AN ACT regulating traffic; concerning authorized emergency vehicles; relating to police vehicles; exempting police vehicle drivers engaged in certain actions from audible or visual requirements; allowed actions by driver.

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

Section 1. (a) When the driver of an authorized emergency vehicle operated as a police vehicle has reason to believe operation under K.S.A. 8-1506, and amendments thereto, may impede a law enforcement action based on the circumstances listed in subsections (a)(1) through (5), the driver shall not be required to make use of audible signals meeting the requirements of K.S.A. 8-1738, and amendments thereto, or visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, when such operation can be done with a reasonable degree of safety. Such actions include:

(1) Approaching the proximity of a location to deliver law enforcement services where the use of audible or visual signals may result in persons involved in the incident to:

(A) Flee;
(B) cause the destruction of evidence; or
(C) cause injury to any person;

(2) monitoring for indications of a crime or a need for law enforcement services;

(3) engaging in the surveillance of suspected criminal activity involving:

(A) A vehicle;
(B) the occupants of a vehicle; or
(C) other persons who are suspected of involvement in a crime;

(4) obtaining evidence of a violation for someone exceeding the maximum speed limit; or

(5) approaching a vehicle actually or suspected of violating the law when the vehicle is not attempting to evade a law enforcement officer.

(b) Any driver or an authorized emergency vehicle operated as a police vehicle may perform any of the following while the driver is actively engaged in the actions set forth in subsection (a):

(1) Proceed past a red or traffic-control signal, but only after first
coming to a stop, and then proceeding as may be necessary for safe
operation;
(2) exceed the maximum speed limits by not more than 15 miles per
hour, except such limit shall not apply when performing any action listed
in subsection (a)(4) or (5), so long as such driver does not endanger life or
property;
(3) disregard regulations governing direction of movement or turning
in specified directions, so long as such driver does not endanger life or
property; or
(4) proceed through toll booths on roads or bridges without stopping
for payment of tolls, but only after slowing down as may be necessary for
safe operation.
(c) Any driver of an authorized emergency vehicle operated as a
police vehicle may park or stand, irrespective of the provisions of this
article, while performing law enforcement services.
(d) The provisions of this section shall not relieve the driver of an
authorized emergency vehicle from the consequences of reckless disregard
for the safety of others.
(e) Any law enforcement agency may limit or prohibit application of
any or all provisions in this section by written policy.
(f) This section shall be a part of and supplemental to article 15 of
chapter 8 of the Kansas Statutes Annotated, and amendments thereto.
Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.