

1 *[As Amended by Senate Committee of the Whole]*

2
3 *[As Amended by House Committee of the Whole]*

4 *Session of 2003*

5
6 **HOUSE BILL No. 2113**

7
8 By Committee on Transportation

9
10 1-29

11
12 AN ACT regulating traffic; concerning the maximum speed limit ~~for~~
13 ~~school buses~~; amending K.S.A. 8-1558~~], 8-1560c and 8-1560d]~~ and
14 repealing the existing ~~section~~ **[sections]**.

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

17 Section 1. K.S.A. 8-1558 is hereby amended to read as follows: 8-
18 1558. (a) Except as provided in subsections ~~(b) and (c)~~ **[subsection (b)]**
19 and except when a special hazard exists that requires lower speed for
20 compliance with K.S.A. 8-1557, and amendments thereto, the limits spec-
21 ified in this subsection or established as authorized by law shall be max-
22 imum lawful speeds, and no person shall operate a vehicle at a speed in
23 excess of such maximum limits:

- 24 (1) In any urban district, 30 miles per hour;
25 (2) on any separated multilane highway, as designated and posted by
26 the secretary of transportation, ~~70~~ **[75]** miles per hour;
27 (3) on any county or township highway, 55 miles per hour; and
28 (4) on all other highways, 65 miles per hour.

29 (b) No person shall drive a school bus to or from school, or inter-
30 school or intraschool functions or activities, at a speed ~~greater than 45~~
31 ~~miles per hour on any roadway having a dirt, sand or gravel surface, and~~
32 ~~in no event shall a school bus be driven to and from school, or functions~~
33 ~~or activities, in excess of 55 miles per hour, notwithstanding any maximum~~
34 ~~speed limit in excess thereof~~ *in excess of:*

35 ~~—(1) On any roadway having a dirt, sand or gravel surface, 45 miles~~
36 ~~per hour;~~

37 ~~—(2) on any separated multilane highway, designated and posted by~~
38 ~~the secretary of transportation under paragraph (2) of subsection (a), 65~~
39 ~~miles per hour; and~~

40 ~~—(3) on all other highways, 55 miles per hour~~ **[the maximum speed**
41 **limits provided in subsection (a), except that the board of educa-**
42 **tion of any school district may establish by board policy lower max-**
43 **imum speed limits for the operation of such district's school buses].**

1 The provisions of this subsection relating to school buses shall apply to
2 buses used for the transportation of students enrolled in community col-
3 leges or area vocational schools, when such buses are transporting stu-
4 dents to or from school, or functions or activities.

5 ~~(e) The secretary of transportation shall not be liable for any damage~~
6 ~~or loss, asserted to have been sustained between the effective date of this~~
7 ~~act and July 1, 1996, based on a claim of failure to post any speed limit,~~
8 ~~or to erect signs or place markings in relation to any speed limit estab-~~
9 ~~lished by this act, on any highway under the secretary's jurisdiction.~~

10 ~~(d) (c) The maximum speed limits in this section may be altered as~~
11 ~~authorized in K.S.A. 8-1559 and 8-1560, and amendments thereto.~~

12 ~~(e) The speed limits established in paragraphs (2) and (4) of subsec-~~
13 ~~tion (a) shall be effective 15 days following the effective date of this act.~~
14 ~~During such interim fifteen-day period, the maximum speed limit under~~
15 ~~paragraph (2) of subsection (a) shall be 65 miles per hour and the maxi-~~
16 ~~imum speed limit under paragraph (4) of subsection (a) shall be 55 miles~~
17 ~~per hour.~~

18 **[Sec. 2. K.S.A. 8-1560c is hereby amended to read as follows:**
19 **8-1560c. Any conviction or forfeiture of bail or bond for violating**
20 **the maximum posted or authorized speed limit of 55 miles per hour**
21 **or more but not exceeding 70 75 miles per hour on any highway, by**
22 **not more than 10 miles per hour, shall not be construed as a moving**
23 **traffic violation for the purpose of K.S.A. 8-255, and amendments**
24 **thereto.**

25 **[Sec. 3. K.S.A. 8-1560d is hereby amended to read as follows:**
26 **8-1560d. (a) Convictions for violating a maximum posted speed**
27 **limit of 55 miles per hour or more but not exceeding 70 75 miles per**
28 **hour, by not more than 10 miles per hour in excess of such maximum**
29 **speed limit, shall not be a part of the public record and shall not**
30 **be considered by any insurance company in determining the rate**
31 **charged for any automobile liability insurance policy or whether**
32 **to cancel any such policy under the provisions of subsection**
33 **(4)(c)(7) of K.S.A. 40-277, and amendments thereto.]**

34 Sec. ~~2~~ **[4].** K.S.A. 8-1558 ~~is~~ **[, 8-1560c and 8-1560d are]** hereby
35 repealed.

36 Sec. ~~3~~ **[5].** This act shall take effect and be in force from and after
37 its publication in the statute book.

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