

SENATE BILL No. 385

By Committee on Transportation

1-28

AN ACT regulating traffic; concerning school zones; amending K.S.A. 8-2118 and repealing the existing section.

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

New Section 1. (a) No person shall willfully fail or refuse to comply with any lawful order or direction of any uniformed adult school crossing guard invested by law with authority to direct, control or regulate traffic.

(b) The section shall be part of and supplemental to the uniform act regulating traffic.

Sec. 2. K.S.A. 8-2118 is hereby amended to read as follows: 8-2118.

(a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
Refusal to submit to a preliminary breath test	8-1012	\$90

1	Unsafe speed for prevailing conditions	8-1557	\$60
2	Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
3	in zone posted by the state department of	to	
4	transportation; or speeding in locally posted	8-1560	
5	zone	8-1560a	11-20 mph over the limit,
6		or	\$30 plus \$6 per mph over
7		8-1560b	10 mph over the limit;
8			
9			21-30 mph over the limit,
10			\$90 plus \$9 per mph over
11			20 mph over the limit;
12			
13			31 and more mph over
14			the limit, \$180 plus \$15 per
15			mph over 30 mph over
16			the limit;
17	<i>Disobeying school crossing guard</i>	<i>section 1</i>	<i>\$60</i>
18	Disobeying traffic control device	8-1507	\$60
19	Violating traffic control signal	8-1508	\$60
20	Violating pedestrian control signal	8-1509	\$30
21	Violating flashing traffic signals	8-1510	\$60
22	Violating lane-control signal	8-1511	\$60
23	Unauthorized sign, signal, marking or device	8-1512	\$30
24	Driving on left side of roadway	8-1514	\$60
25	Failure to keep right to pass oncoming vehicle	8-1515	\$60
26	Improper passing; increasing speed when	8-1516	\$60
27	passed		
28	Improper passing on right	8-1517	\$60
29	Passing on left with insufficient clearance	8-1518	\$60
30	Driving on left side where curve, grade, inter-	8-1519	\$60
31	section railroad crossing, or obstructed view		
32	Driving on left in no-passing zone	8-1520	\$60
33	Unlawful passing of stopped emergency vehicle	8-1520a	\$60
34	Driving wrong direction on one-way road	8-1521	\$60
35	Improper driving on laned roadway	8-1522	\$60
36	Following too close	8-1523	\$60
37	Improper crossover on divided highway	8-1524	\$30
38	Failure to yield right-of-way at uncontrolled in-	8-1526	\$60
39	tersection		
40	Failure to yield to approaching vehicle when	8-1527	\$60
41	turning left		
42	Failure to yield at stop or yield sign	8-1528	\$60
43	Failure to yield from private road or driveway	8-1529	\$60

1	Failure to yield to emergency vehicle	8-1530	\$180
2	Failure to yield to pedestrian or vehicle working	8-1531	\$30
3	on roadway		
4	Failure to comply with restrictions in road con-	8-1531a	\$30
5	struction zone		
6	Disobeying pedestrian traffic control device	8-1532	\$30
7	Failure to yield to pedestrian in crosswalk; pe-	8-1533	\$60
8	destrian suddenly entering roadway; passing		
9	vehicle stopped for pedestrian at crosswalk		
10	Improper pedestrian crossing	8-1534	\$30
11	Failure to exercise due care in regard to pedes-	8-1535	\$30
12	trian		
13	Improper pedestrian movement in crosswalk	8-1536	\$30
14	Improper use of roadway by pedestrian	8-1537	\$30
15	Soliciting ride or business on roadway	8-1538	\$30
16	Driving through safety zone	8-1539	\$30
17	Failure to yield to pedestrian on sidewalk	8-1540	\$30
18	Failure of pedestrian to yield to emergency ve-	8-1541	\$30
19	hicle		
20	Failure to yield to blind pedestrian	8-1542	\$30
21	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
22	Improper turn or approach	8-1545	\$60
23	Improper "U" turn	8-1546	\$60
24	Unsafe starting of stopped vehicle	8-1547	\$30
25	Unsafe turning or stopping, failure to give	8-1548	\$60
26	proper signal; using turn signal unlawfully		
27	Improper method of giving notice of intention	8-1549	\$30
28	to turn		
29	Improper hand signal	8-1550	\$30
30	Failure to stop or obey railroad crossing signal	8-1551	\$180
31	Failure to stop at railroad crossing stop sign	8-1552	\$120
32	Certain hazardous vehicles failure to stop at rail-	8-1553	\$180
33	road crossing		
34	Improper moving of heavy equipment at rail-	8-1554	\$60
35	road crossing		
36	Vehicle emerging from alley, private roadway,	8-1555	\$60
37	building or driveway		
38	Improper passing of school bus; improper use	8-1556	\$300
39	of school bus signals		
40	Improper passing of church or day-care bus; im-	8-1556a	\$180
41	proper use of signals		
42	Impeding normal traffic by slow speed	8-1561	\$30
43	Speeding on motor-driven cycle	8-1562	\$60

