

HOUSE BILL No. 2146

By Committee on Transportation

1-24

1 AN ACT concerning traffic regulations; relating to the uniform fine
2 schedule for traffic infractions; increasing penalties for operating a
3 vehicle in excess of 30 miles per hour over the speed limit; amending
4 K.S.A. 8-2118 and repealing the existing section.
5

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

7 Section 1. K.S.A. 8-2118 is hereby amended to read as follows: 8-
8 2118. (a) A person charged with a traffic infraction shall, except as
9 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 that 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 Unsafe speed for prevailing 32 conditions	8-1557	\$75
33 Exceeding maximum speed 34 limit; or speeding in zone 35 posted by the state depart-	8-1558 to 8-1560	1-10 mph over the limit, \$45

1	ment of transportation; or	8-1560a	11-20 mph over the
2	speeding in locally posted	or	limit, \$45 plus \$6
3	zone	8-1560b	per mph over 10
4			mph over the limit;
5			21-30 mph over the
6			limit, \$105 plus \$9
7			per mph over 20
8			mph over the limit;
9			31 and more mph
10			over the limit, \$195
11			\$500 plus \$15 \$20 ...
12			per mph over 30
13			mph over the limit;
14	Disobeying traffic control de-	8-1507	\$75
15	vice		
16	Violating traffic control signal	8-1508	\$75
17	Violating pedestrian control	8-1509	\$45
18	signal		
19	Violating flashing traffic signals	8-1510	\$75
20	Violating lane-control signal	8-1511	\$75
21	Unauthorized sign, signal,	8-1512	\$45
22	marking or device		
23	Driving on left side of roadway	8-1514	\$75
24	Failure to keep right to pass	8-1515	\$75
25	oncoming vehicle		
26	Improper passing; increasing	8-1516	\$75
27	speed when passed		
28	Improper passing on right	8-1517	\$75
29	Passing on left with insuffi-	8-1518	\$75
30	cient clearance		
31	Driving on left side where	8-1519	\$75
32	curve, grade, intersec-		
33	tion railroad crossing, or		
34	obstructed view		
35	Driving on left in no-passing	8-1520	\$75
36	zone		
37	Unlawful passing of stopped	8-1520a	\$75
38	emergency vehicle		
39	Driving wrong direction on	8-1521	\$75
40	one-way road		
41	Improper driving on laned	8-1522	\$75
42	roadway		
43	Following too close	8-1523	\$75

1	Improper crossover on di-	8-1524	\$45
2	vided highway		
3	Failure to yield right-of-way	8-1526	\$75
4	at uncontrolled intersection		
5	Failure to yield to approach-	8-1527	\$75
6	ing vehicle when turning		
7	left		
8	Failure to yield at stop or	8-1528	\$75
9	yield sign		
10	Failure to yield from private	8-1529	\$75
11	road or driveway		
12	Failure to yield to emergency	8-1530	\$195
13	vehicle		
14	Failure to yield to pedestrian	8-1531	\$105
15	or vehicle working on		
16	roadway		
17	Failure to comply with re-	8-1531a	\$45
18	strictions in road con-		
19	struction zone		
20	Disobeying pedestrian traffic	8-1532	\$45
21	control device		
22	Failure to yield to pedestrian	8-1533	\$75
23	in crosswalk; pedestrian		
24	suddenly entering road-		
25	way; passing vehicle		
26	stopped for pedestrian at		
27	crosswalk		
28	Improper pedestrian crossing	8-1534	\$45
29	Failure to exercise due care in	8-1535	\$45
30	regard to pedestrian		
31	Improper pedestrian move-	8-1536	\$45
32	ment in crosswalk		
33	Improper use of roadway by	8-1537	\$45
34	pedestrian		
35	Soliciting ride or business	8-1538	\$45
36	on roadway		
37	Driving through safety zone	8-1539	\$45
38	Failure to yield to pedestrian	8-1540	\$45
39	on sidewalk		
40	Failure of pedestrian to yield	8-1541	\$45
41	to emergency vehicle		
42	Failure to yield to blind pe-	8-1542	\$45
43	destrian		

1	Pedestrian disobeying bridge	8-1544	\$45
2	or railroad signal		
3	Improper turn or approach	8-1545	\$75
4	Improper "U" turn	8-1546	\$75
5	Unsafe starting of stopped	8-1547	\$45
6	vehicle		
7	Unsafe turning or stopping,	8-1548	\$75
8	failure to give proper sig-		
9	nal; using turn signal un-		
10	lawfully		
11	Improper method of giving	8-1549	\$45
12	notice of intention to turn		
13	Improper hand signal	8-1550	\$45
14	Failure to stop or obey	8-1551	\$195
15	road crossing signal		
16	Failure to stop at railroad	8-1552	\$135
17	crossing stop sign		
18	Certain hazardous vehicles	8-1553	\$195
19	failure to stop at railroad		
20	crossing		
21	Improper moving of heavy	8-1554	\$75
22	equipment at railroad		
23	crossing		
24	Vehicle emerging from alley,	8-1555	\$75
25	private roadway, building		
26	or driveway		
27	Improper passing of school	8-1556	\$315
28	bus; improper use of		
29	school bus signals		
30	Improper passing of church	8-1556a	\$195
31	or day-care bus; improper		
32	use of signals		
33	Impeding normal traffic	8-1561	\$45
34	by slow speed		
35	Speeding on motor-driven	8-1562	\$75
36	cycle		
37	Speeding in certain vehicles	8-1563	\$45
38	or on posted bridge		
39	Improper stopping, standing	8-1569	\$45
40	or parking on roadway		
41	Parking, standing or stopping	8-1571	\$45
42	in prohibited area		
43	Improper parking	8-1572	\$45

