

*[As Amended by Senate Committee of the Whole]*

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*As Amended by Senate Committee*

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*Session of 2006*

## SENATE BILL No. 412

By Committee on Transportation

1-19

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12 AN ACT concerning motorized toy vehicles; relating to the regulation  
13 thereof; amending K.S.A. 8-1437, 8-1439, 8-1439a, 8-1575, 8-1701 and  
14 8-2002 and K.S.A. 2005 Supp. 8-126, 8-1486 and 8-2118 and repealing  
15 the existing sections.

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

18 New Section 1. (a) It shall be unlawful for any person to operate a  
19 motorized toy vehicle on any interstate highway, federal highway or state  
20 highway.

21 (b) ***A motorized toy vehicle authorized to be operated on any***  
22 ***street or highway [or any sidewalk or sidewalk area, under K.S.A.***  
23 ***8-1575, and amendments thereto,] shall be equipped with a bicycle***  
24 ***safety flag which extends not less than five feet above the ground***  
25 ***attached to the rear of such vehicle. The bicycle safety flag shall be***  
26 ***triangular in shape with an area of not less than 30 square inches***  
27 ***and shall be in day-glow color.***

28 [(c)] This section shall be part of and supplemental to the uniform  
29 act regulating traffic on highways.

30 New Sec. 2. "Motorized toy vehicle" means any self-propelled  
31 vehicle:

- 32 (1) Upon or by which a person may ride or be transported;
- 33 (2) having two tandem wheels, or three or four wheels;
- 34 (3) having a motor or engine;
- 35 (4) is incapable of a speed in excess of 15 miles per hour; and
- 36 (5) designed specifically for use as a toy vehicle.

37 Sec. 3. K.S.A. 2005 Supp. 8-126 is hereby amended to read as fol-  
38 lows: 8-126. The following words and phrases when used in this act shall  
39 have the meanings respectively ascribed to them herein:

40 (a) "Vehicle" means every device in, upon or by which any person or  
41 property is or may be transported or drawn upon a public highway, ex-  
42 cepting electric personal assistive mobility devices or devices moved by  
43 human power or used exclusively upon stationary rails or tracks.

- 1 (b) “Motor vehicle” means every vehicle, other than a motorized bi-  
2 cycle ~~or~~, a motorized wheelchair *or a motorized toy vehicle*, which is self-  
3 propelled.
- 4 (c) “Truck” means a motor vehicle which is used for the transporta-  
5 tion or delivery of freight and merchandise or more than 10 passengers.
- 6 (d) “Motorcycle” means every motor vehicle designed to travel on  
7 not more than three wheels in contact with the ground, except any such  
8 vehicle as may be included within the term “tractor” as herein defined.
- 9 (e) “Truck tractor” means every motor vehicle designed and used  
10 primarily for drawing other vehicles, and not so constructed as to carry a  
11 load other than a part of the weight of the vehicle or load so drawn.
- 12 (f) “Farm tractor” means every motor vehicle designed and used as  
13 a farm implement power unit operated with or without other attached  
14 farm implements in any manner consistent with the structural design of  
15 such power unit.
- 16 (g) “Road tractor” means every motor vehicle designed and used for  
17 drawing other vehicles, and not so constructed as to carry any load  
18 thereon independently, or any part of the weight of a vehicle or load so  
19 drawn.
- 20 (h) “Trailer” means every vehicle without motive power designed to  
21 carry property or passengers wholly on its own structure and to be drawn  
22 by a motor vehicle.
- 23 (i) “Semitrailer” means every vehicle of the trailer type so designed  
24 and used in conjunction with a motor vehicle that some part of its own  
25 weight and that of its own load rests upon or is carried by another vehicle.
- 26 (j) “Pole trailer” means any two-wheel vehicle used as a trailer with  
27 bolsters that support the load, and do not have a rack or body extending  
28 to the tractor drawing the load.
- 29 (k) “Specially constructed vehicle” means any vehicle which shall not  
30 have been originally constructed under a distinctive name, make, model  
31 or type, or which, if originally otherwise constructed shall have been ma-  
32 terially altered by the removal of essential parts, or by the addition or  
33 substitution of essential parts, new or used, derived from other vehicles  
34 or makes of vehicles.
- 35 (l) “Foreign vehicle” means every motor vehicle, trailer or semitrailer  
36 which shall be brought into this state otherwise than in ordinary course  
37 of business by or through a manufacturer or dealer and which has not  
38 been registered in this state.
- 39 (m) “Person” means every natural person, firm, partnership, associ-  
40 ation or corporation.
- 41 (n) “Owner” means a person who holds the legal title of a vehicle, or  
42 in the event a vehicle is the subject of an agreement for the conditional  
43 sale thereof with the right of purchase upon performance of the condi-

