

HOUSE BILL No. 2805

By Committee on Transportation

2-1

9 AN ACT relating to historic military vehicles; concerning the registration
10 and regulation thereof; amending K.S.A. 8-194, 8-195 and 8-196 and
11 K.S.A. 2005 Supp. 8-1486 and 8-2118 and repealing the existing
12 sections.

13

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

15 New Section 1. "Historic military vehicle" means a vehicle regardless
16 of the vehicle's size, weight or year of manufacture was manufactured for
17 use in the United States military forces and is maintained to represent its
18 original military design and markings accurately.

19 New Sec. 2. (a) Except as provided in subsection (b), it shall be un-
20 lawful for any person to operate a historic military vehicle on any street
21 or highway.

22 (b) Notwithstanding the provisions of subsection (a), a historic mili-
23 tary vehicle may be operated: (1) To or from an assemblage, club activity,
24 parade or exhibition, by the most direct route available, for the purpose
25 of attending or participating in such activities; or (2) to or from a location
26 for maintenance or repair.

27 (c) No historic military vehicle shall be operated on any street or
28 highway between sunset and sunrise.

29 (d) For the purpose of this section:

30 (1) "Club activity" means activities sponsored by vintage, special in-
31 terest, historic or antique vehicle owner organizations;

32 (2) "assemblage" or "exhibitions" means public displays of vintage,
33 special interest, historic or antique vehicles; and

34 (3) "parade" means a public procession on a festive or ceremonial
35 occasion.

36 (e) This section shall be part of and supplemental to the uniform act
37 regulating traffic on highways.

38 Sec. 3. K.S.A. 8-194 is hereby amended to read as follows: 8-194. As
39 used in this act: (a) "Collector" means the owner of one or more special
40 interest vehicles ~~or~~, street rod vehicles *or historic military vehicles* who
41 acquires, collects, purchases, trades or disposes of such vehicles or parts
42 therefor for such person's own use in order to restore, preserve and main-
43 tain such vehicle or vehicles for historic interest.

1 (b) "Parts car" means a motor vehicle generally in nonoperable con-
2 dition which is owned by a collector to furnish parts which will enable
3 the collector to restore, preserve and maintain a special interest vehicle,
4 street rod vehicle ~~or~~, antique vehicle *or historic military vehicle*.

5 (c) "Special interest vehicle" means a motor vehicle which is more
6 than 20 years of age and which has not been altered or modified from
7 the original manufacturer's specifications except to assure normal running
8 operation or to meet specific safety inspection requirements on original
9 equipment, or both. "Special interest vehicle" shall also mean and include
10 a motor vehicle manufactured before 1949 that when altered or modified
11 is referred to as a "street rod."

12 (d) "*Historic military vehicle*" means a vehicle regardless of the ve-
13 hicle's size, weight or year of manufacture was manufactured for use in
14 the United States military forces and is maintained to represent its original
15 military design and markings accurately.

16 Sec. 4. K.S.A. 8-195 is hereby amended to read as follows: 8-195. (a)
17 Any person who is the owner of a special interest vehicle ~~or~~, street rod
18 vehicle *or historic military vehicle* at the time of making application for
19 registration or transfer of title of the vehicle may upon application register
20 the same as a special interest vehicle ~~or~~, street rod vehicle *or historic*
21 *military vehicle* upon payment of an annual fee of \$26 and be furnished
22 each year upon the payment of such fee license plates of a distinctive
23 design in lieu of the usual license plates which shall show in addition to
24 the identification number, that the vehicle is a special interest vehicle or
25 that the vehicle is a special interest vehicle and it meets the qualifications
26 of a street rod *or historic military vehicle*, as the case may be, owned by
27 a Kansas collector. The registration shall be valid for one year and may
28 be renewed by payment of such annual fee. Special interest vehicles in-
29 cluding street rod vehicles *and historic military vehicles* may be used as
30 are other vehicles of the same type, except that special interest vehicles
31 including street rod vehicles *and historic military vehicles* may not trans-
32 port passengers for hire, nor haul material weighing more than 500
33 pounds *or as otherwise restricted by statute*.

