

HOUSE BILL No. 2674

By Committee on Transportation

2-13

1 AN ACT concerning traffic; relating to the uniform fine schedule; failure
2 to yield to an emergency vehicle; creating the highway workers and
3 police officers relief fund; amending K.S.A. 2013 Supp. 8-2118 and
4 repealing the existing section.
5

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

7 Section 1. K.S.A. 2013 Supp. 8-2118 is hereby amended to read as
8 follows: 8-2118. (a) A person charged with a traffic infraction shall, except
9 as provided in subsection (b), appear at the place and time specified in the
10 notice to appear. If the person enters an appearance, waives right to trial,
11 pleads guilty or no contest, the fine shall be no greater than that specified
12 in the uniform fine schedule in subsection (c) and court costs shall be
13 taxed as provided by law.

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
31 Refusal to submit to a prelim- 32 inary breath test	8-1012	\$105
33 Unsafe speed for prevailing 34 conditions	8-1557	\$75
35 Exceeding maximum speed	8-1558	1-10 mph over the

1	limit; or speeding in zone		to limit, \$45
2	posted by the state depart-	8-1560	11-20 mph over the
3	ment of transportation; or	8-1560a	limit, \$45 plus \$6
4	speeding in locally posted	or	per mph over 10
5	zone	8-1560b	mph over the limit;
6			21-30 mph over the
7			limit, \$105 plus \$9
8			per mph over 20
9			mph over the limit;
10			31 and more mph
11			over the limit, \$195
12			plus \$15 per mph
13			over 30 mph over
14			the limit;
15	Disobeying traffic control de-	8-1507	\$75
16	vice		
17	Violating traffic control signal	8-1508	\$75
18	Violating pedestrian control	8-1509	\$45
19	signal		
20	Violating flashing traffic sig-	8-1510	\$75
21	nals		
22	Violating lane-control signal	8-1511	\$75
23	Unauthorized sign, signal,	8-1512	\$45
24	marking or device		
25	Driving on left side of road-	8-1514	\$75
26	way		
27	Failure to keep right to pass	8-1515	\$75
28	oncoming vehicle		
29	Improper passing; increasing	8-1516	\$75
30	speed when passed		
31	Improper passing on right	8-1517	\$75
32	Passing on left with insuffi-	8-1518	\$75
33	cient clearance		
34	Driving on left side where	8-1519	\$75
35	curve, grade, intersec-		
36	tion railroad crossing, or		
37	obstructed view		
38	Driving on left in no-passing	8-1520	\$75
39	zone		
40	Unlawful passing of stopped	8-1520a	\$75
41	emergency vehicle		
42	Driving wrong direction on	8-1521	\$75
43	one-way road		

1	Improper driving on laned	8-1522	\$75
2	roadway		
3	Following too close	8-1523	\$75
4	Improper crossover on di-	8-1524	\$45
5	vided highway		
6	Failure to yield right-of-way	8-1526	\$75
7	at uncontrolled intersection		
8	Failure to yield to approach-	8-1527	\$75
9	ing vehicle when turning		
10	left		
11	Failure to yield at stop or	8-1528	\$75
12	yield sign		
13	Failure to yield from private	8-1529	\$75
14	road or driveway		
15	Failure to yield to emergency	8-1530	\$195 \$400
16	vehicle		
17	Failure to yield to pedestrian	8-1531	\$105
18	or vehicle working on		
19	roadway		
20	Failure to comply with re-	8-1531a	\$45
21	strictions in road con-		
22	struction zone		
23	Disobeying pedestrian traffic	8-1532	\$45
24	control device		
25	Failure to yield to pedestrian	8-1533	\$75
26	in crosswalk; pedestrian		
27	suddenly entering road-		
28	way; passing vehicle		
29	stopped for pedestrian at		
30	crosswalk		
31	Improper pedestrian crossing	8-1534	\$45
32	Failure to exercise due care in	8-1535	\$45
33	regard to pedestrian		
34	Improper pedestrian move-	8-1536	\$45
35	ment in crosswalk		
36	Improper use of roadway by	8-1537	\$45
37	pedestrian		
38	Soliciting ride or business	8-1538	\$45
39	on roadway		
40	Driving through safety zone	8-1539	\$45
41	Failure to yield to pedestrian	8-1540	\$45
42	on sidewalk		
43	Failure of pedestrian to yield	8-1541	\$45