- 1 tions stated in the agreement and with an immediate right of possession  
2 vested in the conditional vendee or in the event a vehicle is subject to a  
3 lease of 30 days or more with an immediate right of possession vested in  
4 the lessee; or in the event a party having a security interest in a vehicle  
5 is entitled to possession, then such conditional vendee or lessee or secured  
6 party shall be deemed the owner for the purpose of this act.
- 7 (o) “Nonresident” means every person who is not a resident of this  
8 state.
- 9 (p) “Manufacturer” means every person engaged in the business of  
10 manufacturing motor vehicles, trailers or semitrailers.
- 11 (q) “New vehicle dealer” means every person actively engaged in the  
12 business of buying, selling or exchanging new motor vehicles, travel trail-  
13 ers, trailers or vehicles and who holds a dealer’s contract therefor from a  
14 manufacturer or distributor and who has an established place of business  
15 in this state.
- 16 (r) “Used vehicle dealer” means every person actively engaged in the  
17 business of buying, selling or exchanging used vehicles, and having an  
18 established place of business in this state and who does not hold a dealer’s  
19 contract for the sale of new motor vehicles, travel trailers, trailers or  
20 vehicles.
- 21 (s) “Highway” means every way or place of whatever nature open to  
22 the use of the public as a matter of right for the purpose of vehicular  
23 travel. The term “highway” shall not be deemed to include a roadway or  
24 driveway upon grounds owned by private owners, colleges, universities  
25 or other institutions.
- 26 (t) “Department” or “motor vehicle department” or “vehicle depart-  
27 ment” means the division of vehicles of the department of revenue, acting  
28 directly or through its duly authorized officers and agents.
- 29 (u) “Commission” or “state highway commission” means the director  
30 of vehicles of the department of revenue.
- 31 (v) “Division” means the division of vehicles of the department of  
32 revenue.
- 33 (w) “Travel trailer” means every vehicle without motive power de-  
34 signed to be towed by a motor vehicle constructed primarily for recrea-  
35 tional purposes.
- 36 (x) “Passenger vehicle” means every motor vehicle, as herein defined,  
37 which is designed primarily to carry 10 or fewer passengers, and which  
38 is not used as a truck.
- 39 (y) “Self-propelled farm implement” means every farm implement  
40 designed for specific use applications with its motive power unit perma-  
41 nently incorporated in its structural design.
- 42 (z) “Farm trailer” means every trailer as defined in subsection (h) of  
43 this section and every semitrailer as defined in subsection (i) of this sec-

1 tion, designed and used primarily as a farm vehicle.

2 (aa) “Motorized bicycle” means every device having two tandem  
3 wheels or three wheels, which may be propelled by either human power  
4 or helper motor, or by both, and which has:

- 5 (1) A motor which produces not more than 3.5 brake horsepower;
- 6 (2) a cylinder capacity of not more than 130 cubic centimeters;
- 7 (3) an automatic transmission; and
- 8 (4) the capability of a maximum design speed of ~~no~~ *more than 15*  
9 *miles per hour but not* more than 30 miles per hour.

10 (bb) “All-terrain vehicle” means any motorized nonhighway vehicle  
11 45 inches or less in width, having a dry weight of 650 pounds or less,  
12 traveling on three or more low-pressure tires, having a seat designed to  
13 be straddled by the operator. As used in this subsection, low-pressure tire  
14 means any pneumatic tire six inches or more in width, designed for use  
15 on wheels with rim diameter of 12 inches or less, and utilizing an oper-  
16 ating pressure of 10 pounds per square inch or less as recommended by  
17 the vehicle manufacturer.

18 (cc) “Implement of husbandry” means every vehicle designed or  
19 adapted and used exclusively for agricultural operations, including feed-  
20 lots, and only incidentally moved or operated upon the highways. Such  
21 term shall include, but not be limited to:

- 22 (1) A farm tractor;
- 23 (2) a self-propelled farm implement;
- 24 (3) a fertilizer spreader, nurse tank or truck permanently mounted  
25 with a spreader used exclusively for dispensing or spreading water, dust  
26 or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202,  
27 and amendments thereto, regardless of ownership;
- 28 (4) a truck mounted with a fertilizer spreader used or manufactured  
29 principally to spread animal dung;
- 30 (5) a mixer-feed truck owned and used by a feedlot, as defined in  
31 K.S.A. 47-1501, and amendments thereto, and specially designed and  
32 used exclusively for dispensing food to livestock in such feedlot.