34 (b) Each collector applying for special interest vehicle ~~or~~, street rod
35 vehicle *or historic military vehicle* license plates will be issued a collector's
36 identification number which will appear on each license plate. Second
37 and all subsequent registrations under this section by the same collector
38 will bear the same collector's identification number followed by a suffix
39 letter for vehicle identification.

40 (c) A collector must own and have registered one or more vehicles
41 with regular license plates which are used for regular transportation.

42 (d) *Special interest license plates issued to historic military vehicles*
43 *shall display a decal on such plates identifying the vehicle as a historic*

1 *military vehicle.*

2 (e) *A historic military vehicle shall not be registered until an inspection*
 3 *in accordance with subsection (a) of K.S.A. 8-116, and amendments*
 4 *thereto, has been completed.*

5 Sec. 5. K.S.A. 8-196 is hereby amended to read as follows: 8-196. In
 6 addition to the fee in K.S.A. 8-195, ~~as amended,~~ *and amendments thereto,*
 7 there shall be an original ~~(first time only),~~ processing fee of \$20 to defray
 8 the cost of issuing the original collector's special interest vehicle license
 9 plates or special interest vehicles with street rod *or historic military ve-*
 10 *hicle* designation license plates and to ensure that each collector will be
 11 issued only one collector's identification number.

12 Sec. 6. K.S.A. 2005 Supp. 8-1486 is hereby amended to read as fol-
 13 lows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-
 14 1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and
 15 K.S.A. 2005 Supp. 8-1491, and amendments thereto, *section 1, and*
 16 *amendments thereto,* shall be a part of, and supplemental to, the uniform
 17 act regulating traffic on highways.

18 Sec. 7. K.S.A. 2005 Supp. 8-2118 is hereby amended to read as fol-
 19 lows: 8-2118. (a) A person charged with a traffic infraction shall, except
 20 as provided in subsection (b), appear at the place and time specified in
 21 the notice to appear. If the person enters an appearance, waives right to
 22 trial, pleads guilty or no contest, the fine shall be no greater than that
 23 specified in the uniform fine schedule in subsection (c) and court costs
 24 shall be taxed as provided by law.

25 (b) Prior to the time specified in the notice to appear, a person
 26 charged with a traffic infraction may enter a written appearance, waive
 27 right to trial, plead guilty or no contest and pay the fine for the violation
 28 as specified in the uniform fine schedule in subsection (c) and court costs
 29 provided by law. Payment may be made by mail or in person and may be
 30 by personal check. The traffic citation shall not have been complied with
 31 if a check is not honored for any reason, or if the fine and court costs are
 32 not paid in full. When a person charged with a traffic infraction makes
 33 payment without executing a written waiver of right to trial and plea of
 34 guilty or no contest, the payment shall be deemed such an appearance,
 35 waiver of right to trial and plea of no contest.

36 (c) The following uniform fine schedule shall apply uniformly
 37 throughout the state but shall not limit the fine which may be imposed
 38 following a court appearance, except an appearance made for the purpose
 39 of pleading and payment as permitted by subsection (a). The description
 40 of offense contained in the following uniform fine schedule is for refer-
 41 ence only and is not a legal definition.

42 <i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
43 Refusal to submit to a preliminary breath test	8-1012	\$90

1	Unsafe speed for prevailing conditions	8-1557	\$60
2	Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
3	in zone posted by the state department of	to	11-20 mph over the limit,
4	transportation; or speeding in locally posted	8-1560	\$30 plus \$6 per mph over
5	zone	8-1560a	10 mph over the limit;
6		or	21-30 mph over the limit,
7		8-1560b	\$90 plus \$9 per mph over
8			20 mph over the limit;
9			31 and more mph over the
10			limit, \$180 plus \$15 per
11			mph over 30 mph over the
12			limit;
13	Disobeying traffic control device	8-1507	\$60
14	Violating traffic control signal	8-1508	\$60
15	Violating pedestrian control signal	8-1509	\$30
16	Violating flashing traffic signals	8-1510	\$60
17	Violating lane-control signal	8-1511	\$60
18	Unauthorized sign, signal, marking or device	8-1512	\$30
19	Driving on left side of roadway	8-1514	\$60
20	Failure to keep right to pass oncoming vehicle	8-1515	\$60
21	Improper passing; increasing speed when	8-1516	\$60
22	passed		
23	Improper passing on right	8-1517	\$60
24	Passing on left with insufficient clearance	8-1518	\$60
25	Driving on left side where curve, grade,	8-1519	\$60
26	intersection railroad crossing, or obstructed		
27	view		
28	Driving on left in no-passing zone	8-1520	\$60
29	Unlawful passing of stopped emergency	8-1520a	\$60
30	vehicle		
31	Driving wrong direction on one-way road	8-1521	\$60
32	Improper driving on laned roadway	8-1522	\$60
33	Following too close	8-1523	\$60
34	Improper crossover on divided highway	8-1524	\$30
35	Failure to yield right-of-way at uncontrolled	8-1526	\$60
36	intersection		
37	Failure to yield to approaching vehicle when	8-1527	\$60
38	turning left		
39	Failure to yield at stop or yield sign	8-1528	\$60
40	Failure to yield from private road or driveway	8-1529	\$60
41	Failure to yield to emergency vehicle	8-1530	\$180
42	Failure to yield to pedestrian or vehicle	8-1531	\$30
43	working on roadway		

1	Failure to comply with restrictions in road	8-1531a	\$30
2	construction zone		
3	Disobeying pedestrian traffic control device	8-1532	\$30
4	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
5	pedestrian suddenly entering roadway;		
6	passing vehicle stopped for pedestrian at		
7	crosswalk		
8	Improper pedestrian crossing	8-1534	\$30
9	Failure to exercise due care in regard to	8-1535	\$30
10	pedestrian		
11	Improper pedestrian movement in crosswalk	8-1536	\$30
12	Improper use of roadway by pedestrian	8-1537	\$30
13	Soliciting ride or business on roadway	8-1538	\$30
14	Driving through safety zone	8-1539	\$30
15	Failure to yield to pedestrian on sidewalk	8-1540	\$30
16	Failure of pedestrian to yield to emergency	8-1541	\$30
17	vehicle		
18	Failure to yield to blind pedestrian	8-1542	\$30
19	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
20	Improper turn or approach	8-1545	\$60
21	Improper "U" turn	8-1546	\$60
22	Unsafe starting of stopped vehicle	8-1547	\$30
23	Unsafe turning or stopping, failure to give	8-1548	\$60
24	proper signal; using turn signal unlawfully		
25	Improper method of giving notice of intention	8-1549	\$30
26	to turn		
27	Improper hand signal	8-1550	\$30
28	Failure to stop or obey railroad crossing signal	8-1551	\$180
29	Failure to stop at railroad crossing stop sign	8-1552	\$120
30	Certain hazardous vehicles failure to stop at	8-1553	\$180
31	railroad crossing		
32	Improper moving of heavy equipment at	8-1554	\$60
33	railroad crossing		
34	Vehicle emerging from alley, private roadway,	8-1555	\$60
35	building or driveway		
36	Improper passing of school bus; improper use	8-1556	\$300
37	of school bus signals		
38	Improper passing of church or day-care bus;	8-1556a	\$180
39	improper use of signals		
40	Impeding normal traffic by slow speed	8-1561	\$30
41	Speeding on motor-driven cycle	8-1562	\$60
42	Speeding in certain vehicles or on posted	8-1563	\$30
43	bridge		

