

SESSION OF 2022

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2628**

As Amended by House Committee on  
Transportation

**Brief\***

HB 2628, as amended, would amend the definition of reckless driving to include operating a vehicle at a speed of 40 miles per hour or more over the posted speed limit. The bill would provide an exception for an authorized emergency vehicle displaying audible and visual signals when responding to an emergency call or when in pursuit of an actual or suspected violator of the law.

Under current law, reckless driving is defined as any person driving a vehicle in willful or wanton disregard for the safety of persons or property.

**Background**

The bill was introduced by the House Committee on Transportation at the request of Representative Proehl.

***House Committee on Transportation***

In the House Committee hearing, the Superintendent of the Kansas Highway Patrol provided **proponent** testimony, stating drivers who exceed the posted speed limit endanger themselves and others, including law enforcement officers. The proponent cited data regarding costs of crashes and increasing numbers of citations issued to drivers traveling at 100 miles per hour or faster in Kansas and in other states.

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\*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>

A representative of the Kansas Association of Chiefs of Police, the Kansas Peace Officers Association, and the Kansas Sheriffs Association provided written-only proponent testimony.

No other testimony was provided.

The House Committee amended the bill to define reckless driving as driving at a speed of 40 miles per hour over the posted speed limit rather than driving at a speed of 100 miles per hour or more.

### **Fiscal Information**

According to the fiscal note provided by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration states enactment of the bill could increase the number of cases filed in district court and docket and supervision fees and fines; notes there could be more supervision of offenders by court service officers since the crime carries a misdemeanor penalty; and states a fiscal effect cannot be estimated. The Department of Revenue estimates no fiscal effect on agency operations from enactment of the bill.

The League of Kansas Municipalities states enactment of the bill would have a negligible effect on cities. The Kansas Association of Counties states enactment of the bill could increase prosecution costs, but could also decrease emergency responder costs if vehicular accidents decrease.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Speed limit; reckless driving