33 (dd) “Motorized wheelchair” means any self-propelled vehicle de-  
34 signed specifically for use by a physically disabled person that is incapable  
35 of a speed in excess of 15 miles per hour.

36 (ee) “Oil well servicing, oil well clean-out or oil well drilling machin-  
37 ery or equipment” means a vehicle constructed as a machine used exclu-  
38 sively for servicing, cleaning-out or drilling an oil well and consisting in  
39 general of a mast, an engine for power, a draw works and a chassis per-  
40 manently constructed or assembled for one or more of those purposes.  
41 The passenger capacity of the cab of a vehicle shall not be considered in  
42 determining whether such vehicle is an oil well servicing, oil well clean-  
43 out or oil well drilling machinery or equipment.

1 (ff) “Electric personal assistive mobility device” means a self-balanc-  
2 ing two nontandem wheeled device, designed to transport only one per-  
3 son, with an electric propulsion system that limits the maximum speed of  
4 the device to 15 miles per hour or less.

5 (gg) “Electronic certificate of title” means any electronic record of  
6 ownership, including any lien or liens that may be recorded, retained by  
7 the division in accordance with K.S.A. 2005 Supp. 8-135d, and amend-  
8 ments thereto.

9 (hh) “Motorized toy vehicle” means any self-propelled vehicle:

10 (1) Upon or by which a person may ride or be transported;

11 (2) having two tandem wheels, or three or four wheels;

12 (3) having a motor or engine;

13 (4) incapable of a speed in excess of 15 miles per hour; and

14 (5) designed specifically for use as a toy vehicle.

15 Sec. 4. K.S.A. 8-1437 is hereby amended to read as follows: 8-1437.

16 “Motor vehicle” means every vehicle, other than a motorized bicycle ~~or~~,  
17 a motorized wheelchair *or a motorized toy vehicle*, which is self-propelled  
18 and every vehicle which is propelled by electric power obtained from  
19 overhead trolley wires, but not operated upon rails.

20 Sec. 5. K.S.A. 8-1439 is hereby amended to read as follows: 8-1439.

21 “Motor-driven cycle” means every motorcycle, including every motor  
22 scooter, with a motor which produces not to exceed five brake horse-  
23 power, and every bicycle with motor attached, except a motorized bicycle  
24 ~~or~~, an electric-assisted bicycle *or any motorized toy vehicle*.

25 Sec. 6. K.S.A. 8-1439a is hereby amended to read as follows: 8-

26 1439a. “Motorized bicycle” means every device having two tandem  
27 wheels or three wheels which may be propelled by either human power  
28 or helper motor, or by both, and which has:

29 (a) A motor which produces not more than 3.5 brake horsepower;

30 (b) a cylinder capacity of not more than 130 cubic centimeters;

31 (c) an automatic transmission; and

32 (d) the capability of a maximum design speed of ~~no~~ *more than 15*  
33 *miles per hour but not* more than 30 miles per hour except a low power  
34 cycle.

35 Sec. 7. K.S.A. 2005 Supp. 8-1486 is hereby amended to read as fol-

36 lows: 8-1486. K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-  
37 1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and  
38 K.S.A. 2005 Supp. 8-1491, and amendments thereto, *or section 2, and*  
39 *amendments thereto*, shall be a part of, and supplemental to, the uniform  
40 act regulating traffic on highways.

41 Sec. 8. K.S.A. 8-1575 is hereby amended to read as follows: 8-1575.

42 No person shall drive any vehicle upon a sidewalk or sidewalk area except  
43 upon a permanent or duly authorized temporary driveway, *unless a local*

1 *authority authorizes the operation of motorized toy vehicles upon side-*  
2 *walks or sidewalk areas.*

3 Sec. 9. K.S.A. 8-1701 is hereby amended to read as follows: 8-1701.

4 (a) It is unlawful for any person to drive or move or for the owner to  
5 cause or knowingly permit to be driven or moved on any highway any  
6 vehicle or combination of vehicles which does not contain those parts or  
7 is not at all times equipped with such lamps and other equipment in  
8 proper condition and adjustment as required in this article, or which is  
9 equipped in any manner in violation of any provision of any section of  
10 this article 17, or for any person to do any act forbidden or fail to perform  
11 any act required by any provision of any section of this article 17. Except  
12 as otherwise provided in K.S.A. 8-1742a, 8-1743, 8-1746 and 8-1750 to  
13 8-1760, inclusive, and amendments thereto, any violation of this subsec-  
14 tion (a) or of any other provision of this article 17 is a traffic infraction.

15 (b) Nothing contained in this article 17 shall be construed to prohibit  
16 the use of additional parts and accessories on any vehicle not inconsistent  
17 with the provisions of this article.

18 (c) The provisions of this article 17 with respect to equipment re-  
19 quired on vehicles shall not apply to implements of husbandry, road ma-  
20 chinery, road rollers ~~or~~, farm tractors *or motorized toy vehicles*, except as  
21 specifically made applicable in this act.

22 (d) The provisions of this article 17 with respect to equipment re-  
23 quired on vehicles shall not apply to motorcycles or motor-driven cycles,  
24 except as specifically made applicable by law.

25 (e) A low-speed vehicle which is in compliance with the equipment  
26 requirements in 49 C.F.R. 571.500 shall be deemed to be in compliance  
27 with the provisions of this article 17.

28 Sec. 10. K.S.A. 8-2002 is hereby amended to read as follows: 8-2002.

29 (a) The provisions of this act shall not be deemed to prevent local au-  
30 thorities with respect to streets and highways under their jurisdiction and  
31 within the reasonable exercise of the police power from:

32 (1) Regulating or prohibiting stopping, standing or parking;

33 (2) regulating traffic by means of police officers or official traffic-  
34 control devices;

35 (3) regulating or prohibiting processions or assemblages on the  
36 highways;

37 (4) designating particular highways or roadways for use by traffic  
38 moving in one direction as authorized in K.S.A. 8-1521, and amendments  
39 thereto;

40 (5) establishing speed limits for vehicles in public parks notwithstand-  
41 ing the provisions of subsection (a)(3) of K.S.A. 8-1560, and amendments  
42 thereto;

43 (6) designating any highway as a through highway or designating any

- 1 intersection or junction of roadways as a stop or yield intersection or  
2 junction;
- 3 (7) restricting the use of highways as authorized in K.S.A. 8-1912,  
4 and amendments thereto;
- 5 (8) regulating the operation of bicycles and requiring the registration  
6 and inspection of same, including the requirement of a registration fee;
- 7 (9) regulating or prohibiting the turning of vehicles or specified types  
8 of vehicles;
- 9 (10) altering or establishing speed limits as authorized in K.S.A. 8-  
10 1560, and amendments thereto;
- 11 (11) establish school zones as provided in subsection (a)(4) of K.S.A.  
12 8-1560, and amendments thereto;
- 13 (12) designating no-passing zones as authorized in K.S.A. 8-1520, and  
14 amendments thereto;
- 15 (13) prohibiting or regulating the use of controlled-access roadways  
16 by any class or kind of traffic as authorized in K.S.A. 8-1525, and amend-  
17 ments thereto;
- 18 (14) prohibiting or regulating the use of heavily traveled streets by  
19 any class or kind of traffic found to be incompatible with the normal and  
20 safe movement of traffic;
- 21 (15) establishing minimum speed limits as authorized in subsection  
22 (b) of K.S.A. 8-1561, and amendments thereto;
- 23 (16) designating hazardous railroad grade crossings as authorized in  
24 K.S.A. 8-1552, and amendments thereto;
- 25 (17) designating and regulating traffic on play streets;
- 26 (18) prohibiting pedestrians from crossing a roadway in a business  
27 district or any designated highway except in a crosswalk as authorized in  
28 K.S.A. 8-2006, and amendments thereto;
- 29 (19) restricting pedestrian crossings at unmarked crosswalks as au-  
30 thorized in K.S.A. 8-2007, and amendments thereto;
- 31 (20) regulating persons propelling push carts;
- 32 (21) regulating persons upon skates, coasters, sleds and other toy  
33 vehicles;
- 34 (22) adopting and enforcing such temporary or experimental regu-  
35 lations as may be necessary to cover emergencies or special conditions;
- 36 (23) adopting such other traffic regulations as are specifically author-  
37 ized by this act;
- 38 (24) *regulating or prohibiting the operation of motorized toy vehicles,*  
39 *including as authorized under K.S.A. 8-1575, and amendments thereto.*
- 40 (b) No local authority shall erect or maintain any official traffic-con-  
41 trol device at any location so as to require the traffic on any state highway  
42 to stop before entering or crossing any intersecting highway unless ap-  
43 proval in writing has first been obtained from the secretary of

1 transportation.