1	to emergency vehicle		
2	Failure to yield to blind pe-	8-1542	\$45
3	destrian		
4	Pedestrian disobeying bridge	8-1544	\$45
5	or railroad signal		
6	Improper turn or approach	8-1545	\$75
7	Improper "U" turn	8-1546	\$75
8	Unsafe starting of stopped	8-1547	\$45
9	vehicle		
10	Unsafe turning or stopping,	8-1548	\$75
11	failure to give proper sig-		
12	nal; using turn signal un-		
13	lawfully		
14	Improper method of giving	8-1549	\$45
15	notice of intention to turn		
16	Improper hand signal	8-1550	\$45
17	Failure to stop or obey	8-1551	\$195
18	road crossing signal		
19	Failure to stop at railroad	8-1552	\$135
20	crossing stop sign		
21	Certain hazardous vehicles	8-1553	\$195
22	failure to stop at railroad		
23	crossing		
24	Improper moving of heavy	8-1554	\$75
25	equipment at railroad		
26	crossing		
27	Vehicle emerging from alley,	8-1555	\$75
28	private roadway, building		
29	or driveway		
30	Improper passing of school	8-1556	\$315
31	bus; improper use of		
32	school bus signals		
33	Improper passing of church	8-1556a	\$195
34	or day-care bus; improper		
35	use of signals		
36	Impeding normal traffic	8-1561	\$45
37	by slow speed		
38	Speeding on motor-driven	8-1562	\$75
39	cycle		
40	Speeding in certain vehicles	8-1563	\$45
41	or on posted bridge		
42	Improper stopping, standing	8-1569	\$45
43	or parking on roadway		

1	Parking, standing or stopping	8-1571	\$45
2	in prohibited area		
3	Improper parking	8-1572	\$45
4	Unattended vehicle	8-1573	\$45
5	Improper backing	8-1574	\$45
6	Driving on sidewalk	8-1575	\$45
7	Driving with view or driving	8-1576	\$45
8	mechanism obstructed		
9	Unsafe opening of vehicle	8-1577	\$45
10	door		
11	Riding in house trailer	8-1578	\$45
12	Unlawful riding on vehicle	8-1578a	\$75
13	Improper driving in defiles,	8-1579	\$45
14	canyons, or on grades		
15	Coasting	8-1580	\$45
16	Following fire apparatus too	8-1581	\$75
17	closely		
18	Driving over fire hose	8-1582	\$45
19	Putting glass, etc., on high-	8-1583	\$105
20	way		
21	Driving into intersection,	8-1584	\$45
22	crosswalk, or crossing		
23	without sufficient space		
24	on other side		
25	Improper operation of snow-	8-1585	\$45
26	mobile on highway		
27	Parental responsibility of	8-1586	\$45
28	child riding bicycle		
29	Not riding on bicycle seat;	8-1588	\$45
30	too many persons on		
31	bicycle		
32	Clinging to other vehicle	8-1589	\$45
33	Improper riding of bicycle on	8-1590	\$45
34	roadway		
35	Carrying articles on bicycle;	8-1591	\$45
36	one hand on handlebars		
37	Improper bicycle lamps,	8-1592	\$45
38	brakes or reflectors		
39	Improper operation of mo-	8-1594	\$45
40	torcycle; seats; passen-		
41	gers, bundles		
42	Improper operation of mo-	8-1595	\$75
43	torcycle on laned road		

1	way		
2	Motorcycle clinging to other	8-1596	\$45
3	vehicle		
4	Improper motorcycle handle-	8-1597	\$75
5	bars or passenger		
6	equipment		
7	Motorcycle helmet and eye-	8-1598	\$45
8	protection requirements		
9	Unlawful operation of all-ter-	8-15,100	\$75
10	rain vehicle		
11	Unlawful operation of	8-15,101	\$75
12	low-speed vehicle		
13	Littering	8-15,102	\$115
14	Disobeying school crossing	8-15,103	\$75
15	guard		
16	Unlawful operation of micro	8-15,106	\$75
17	utility truck		
18	Failure to remove vehicles in	8-15,107	\$75
19	accidents		
20	Unlawful operation of golf	8-15,108	\$75
21	cart		
22	Unlawful operation of work-	8-15,109	\$75
23	site utility vehicle		
24	Unlawful display of license	8-15,110	\$60
25	plate		
26	Unlawful text messaging	8-15,111	\$60
27	Equipment offenses that are	8-1701	\$75
28	not misdemeanors		
29	Driving without lights when	8-1703	\$45
30	needed		
31	Defective headlamps	8-1705	\$45
32	Defective tail lamps	8-1706	\$45
33	Defective reflector	8-1707	\$45
34	Improper stop lamp or turn	8-1708	\$45
35	signal		
36	Improper lighting equipment	8-1710	\$45
37	on certain vehicles		
38	Improper lamp color on cer-	8-1711	\$45
39	tain vehicles		
40	Improper mounting of re-	8-1712	\$45
41	flectors and lamps on cer-		
42	tain vehicles		
43	Improper visibility of reflec-	8-1713	\$45