1	Improper stopping, standing or parking on	8-1569	\$30
2	roadway		
3	Parking, standing or stopping in prohibited	8-1571	\$30
4	area		
5	Improper parking	8-1572	\$30
6	Unattended vehicle	8-1573	\$30
7	Improper backing	8-1574	\$30
8	Driving on sidewalk	8-1575	\$30
9	Driving with view or driving mechanism	8-1576	\$30
10	obstructed		
11	Unsafe opening of vehicle door	8-1577	\$30
12	Riding in house trailer	8-1578	\$30
13	Improper driving in defiles, canyons, or on	8-1579	\$30
14	grades		
15	Coasting	8-1580	\$30
16	Following fire apparatus too closely	8-1581	\$60
17	Driving over fire hose	8-1582	\$30
18	Putting glass, etc., on highway	8-1583	\$90
19	Driving into intersection, crosswalk, or	8-1584	\$30
20	crossing without sufficient space on other		
21	side		
22	Improper operation of snowmobile on	8-1585	\$30
23	highway		
24	Parental responsibility of child riding bicycle	8-1586	\$30
25	Not riding on bicycle seat; too many persons	8-1588	\$30
26	on bicycle		
27	Clinging to other vehicle	8-1589	\$30
28	Improper riding of bicycle on roadway	8-1590	\$30
29	Carrying articles on bicycle; one hand on	8-1591	\$30
30	handlebars defined.		
31	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
32	Improper operation of motorcycle; seats;	8-1594	\$30
33	passengers, bundles		
34	Improper operation of motorcycle on laned	8-1595	\$60
35	roadway		
36	Motorcycle clinging to other vehicle	8-1596	\$30
37	Improper motorcycle handlebars or passenger	8-1597	\$60
38	equipment		
39	Motorcycle helmet and eye-protection	8-1598	\$30
40	requirements		
41	Unlawful riding on vehicle	8-1578a	\$60
42	Unlawful operation of all-terrain vehicle	8-15,100	\$60
43	Unlawful operation of low-speed vehicle	8-15,101	\$60

1	Littering	8-15,102	\$100
2	<i>Unlawful operation of historic military vehicle</i>	<i>section 1</i>	<i>\$100</i>
3	Equipment offenses that are not	8-1701	\$60
4	misdemeanors		
5	Driving without lights when needed	8-1703	\$30
6	Defective headlamps	8-1705	\$30
7	Defective tail lamps	8-1706	\$30
8	Defective reflector	8-1707	\$30
9	Improper stop lamp or turn signal	8-1708	\$30
10	Improper lighting equipment on certain	8-1710	\$30
11	vehicles		
12	Improper lamp color on certain vehicles	8-1711	\$30
13	Improper mounting of reflectors and lamps on	8-1712	\$30
14	certain vehicles		
15	Improper visibility of reflectors and lamps on	8-1713	\$30
16	certain vehicles		
17	No lamp or flag on projecting load	8-1715	\$60
18	Improper lamps on parked vehicle	8-1716	\$30
19	Improper lights, lamps, reflectors and	8-1717	\$30
20	emblems on farm tractors or slow-moving		
21	vehicles		
22	Improper lamps and equipment on	8-1718	\$30
23	implements of husbandry, road machinery		
24	or animal-drawn vehicles		
25	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
26	Improper lamps or lights on emergency	8-1720	\$30
27	vehicle		
28	Improper stop or turn signal	8-1721	\$30
29	Improper vehicular hazard warning lamp	8-1722	\$30
30	Unauthorized additional lighting equipment	8-1723	\$30
31	Improper multiple-beam lights	8-1724	\$30
32	Failure to dim headlights	8-1725	\$60
33	Improper single-beam headlights	8-1726	\$30
34	Improper speed with alternate lighting	8-1727	\$30
35	Improper number of driving lamps	8-1728	\$30
36	Unauthorized lights and signals	8-1729	\$30
37	Improper school bus lighting equipment and	8-1730	\$30
38	warning devices		
39	Unauthorized lights and devices on church or	8-1730a	\$30
40	day-care bus		
41	Improper lights on highway construction or	8-1731	\$30
42	maintenance vehicles		
43	Defective brakes	8-1734	\$30

1	Defective or improper use of horn or warning	8-1738	\$30
2	device		
3	Defective muffler	8-1739	\$30
4	Defective mirror	8-1740	\$30
5	Defective wipers; obstructed windshield or	8-1741	\$30
6	windows		
7	Improper tires	8-1742	\$30
8	Improper flares or warning devices	8-1744	\$30
9	Improper use of vehicular hazard warning	8-1745	\$30
10	lamps and devices		
11	Improper air-conditioning equipment	8-1747	\$30
12	TV screen visible to driver	8-1748	\$30
13	Improper safety belt or shoulder harness	8-1749	\$30
14	Improper wide-based single tires	8-1742b	\$60
15	Improper compression release engine braking	8-1761	\$60
16	system		
17	Defective motorcycle headlamp	8-1801	\$30
18	Defective motorcycle tail lamp	8-1802	\$30
19	Defective motorcycle reflector	8-1803	\$30
20	Defective motorcycle stop lamps and turn	8-1804	\$30
21	signals		
22	Defective multiple-beam lighting	8-1805	\$30
23	Improper road-lighting equipment on motor-	8-1806	\$30
24	driven cycles		
25	Defective motorcycle or motor-driven cycle	8-1807	\$30
26	brakes		
27	Improper performance ability of brakes	8-1808	\$30
28	Operating motorcycle with disapproved	8-1809	\$30
29	braking system		
30	Defective horn, muffler, mirrors or tires	8-1810	\$30
31	Unlawful statehouse parking	75-4510a	\$15
32	Exceeding gross weight of vehicle or	8-1909	Pounds
33	combination		Overweight
34			up to 1000\$25
35			1001 to 2000 3¢ per
36			pound
37			2001 to 5000 5¢ per
38			pound
39			5001 to 7500 7¢ per
40			pound
41			7501 and over 10¢ per
42			pound
43			

1	Exceeding gross weight on any axle or tandem,	8-1908	Pounds
2	triple or quad axles		Overweight
3			up to 1000\$25
4			1001 to 2000 3¢ per
5			pound
6			2001 to 5000 5¢ per
7			pound
8			5001 to 7500 7¢ per
9			pound
10			7501 and over 10¢ per
11			pound
12	Failure to obtain proper registration, clearance	66-1324	\$272
13	or to have current certification		
14	Insufficient liability insurance for motor	66-1,128	\$122
15	carriers	or 66-1314	
16	Failure to obtain interstate motor fuel tax	79-34,122	\$122
17	authorization		
18	No authority as private or common carrier	66-1,111	\$122
19	Improper equipment	66-1,129	\$52
20	No current driver's daily log	66-1,129	\$52
21	Invalid or no physical examination card	66-1,129	\$52

22 (d) Traffic offenses classified as traffic infractions by this section shall
 23 be classified as ordinance traffic infractions by those cities adopting
 24 ordinances prohibiting the same offenses. A schedule of fines for all
 25 ordinance traffic infractions shall be established by the municipal judge
 26 in the manner prescribed by K.S.A. 12-4305, and amendments thereto.
 27 Such fines may vary from those contained in the uniform fine schedule
 28 contained in subsection (c).

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

35 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
 36 amendments thereto, within two years after a prior conviction of K.S.A.
 37 8-1908 or 8-1909, and amendments thereto, such person, upon conviction
 38 shall be fined 1½ times the applicable amount from one, but not both,
 39 of the schedules listed in the uniform fine schedule contained in
 40 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and
 41 amendments thereto, within two years, after two prior convictions of
 42 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
 43 conviction shall be fined two times the applicable amount from one, but

1 not both, of the schedules listed in the uniform fine schedule contained
2 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-
3 1908 or 8-1909, and amendments thereto, within two years after three
4 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,
5 such person, upon conviction shall be fined $2\frac{1}{2}$ times the applicable
6 amount from one, but not both, of the schedules listed in the uniform
7 fine schedule contained in subsection (c).
8 Sec. 8. K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2005 Supp. 8-1486
9 and 8-2118 are hereby repealed.
10 Sec. 9. This act shall take effect and be in force from and after its
11 publication in the statute book.