

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 142** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 2, following line 34, by inserting:

"Sec. 3. K.S.A. 8-1530 is hereby amended to read as follows: 8-1530. (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

- (1) Yield the right-of-way;
- (2) immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
- (3) stop and remain in such position until the authorized emergency vehicle has passed.

(b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of K.S.A. 8-1720 or 8-1722(d), and amendments thereto, shall do either of the following:

- (1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary

authorized emergency vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(d) (1) Violation of subsection (b) that results in injury or great bodily harm to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 6, person felony.

(2) Violation of subsection (b) that results in death to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 5, person felony.

(3) In addition to the penalty described in paragraph (1), the court shall impose a fine of not less than \$1,000.

(4) In addition to the penalty described in paragraph (2), the court shall impose a fine of not less than \$7,500.";

On page 12, in line 21, after "K.S.A." by inserting "8-1530 and"; also in line 21, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "creating a crime for injuring or causing the death of certain authorized emergency vehicle operators when unlawfully

passing a stationary authorized emergency vehicle;"; in line 5, after "K.S.A." by inserting "8-1530 and"; in line 6, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate