

SESSION OF 2005

SUPPLEMENTAL NOTE ON SENATE BILL NO. 81

As Amended by House Committee on
Transportation

Brief*

SB 81, as amended, would require every vehicle at all times to display lighted head and other lamps and illuminating devices as required for different classes of vehicles, subject to exceptions with respect to parked vehicles:

- When, due to insufficient light or unfavorable atmospheric conditions, including smoke or fog, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead; or
- When windshield wipers are in continuous use as a result of rain, sleet, or snow.

A driver who violates the windshield wiper provision would be issued a warning citation from July 1, 2005 to June 30, 2006 by a law enforcement officer.

Background

Conferees who testified in support of the bill before the Senate Transportation Committee included Dan Ramlow, Executive Vice President, Kansas Contractors Association, and Nelson Olinger, Independence, Kansas. Conferees who submitted written testimony included, James R. Hanni, Executive Vice President, Kansas Region and Public Affairs, Automobile Association of America of Kansas, and Tom Whitaker, Executive Director, Kansas Motor Carriers Association. Lt. John Eichkorn, Kansas Highway Patrol, testified in support of the bill

*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>

but preferred that violations be primary offenses rather than secondary offenses.

Conferees who testified in support of the bill before the House Transportation Committee included the intern of Representative Frank Miller, Dan Ramlow, Kansas Contractors Association, Nelson Olinger, a private citizen, and Lt. John Eichkorn, Kansas Highway Patrol.

The Senate Committee amendments were clarifying in nature.

The House Transportation Committee removed the provision which would have made it a secondary offense to have violated the windshield wiper provision. Instead, the House amendment would provide that a driver violating the windshield wiper provision would be issued a warning citation for a period of one year.

The fiscal note prepared by the Division of Budget indicates that passage of the bill could result in an increase in traffic violation revenue. However, there is no way to estimate the number of resulting citations.