1	Speeding in certain vehicles or on posted bridge	8-1563	\$30
2	Improper stopping, standing or parking on	8-1569	\$30
3	roadway		
4	Parking, standing or stopping in prohibited area	8-1571	\$30
5	Improper parking	8-1572	\$30
6	Unattended vehicle	8-1573	\$30
7	Improper backing	8-1574	\$30
8	Driving on sidewalk	8-1575	\$30
9	Driving with view or driving mechanism ob-	8-1576	\$30
10	structed		
11	Unsafe opening of vehicle door	8-1577	\$30
12	Riding in house trailer	8-1578	\$30
13	Improper driving in defiles, canyons, or on	8-1579	\$30
14	grades		
15	Coasting	8-1580	\$30
16	Following fire apparatus too closely	8-1581	\$60
17	Driving over fire hose	8-1582	\$30
18	Putting glass, etc., on highway	8-1583	\$90
19	Driving into intersection, crosswalk, or crossing	8-1584	\$30
20	without sufficient space on other side		
21	Improper operation of snowmobile on highway	8-1585	\$30
22	Parental responsibility of child riding bicycle	8-1586	\$30
23	Not riding on bicycle seat; too many persons on	8-1588	\$30
24	bicycle		
25	Clinging to other vehicle	8-1589	\$30
26	Improper riding of bicycle on roadway	8-1590	\$30
27	Carrying articles on bicycle; one hand on	8-1591	\$30
28	handlebars		
29	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
30	Improper operation of motorcycle; seats; pas-	8-1594	\$30
31	sengers, bundles		
32	Improper operation of motorcycle on laned	8-1595	\$60
33	roadway		
34	Motorcycle clinging to other vehicle	8-1596	\$30
35	Improper motorcycle handlebars or passenger	8-1597	\$60
36	equipment		
37	Motorcycle helmet and eye-protection require-	8-1598	\$30
38	ments		
39	Unlawful riding on vehicle	8-1578a	\$60
40	Unlawful operation of all-terrain vehicle	8-15,100	\$60
41	Unlawful operation of low-speed vehicle	8-15,101	\$60
42	Equipment offenses that are not misdemeanors	8-1701	\$60
43	Driving without lights when needed	8-1703	\$30

1	Defective headlamps	8-1705	\$30
2	Defective tail lamps	8-1706	\$30
3	Defective reflector	8-1707	\$30
4	Improper stop lamp or turn signal	8-1708	\$30
5	Improper lighting equipment on certain vehi-	8-1710	\$30
6	cles		
7	Improper lamp color on certain vehicles	8-1711	\$30
8	Improper mounting of reflectors and lamps on	8-1712	\$30
9	certain vehicles		
10	Improper visibility of reflectors and lamps on	8-1713	\$30
11	certain vehicles		
12	No lamp or flag on projecting load	8-1715	\$60
13	Improper lamps on parked vehicle	8-1716	\$30
14	Improper lights, lamps, reflectors and emblems	8-1717	\$30
15	on farm tractors or slow-moving vehicles		
16	Improper lamps and equipment on implements	8-1718	\$30
17	of husbandry, road machinery or animal-		
18	drawn vehicles		
19	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
20	Improper lamps or lights on emergency vehicle	8-1720	\$30
21	Improper stop or turn signal	8-1721	\$30
22	Improper vehicular hazard warning lamp	8-1722	\$30
23	Unauthorized additional lighting equipment	8-1723	\$30
24	Improper multiple-beam lights	8-1724	\$30
25	Failure to dim headlights	8-1725	\$60
26	Improper single-beam headlights	8-1726	\$30
27	Improper speed with alternate lighting	8-1727	\$30
28	Improper number of driving lamps	8-1728	\$30
29	Unauthorized lights and signals	8-1729	\$30
30	Improper school bus lighting equipment and	8-1730	\$30
31	warning devices		
32	Unauthorized lights and devices on church or	8-1730a	\$30
33	day-care bus		
34	Improper lights on highway construction or	8-1731	\$30
35	maintenance vehicles		
36	Defective brakes	8-1734	\$30
37	Defective or improper use of horn or warning	8-1738	\$30
38	device		
39	Defective muffler	8-1739	\$30
40	Defective mirror	8-1740	\$30
41	Defective wipers; obstructed windshield or win-	8-1741	\$30
42	dows		
43	Improper tires	8-1742	\$30

1	Improper flares or warning devices	8-1744	\$30
2	Improper use of vehicular hazard warning	8-1745	\$30
3	lamps and devices		
4	Improper air-conditioning equipment	8-1747	\$30
5	TV screen visible to driver	8-1748	\$30
6	Improper safety belt or shoulder harness	8-1749	\$30
7	Improper wide-based single tires	8-1742b	\$60
8	Defective motorcycle headlamp	8-1801	\$30
9	Defective motorcycle tail lamp	8-1802	\$30
10	Defective motorcycle reflector	8-1803	\$30
11	Defective motorcycle stop lamps and turn sig-	8-1804	\$30
12	nals		
13	Defective multiple-beam lighting	8-1805	\$30
14	Improper road-lighting equipment on motor-	8-1806	\$30
15	driven cycles		
16	Defective motorcycle or motor-driven cycle	8-1807	\$30
17	brakes		
18	Improper performance ability of brakesdefined.	8-1808	\$30
19	Operating motorcycle with disapproved braking	8-1809	\$30
20	system		
21	Defective horn, muffler, mirrors or tires	8-1810	\$30
22	Unlawful statehouse parking	75-4510a	\$15

23 (d) Traffic offenses classified as traffic infractions by this section shall
24 be classified as ordinance traffic infractions by those cities adopting or-
25 dinances prohibiting the same offenses. A schedule of fines for all ordi-
26 nance traffic infractions shall be established by the municipal judge in the
27 manner prescribed by K.S.A. 12-4305, and amendments thereto. Such
28 fines may vary from those contained in the uniform fine schedule con-
29 tained in subsection (c).

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

36 (f) *Fines listed in the uniform fine schedule contained in subsection*
37 *(c) relating to exceeding the maximum speed limit, shall be doubled if a*
38 *person is convicted of exceeding the maximum speed limit in a school zone*
39 *authorized under subsection (a)(4) of K.S.A. 8-1560, and amendments*
40 *thereto.*

41 Sec. 3. K.S.A. 8-2118 is hereby repealed.

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