1	tors and lamps on certain		
2	vehicles		
3	No lamp or flag on projecting	8-1715	\$75
4	load		
5	Improper lamps on parked	8-1716	\$45
6	vehicle		
7	Improper lights, lamps, re-	8-1717	\$45
8	flectors and emblems on		
9	farm tractors or slow-		
10	moving vehicles		
11	Improper lamps and equip-	8-1718	\$45
12	ment on implements of		
13	husbandry, road machin-		
14	ery or animal-drawn ve-		
15	hicles		
16	Unlawful use of spot, fog, or	8-1719	\$45
17	auxiliary lamp		
18	Improper lamps or lights on	8-1720	\$45
19	emergency vehicle		
20	Improper stop or turn signal	8-1721	\$45
21	Improper vehicular hazard	8-1722	\$45
22	warning lamp		
23	Unauthorized additional	8-1723	\$45
24	lighting equipment		
25	Improper multiple-beam lights	8-1724	\$45
26	Failure to dim headlights	8-1725	\$75
27	Improper single-beam head-	8-1726	\$45
28	lights		
29	Improper speed with alter-	8-1727	\$45
30	nate lighting		
31	Improper number of driving	8-1728	\$45
32	lamps		
33	Unauthorized lights and sig-	8-1729	\$45
34	nals		
35	Improper school bus lighting	8-1730	\$45
36	equipment and warning		
37	devices		
38	Unauthorized lights and de-	8-1730a	\$45
39	VICES on church or day-		
40	care bus		
41	Improper lights on highway	8-1731	\$45
42	construction or maintenance		
43	vehicles		

1	Defective brakes	8-1734	\$45
2	Defective or improper use of	8-1738	\$45
3	horn or warning device		
4	Defective muffler	8-1739	\$45
5	Defective mirror	8-1740	\$45
6	Defective wipers; obstructed	8-1741	\$45
7	windshield or windows		
8	Improper tires	8-1742	\$45
9	Improper flares or warning	8-1744	\$45
10	devices		
11	Improper use of vehicular	8-1745	\$45
12	hazard warning lamps		
13	and devices		
14	Improper air-conditioning	8-1747	\$45
15	equipment		
16	Improper safety belt or	8-1749	\$45
17	shoulder harness		
18	Improper wide-based single	8-1742b	\$75
19	tires		
20	Improper compression re-	8-1761	\$75
21	lease engine braking sys-		
22	tem		
23	Defective motorcycle head-	8-1801	\$45
24	lamp		
25	Defective motorcycle tail	8-1802	\$45
26	lamp		
27	Defective motorcycle reflec-	8-1803	\$45
28	tor		
29	Defective motorcycle stop	8-1804	\$45
30	lamps and turn signals		
31	Defective multiple-beam	8-1805	\$45
32	lighting		
33	Improper road-lighting equip-	8-1806	\$45
34	ment on motor-driven cy-		
35	cles		
36	Defective motorcycle or mo-	8-1807	\$45
37	tor-driven cycle brakes		
38	Improper performance abil-	8-1808	\$45
39	ity of brakes		
40	Operating motorcycle with	8-1809	\$45
41	disapproved braking sys-		
42	tem		
43	Defective horn, muffler, mir-	8-1810	\$45

1	rors or tires		
2	Unlawful statehouse parking	75-4510a	\$30
3	Exceeding gross weight of	8-1909	Pounds Overweight
4	vehicle or combination		up to 1000\$40
5			1001 to 2000.....3¢
6			per pound
7			2001 to 5000.....5¢
8			per pound
9			5001 to 7500.....7¢
10			per pound
11			7501 and over.....10¢
12			per pound
13	Exceeding gross weight on	8-1908	Pounds Overweight
14	any axle or tandem,		up to 1000\$40
15	triple or quad axles		1001 to 2000.....3¢
16			per pound
17			2001 to 5000.....5¢
18			per pound
19			5001 to 7500.....7¢
20			per pound
21			7501 and over.....10¢
22			per pound
23	Failure to obtain proper re-	66-1324	\$287
24	gistration, clearance or		
25	to have current cer-		
26	tification		
27	Insufficient liability insur-	66-1,128	\$137
28	ance for motor carriers	or 66-1314	
29	Failure to obtain interstate	79-34,122	\$137
30	motor fuel tax author-		
31	ization		
32	No authority as private or	66-1,111	\$137
33	common carrier		
34	Violation of motor carrier	66-1,129	\$115
35	safety rules and regula-		
36	tions, except for viola-		
37	tions specified in sub-		
38	section (b)(2) of K.S.A.		
39	66-1,130, and amend-		
40	ments thereto		
41	(d) Traffic offenses classified as traffic infractions by this section		
42	shall be classified as ordinance traffic infractions by those cities adopting		
43	ordinances prohibiting the same offenses. A schedule of fines for all		

1 ordinance traffic infractions shall be established by the municipal judge in
2 the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such
3 fines may vary from those contained in the uniform fine schedule
4 contained in subsection (c).