2 (c) No ordinance, resolution or regulation enacted under paragraph  
 3 (4), (5), (6), (7), (9), (10), (12), (13), (14), (16), (17) or (19) of subsection  
 4 (a) of this section shall be effective until official traffic-control devices  
 5 giving notice of such local traffic regulations are erected upon or at the  
 6 entrances to the highway or part thereof affected as may be most  
 7 appropriate.

8 (d) No ordinance, resolution or regulation enacted under paragraph  
 9 (5), (10) or (22) shall establish a speed limit in excess of the speed limit  
 10 established by or pursuant to subsection (a) of K.S.A. 8-1558, and amend-  
 11 ments thereto, or paragraph (2) of subsection (a) or subsection (b) of  
 12 K.S.A. 8-1560, and amendments thereto.

13 Sec. 11. K.S.A. 2005 Supp. 8-2118 is hereby amended to read as  
 14 follows: 8-2118. (a) A person charged with a traffic infraction shall, except  
 15 as provided in subsection (b), appear at the place and time specified in  
 16 the notice to appear. If the person enters an appearance, waives right to  
 17 trial, pleads guilty or no contest, the fine shall be no greater than that  
 18 specified in the uniform fine schedule in subsection (c) and court costs  
 19 shall be taxed as provided by law.

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
38 Refusal to submit to a preliminary breath test	8-1012	\$90
39 Unsafe speed for prevailing conditions	8-1557	\$60

40  
 41  
 42  
 43

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

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

1	Speeding in certain vehicles or on posted	8-1563	\$30
2	bridge		
3	Improper stopping, standing or parking on	8-1569	\$30
4	roadway		
5	Parking, standing or stopping in prohibited	8-1571	\$30
6	area		
7	Improper parking	8-1572	\$30
8	Unattended vehicle	8-1573	\$30
9	Improper backing	8-1574	\$30
10	Driving on sidewalk	8-1575	\$30
11	Driving with view or driving mechanism	8-1576	\$30
12	obstructed		
13	Unsafe opening of vehicle door	8-1577	\$30
14	Riding in house trailer	8-1578	\$30
15	Improper driving in defiles, canyons, or on	8-1579	\$30
16	grades		
17	Coasting	8-1580	\$30
18	Following fire apparatus too closely	8-1581	\$60
19	Driving over fire hose	8-1582	\$30
20	Putting glass, etc., on highway	8-1583	\$90
21	Driving into intersection, crosswalk, or	8-1584	\$30
22	crossing without sufficient space on other		
23	side		
24	Improper operation of snowmobile on	8-1585	\$30
25	highway		
26	Parental responsibility of child riding bicycle	8-1586	\$30
27	Not riding on bicycle seat; too many persons	8-1588	\$30
28	on bicycle		
29	Clinging to other vehicle	8-1589	\$30
30	Improper riding of bicycle on roadway	8-1590	\$30
31	Carrying articles on bicycle; one hand on	8-1591	\$30
32	handlebars		
33	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
34	Improper operation of motorcycle; seats;	8-1594	\$30
35	passengers, bundles		
36	Improper operation of motorcycle on laned	8-1595	\$60
37	roadway		
38	Motorcycle clinging to other vehicle	8-1596	\$30
39	Improper motorcycle handlebars or passenger	8-1597	\$60
40	equipment		
41	Motorcycle helmet and eye-protection	8-1598	\$30
42	requirements		
43	Unlawful riding on vehicle	8-1578a	\$60

