

2012 Kansas Statutes

68-1129. Moving engines or heavy vehicles on bridge or culvert; penalties for unlawful acts. All persons owning, controlling, operating, or managing a steam or gasoline threshing engine, sawmill engine, traction engine of any kind, or any vehicle of great weight, and moving the same over the public highway, are required to lay down planks not less than one foot wide, three inches in thickness, and of sufficient length on the floor of all bridges and culverts, and across all crosswalks in incorporated towns and villages, situated on the public highways, while crossing the same, for the wheels of the said engine or heavy vehicle to run on while crossing such bridge, culvert or crosswalk; all such bridges, culverts and crosswalks shall be planked in such manner as will prevent injury from all mechanical devices such as lugs: *Provided*, That this section shall not apply to any truck or wagon with its load not exceeding five tons in combined weight, or to bridges and culverts having a concrete, brick or stone floor covered with not less than four-inch wearing surface of earth, gravel, macadam or other durable material: *Provided further*, That no person, firm or corporation hereafter seeking to recover damages against any city, township or county under the provisions of this section shall secure a judgment therein unless the jury find that such person, firm or corporation had, before receiving the injury complained of, complied with the provisions of this section: *Provided further*, That any person owning, controlling, operating or managing any engine or vehicle as hereinbefore described, who shall crush or damage any bridge or culvert with such engine or vehicle on any highway, either while complying with the preceding provisions of this section as to planking or by neglecting to so plank, while crossing the same shall place a warning signal of sufficient size and character, and in plain view of all parties using said highway, at a distance of three hundred feet from each end of such damaged bridge or culvert, and further, shall notify a member of the township board of the township within which such bridge or culvert is located, in writing, either by United States mail or in person, within twenty-four hours after the time said bridge or culvert shall have been crushed or damaged, stating in such written notice the time at which such damage occurred, and stating the point in the road at which such bridge or culvert is located, and the nature and extent of the damage done thereto.

Any person or persons who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not more than two hundred dollars (\$200).

History: L. 1917, ch. 80, § 29; L. 1919, ch. 99, § 1; June 17; R.S. 1923, 68-1129.