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

11 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
12 amendments thereto, within two years after a prior conviction of K.S.A. 8-
13 1908 or 8-1909, and amendments thereto, such person, upon conviction
14 shall be fined 1½ times the applicable amount from one, but not both, of
15 the schedules listed in the uniform fine schedule contained in subsection
16 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments
17 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or
18 8-1909, and amendments thereto, such person, upon conviction shall be
19 fined two times the applicable amount from one, but not both, of the
20 schedules listed in the uniform fine schedule contained in subsection (c).
21 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,
22 and amendments thereto, within two years after three prior convictions of
23 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
24 conviction shall be fined 2½ times the applicable amount from one, but not
25 both, of the schedules listed in the uniform fine schedule contained in
26 subsection (c).

27 (g) Fines listed in the uniform fine schedule contained in subsection
28 (c) relating to exceeding the maximum speed limit, shall be doubled if a
29 person is convicted of exceeding the maximum speed limit in a school
30 zone authorized under subsection (a)(4) of K.S.A. 8-1560, and
31 amendments thereto.

32 (h) *On and after July 1, 2015, the amount of \$205 from each fine*
33 *imposed pursuant to this section for a violation of 8-1530 shall be remitted*
34 *by the clerk of the district court to the state treasurer in accordance with*
35 *the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt*
36 *of each such remittance, the state treasurer shall credit the entire amount*
37 *to the highway workers and police officers relief fund established by*
38 *section 2, and amendments thereto.*

39 New Sec. 2. There is hereby created in the state treasury the highway
40 workers and police officers relief fund. The secretary of transportation
41 shall administer the highway workers and police officers relief fund. All
42 expenditures from the fund shall be made in accordance with appropriation
43 acts upon warrants of the director of accounts and reports issued pursuant

1 to vouchers approved by the secretary of transportation or by a person or
2 persons designated by the secretary. All moneys credited to such fund shall
3 be used for the following:

4 (1) For the relief of any member of the police department, highway
5 department or towing service when injured or physically disabled in or by
6 reason of the discharge of such member's duties as a police officer,
7 highway worker or tow operator;

8 (2) for the payment of a death benefit when any member of such
9 police department, highway department or towing service is killed in the
10 discharge of such person's duties as a police officer, highway worker or
11 tow operator, or who dies from the effect of injuries so received by reason
12 of such person's duties as a police officer, highway worker or tow operator,
13 to the beneficiary or beneficiaries as designated by the person or, in the
14 event that no beneficiary has been designated to receive such benefit, to
15 the following persons in the following priority:

16 (A) If there is a spouse and there are no natural or adopted children of
17 the deceased person, the death benefit shall be for the spouse;

18 (B) if there are one or more natural or adopted children and the
19 spouse of the deceased member, $\frac{1}{2}$ of the death benefit shall be for the
20 spouse and the remaining $\frac{1}{2}$ of the death benefit shall be for the children,
21 in equal shares;

22 (C) if there are one or more natural or adopted children and there is
23 no spouse of the deceased member, the death benefit shall be for the
24 children, in equal shares;

25 (D) if there is a father or mother, or both, and there are no natural or
26 adopted children and no spouse of the deceased person, the death benefit
27 shall be for the father or mother, or both, in equal shares if there are both;

28 (E) if there are one or more siblings and there is no father or mother
29 or spouse and there are no natural or adopted children of the deceased
30 person, the death benefit shall be for the siblings, in equal shares; and

31 (F) if there are no siblings, no father or mother, no natural or adopted
32 children and no spouse of the deceased member, the death benefit shall be
33 for the estate of the deceased member;

34 (3) for the payment of the necessary funeral expenses of any member
35 of such police department, highway department or towing service when
36 such person is killed in the discharge of such person's duties as a police
37 officer, highway worker or tow operator, or in the case of death resulting
38 from injuries so received by reason of such person's duties as a police
39 officer, highway worker or tow operator; or

40 (4) for the purchase of insurance which would provide for any or all
41 of the foregoing purposes for which such fund is authorized to be
42 expended.

43 Sec. 3. K.S.A. 2013 Supp. 8-2118 is hereby repealed.

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