1	Unattended vehicle	8-1573	\$45
2	Improper backing	8-1574	\$45
3	Driving on sidewalk	8-1575	\$45
4	Driving with view or driving	8-1576	\$45
5	mechanism obstructed		
6	Unsafe opening of vehicle	8-1577	\$45
7	door		
8	Riding in house trailer	8-1578	\$45
9	Unlawful riding on vehicle	8-1578a	\$75
10	Improper driving in defiles,	8-1579	\$45
11	canyons, or on grades		
12	Coasting	8-1580	\$45
13	Following fire apparatus too	8-1581	\$75
14	closely		
15	Driving over fire hose	8-1582	\$45
16	Putting glass, etc., on high-	8-1583	\$105
17	way		
18	Driving into intersection,	8-1584	\$45
19	crosswalk, or crossing		
20	without sufficient space		
21	on other side		
22	Improper operation of snow-	8-1585	\$45
23	mobile on highway		
24	Parental responsibility of	8-1586	\$45
25	child riding bicycle		
26	Not riding on bicycle seat;	8-1588	\$45
27	too many persons on		
28	bicycle		
29	Clinging to other vehicle	8-1589	\$45
30	Improper riding of bicycle on	8-1590	\$45
31	roadway		
32	Carrying articles on bicycle;	8-1591	\$45
33	one hand on handlebars		
34	Improper bicycle lamps,	8-1592	\$45
35	brakes or reflectors		
36	Improper operation of mo-	8-1594	\$45
37	torcycle; seats; passen-		
38	gers, bundles		
39	Improper operation of motor	8-1595	\$75
40	cycle on laned roadway		
41	Motorcycle clinging to other	8-1596	\$45
42	vehicle		
43	Improper motorcycle handle-	8-1597	\$75

1	bars or passenger		
2	equipment		
3	Motorcycle helmet and eye-	8-1598	\$45
4	protection requirements		
5	Unlawful operation of all-ter-	8-15,100	\$75
6	rain vehicle		
7	Unlawful operation of	8-15,101	\$75
8	low-speed vehicle		
9	Littering	8-15,102	\$115
10	Disobeying school crossing	8-15,103	\$75
11	guard		
12	Unlawful operation of micro	8-15,106	\$75
13	utility truck		
14	Failure to remove vehicles in	8-15,107	\$75
15	accidents		
16	Unlawful operation of golf	8-15,108	\$75
17	cart		
18	Unlawful operation of work-	8-15,109	\$75
19	site utility vehicle		
20	Unlawful display of license	8-15,110	\$60
21	plate		
22	Unlawful text messaging	8-15,111	\$60
23	Unlawful passing of a waste	8-15,112	\$45
24	collection vehicle		
25	Unlawful operation of	8-15,113	\$45
26	electric-assisted scooter		
27	Unlawful passing of a utility or	8-15,114	\$105
28	telecommunications vehicle		
29	Equipment offenses that are	8-1701	\$75
30	not misdemeanors		
31	Driving without lights when	8-1703	\$45
32	needed		
33	Defective headlamps	8-1705	\$45
34	Defective tail lamps	8-1706	\$45
35	Defective reflector	8-1707	\$45
36	Improper stop lamp or turn	8-1708	\$45
37	signal		
38	Improper lighting equipment	8-1710	\$45
39	on certain vehicles		
40	Improper lamp color on cer-	8-1711	\$45
41	tain vehicles		
42	Improper mounting of re-	8-1712	\$45
43	flectors and lamps on cer-		

1	tain vehicles		
2	Improper visibility of reflec-	8-1713	\$45
3	tors and lamps on certain		
4	vehicles		
5	No lamp or flag on projecting	8-1715	\$75
6	load		
7	Improper lamps on parked	8-1716	\$45
8	vehicle		
9	Improper lights, lamps, re-	8-1717	\$45
10	flectors and emblems on		
11	farm tractors or slow-		
12	moving vehicles		
13	Improper lamps and equip-	8-1718	\$45
14	ment on implements of		
15	husbandry, road machin-		
16	ery or animal-drawn ve-		
17	hicles		
18	Unlawful use of spot, fog, or	8-1719	\$45
19	auxiliary lamp		
20	Improper lamps or lights on	8-1720	\$45
21	emergency vehicle		
22	Improper stop or turn signal	8-1721	\$45
23	Improper vehicular hazard	8-1722	\$45
24	warning lamp		
25	Unauthorized additional	8-1723	\$45
26	lighting equipment		
27	Improper multiple-beam lights	8-1724	\$45
28	Failure to dim headlights	8-1725	\$75
29	Improper single-beam head-	8-1726	\$45
30	lights		
31	Improper speed with alter-	8-1727	\$45
32	nate lighting		
33	Improper number of driving	8-1728	\$45
34	lamps		
35	Unauthorized lights and sig-	8-1729	\$45
36	nals		
37	Improper school bus lighting	8-1730	\$45
38	equipment and warning		
39	devices		
40	Unauthorized lights and de-	8-1730a	\$45
41	vices on church or day-		
42	care bus		
43	Improper lights on highway	8-1731	\$45

