting		
37	Improper road-lighting equip-	8-1806	\$45
38	ment on motor-driven cy-		
39	cles		
40	Defective motorcycle or mo-	8-1807	\$45
41	tor-driven cycle brakes		
42	Improper performance abil-	8-1808	\$45
43	ity of brakes		



1	Operating motorcycle with	8-1809	\$45
2	disapproved braking sys-		
3	tem		
4	Defective horn, muffler, mir-	8-1810	\$45
5	rors or tires		
6	Unlawful statehouse parking	75-4510a	\$30
7	Exceeding gross weight of	8-1909	Pounds Overweight
8	vehicle or combination		up to 1000\$40
9			1001 to 2000.....3¢
10			per pound
11			2001 to 5000.....5¢
12			per pound
13			5001 to 7500.....7¢
14			per pound
15			7501 and over.....10¢
16			per pound
17	Exceeding gross weight on	8-1908	Pounds Overweight
18	any axle or tandem,		up to 1000\$40
19	triple or quad axles		1001 to 2000.....3¢
20			per pound
21			2001 to 5000.....5¢
22			per pound
23			5001 to 7500.....7¢
24			per pound
25			7501 and over.....10¢
26			per pound
27	Failure to obtain proper re-	66-1324	\$287
28	gistration, clearance or		
29	to have current cer-		
30	tification		
31	Insufficient liability insur-	66-1,128	\$137
32	ance for motor carriers	or 66-1314	
33	Failure to obtain interstate	79-34,122	\$137
34	motor fuel tax author-		
35	ization		
36	No authority as private or	66-1,111	\$137
37	common carrier		
38	Violation of motor carrier	66-1,129	\$115
39	safety rules and regula-		
40	tions, except for viola-		
41	tions specified in sub-		
42	section (b)(2) of K.S.A.		
43	66-1,130, and amend-		

1       ments thereto

2

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

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

16       (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
17 amendments thereto, within two years after a prior conviction of K.S.A. 8-  
18 1908 or 8-1909, and amendments thereto, such person, upon conviction  
19 shall be fined 1½ times the applicable amount from one, but not both, of  
20 the schedules listed in the uniform fine schedule contained in subsection  
21 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments  
22 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or  
23 8-1909, and amendments thereto, such person, upon conviction shall be  
24 fined two times the applicable amount from one, but not both, of the  
25 schedules listed in the uniform fine schedule contained in subsection (c).  
26 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,  
27 and amendments thereto, within two years after three prior convictions of  
28 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
29 conviction shall be fined 2½ times the applicable amount from one, but not  
30 both, of the schedules listed in the uniform fine schedule contained in  
31 subsection (c).

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

37       Sec. 3. K.S.A. 2017 Supp. 8-2118 is hereby repealed.

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