1	Unlawful operation of all-terrain vehicle	8-15,100	\$60
2	Unlawful operation of low-speed vehicle	8-15,101	\$60
3	Littering	8-15,102	\$100
4	<i>Unlawful operation of motorized toy vehicle</i>	<i>section 1</i>	\$60
5	Equipment offenses that are not	8-1701	\$60
6	misdemeanors		
7	Driving without lights when needed	8-1703	\$30
8	Defective headlamps	8-1705	\$30
9	Defective tail lamps	8-1706	\$30
10	Defective reflector	8-1707	\$30
11	Improper stop lamp or turn signal	8-1708	\$30
12	Improper lighting equipment on certain	8-1710	\$30
13	vehicles		
14	Improper lamp color on certain vehicles	8-1711	\$30
15	Improper mounting of reflectors and lamps on	8-1712	\$30
16	certain vehicles		
17	Improper visibility of reflectors and lamps on	8-1713	\$30
18	certain vehicles		
19	No lamp or flag on projecting load	8-1715	\$60
20	Improper lamps on parked vehicle	8-1716	\$30
21	Improper lights, lamps, reflectors and	8-1717	\$30
22	emblems on farm tractors or slow-moving		
23	vehicles		
24	Improper lamps and equipment on	8-1718	\$30
25	implements of husbandry, road machinery		
26	or animal-drawn vehicles		
27	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
28	Improper lamps or lights on emergency	8-1720	\$30
29	vehicle		
30	Improper stop or turn signal	8-1721	\$30
31	Improper vehicular hazard warning lamp	8-1722	\$30
32	Unauthorized additional lighting equipment	8-1723	\$30
33	Improper multiple-beam lights	8-1724	\$30
34	Failure to dim headlights	8-1725	\$60
35	Improper single-beam headlights	8-1726	\$30
36	Improper speed with alternate lighting	8-1727	\$30
37	Improper number of driving lamps	8-1728	\$30
38	Unauthorized lights and signals	8-1729	\$30
39	Improper school bus lighting equipment and	8-1730	\$30
40	warning devices		
41	Unauthorized lights and devices on church or	8-1730a	\$30
42	day-care bus		
43			

1	Improper lights on highway construction or	8-1731	\$30
2	maintenance vehicles		
3	Defective brakes	8-1734	\$30
4	Defective or improper use of horn or warning	8-1738	\$30
5	device		
6	Defective muffler	8-1739	\$30
7	Defective mirror	8-1740	\$30
8	Defective wipers; obstructed windshield or	8-1741	\$30
9	windows		
10	Improper tires	8-1742	\$30
11	Improper flares or warning devices	8-1744	\$30
12	Improper use of vehicular hazard warning	8-1745	\$30
13	lamps and devices		
14	Improper air-conditioning equipment	8-1747	\$30
15	TV screen visible to driver	8-1748	\$30
16	Improper safety belt or shoulder harness	8-1749	\$30
17	Improper wide-based single tires	8-1742b	\$60
18	Improper compression release engine braking	8-1761	\$60
19	system		
20	Defective motorcycle headlamp	8-1801	\$30
21	Defective motorcycle tail lamp	8-1802	\$30
22	Defective motorcycle reflector	8-1803	\$30
23	Defective motorcycle stop lamps and turn	8-1804	\$30
24	signals		
25	Defective multiple-beam lighting	8-1805	\$30
26	Improper road-lighting equipment on motor-	8-1806	\$30
27	driven cycles		
28	Defective motorcycle or motor-driven cycle	8-1807	\$30
29	brakes		
30	Improper performance ability of brakes	8-1808	\$30
31	Operating motorcycle with disapproved	8-1809	\$30
32	braking system		
33	Defective horn, muffler, mirrors or tires	8-1810	\$30
34	Unlawful statehouse parking	75-4510a	\$15
35	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
36	combination		up to 1000 ..... \$25
37			1001 to 2000 ..... 3¢ per pound
38			2001 to 5000 ..... 5¢ per pound
39			5001 to 7500 ..... 7¢ per pound
40			7501 and over ... 10¢ per pound
41			
42			
43			

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

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

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

30     (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
31 amendments thereto, within two years after a prior conviction of K.S.A.  
32 8-1908 or 8-1909, and amendments thereto, such person, upon conviction  
33 shall be fined 1½ times the applicable amount from one, but not both,  
34 of the schedules listed in the uniform fine schedule contained in  
35 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and  
36 amendments thereto, within two years, after two prior convictions of  
37 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
38 conviction shall be fined two times the applicable amount from one, but  
39 not both, of the schedules listed in the uniform fine schedule contained  
40 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-  
41 1908 or 8-1909, and amendments thereto, within two years after three  
42 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,  
43 such person, upon conviction shall be fined 2½ times the applicable

1 amount from one, but not both, of the schedules listed in the uniform  
2 fine schedule contained in subsection (c).

3 Sec. 12. K.S.A. 8-1437, 8-1439, 8-1439a, 8-1575, 8-1701 and 8-2002  
4 and K.S.A. 2005 Supp. 8-126, 8-1486 and 8-2118 are hereby repealed.

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