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

1	tem		
2	Defective horn, muffler, mir-	8-1810	\$45
3	rors or tires		
4	Unlawful statehouse parking	75-4510a	\$30
5	Exceeding gross weight of	8-1909	Pounds Overweight
6	vehicle or combination		up to 1000.....\$40
7			1001 to 2000.....3¢
8			per pound
9			2001 to 5000.....5¢
10			per pound
11			5001 to 7500.....7¢
12			per pound
13			7501 and over.....10¢
14			per pound
15	Exceeding gross weight on	8-1908	Pounds Overweight
16	any axle or tandem,		up to 1000.....\$40
17	triple or quad axles		1001 to 2000.....3¢
18			per pound
19			2001 to 5000.....5¢
20			per pound
21			5001 to 7500.....7¢
22			per pound
23			7501 and over.....10¢
24			per pound
25	Failure to obtain proper re-	66-1324	\$287
26	gistration, clearance or		
27	to have current cer-		
28	tification		
29	Insufficient liability insur-	66-1,128	\$137
30	ance for motor carriers	or 66-1314	
31	Failure to obtain interstate	79-34,122	\$137
32	motor fuel tax author-		
33	ization		
34	No authority as private or	66-1,111	\$137
35	common carrier		
36	Violation of motor carrier	66-1,129	\$115
37	safety rules and regula-		
38	tions, except for viola-		
39	tions specified in K.S.A.		
40	66-1,130(b)(2), and		
41	amendments thereto		
42	(d) Traffic offenses classified as traffic infractions by this section		
43	shall be classified as ordinance traffic infractions by those cities adopting		

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

6 (e) Fines listed in the uniform fine schedule contained in ~~subsection~~
7 *subsections (c) and (i)* shall be doubled if a person is convicted of a traffic
8 infraction, ~~which~~ *that* is defined as a moving violation in accordance with
9 rules and regulations adopted pursuant to K.S.A. 8-249, and amendments
10 thereto, committed within any road construction zone as defined in K.S.A.
11 8-1458a, and amendments thereto.

12 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
13 amendments thereto, within two years after a prior conviction of K.S.A. 8-
14 1908 or 8-1909, and amendments thereto, such person, upon conviction,
15 shall be fined $1\frac{1}{2}$ times the applicable amount from one, but not both, of
16 the schedules listed in the uniform fine schedule contained in subsection
17 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments
18 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or
19 8-1909, and amendments thereto, such person, upon conviction, shall be
20 fined two times the applicable amount from one, but not both, of the
21 schedules listed in the uniform fine schedule contained in subsection (c).
22 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,
23 and amendments thereto, within two years after three prior convictions of
24 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
25 conviction, shall be fined $2\frac{1}{2}$ times the applicable amount from one, but
26 not both, of the schedules listed in the uniform fine schedule contained in
27 subsection (c).

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

33 (h) For a second violation of K.S.A. 8-1556, and amendments thereto,
34 within five years after a prior conviction of K.S.A. 8-1556, and
35 amendments thereto, such person, upon conviction, shall be fined \$750 for
36 the second violation. For a third and each succeeding violation of K.S.A.
37 8-1556, and amendments thereto, within five years after two prior
38 convictions of K.S.A. 8-1556, and amendments thereto, such person, upon
39 conviction, shall be fined \$1,000 for the third and each succeeding
40 violation.

41 (i) (1) *For a second violation of K.S.A. 8-1558 through 8-1560b, and*
42 *amendments thereto, for operating a vehicle at a speed in excess of 30*
43 *miles per hour over the speed limit within five years after a prior*

1 *conviction of K.S.A. 8-1558 through 8-1560b, and amendments thereto, for*
2 *operating a vehicle at a speed in excess of 30 miles per hour over the*
3 *speed limit, such person, upon conviction, shall be fined \$750 plus \$25 for*
4 *each mile per hour over 30 miles per hour.*

5 *(2) For a third and each succeeding violation of K.S.A. 8-1558*
6 *through 8-1560b, and amendments thereto, for operating a vehicle at a*
7 *speed in excess of 30 miles per hour over the speed limit within five years*
8 *after two or more prior convictions of K.S.A. 8-1558 through 8-1560b, and*
9 *amendments thereto, for operating a vehicle at a speed in excess of 30*
10 *miles per hour over the speed limit, such person, upon conviction, shall be*
11 *fined \$1,000 plus \$30 for each mile per hour over 30 miles per hour.*

12 Sec. 2. K.S.A. 8-2118 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.