

As Amended by House Committee

As Amended by Senate Committee

Session of 2005

SENATE BILL No. 81

By Senator D. Schmidt
(By request)

1-21

13 AN ACT regulating traffic; concerning the use of head lamps; amending
14 K.S.A. 8-1703 and repealing the existing section.

15
16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. K.S.A. 8-1703 is hereby amended to read as follows: 8-
18 1703. (a) Every vehicle, except as provided in subsection (b), upon a
19 highway within this state, at ~~any time~~ *all times shall display lighted head*
20 *and other lamps and illuminating devices as required for different classes*
21 *of vehicles, subject to exceptions with respect to parked vehicles:*

22 (1) From sunset to sunrise ~~and at any other time;~~

23 (2) when due to insufficient light or unfavorable atmospheric condi-
24 tions, **including smoke or fog**, persons and vehicles on the highway are
25 not clearly discernible at a distance of 1,000 feet ahead, ~~shall display~~
26 ~~lighted head and other lamps and illuminating devices as required for~~
27 ~~different classes of vehicles, subject to exceptions with respect to parked~~
28 ~~vehicles; or~~

29 (3) *when windshield wipers are in **continuous** use as a result of*
30 ~~smoke, fog, rain, sleet or snow, except when such windshield wipers are~~
31 ~~used intermittently in misting rain, sleet or snow.~~ Stop lights, turn signals
32 and other signaling devices shall be lighted as prescribed for the use of
33 such devices.

34 (b) Motorcycles, motor-driven cycles and motorized bicycles manu-
35 factured after January 1, 1978, shall display lighted head and tail lights at
36 all times that such vehicles are operated on any highway.

37 (c) ~~Law enforcement officers shall not stop drivers for violations of~~
38 ~~subsection (a)(3) in the absence of another violation of law. A citation for~~
39 ~~a violation of subsection (a)(3) shall not be issued without citing the vio-~~
40 ~~lation that initially caused the officer to effect the enforcement stop.~~
41 **From and after the effective date of this act, and prior to July 1,**
42 **2006, a law enforcement officer shall issue a warning citation to**
43 **anyone violating subsection (a)(3).**

- 1 Sec. 2. K.S.A. 8-1703 is hereby repealed.
- 2 Sec. 3. This act shall take effect and be in force from and after its
- 3 publication in the statute book.