

SENATE BILL No. 142

By Committee on Transportation

1-29

10 AN ACT concerning transportation; relating to designation of certain
11 highway segments as safety corridors by the secretary of transportation;
12 establishing the traffic safety corridor fund; amending K.S.A. 2008
13 Supp. 8-2118 and repealing the existing section.
14

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

16 New Section 1. Sections 1 ~~through 6, 2, 3 and 5~~, and amendments
17 thereto, shall be known and may be cited as the safety corridor act.

18 New Sec. 2. As used in the safety corridor act:

19 (a) “Department” means the department of transportation.

20 (b) “Safety corridor” means a segment of highway designated by the
21 secretary of transportation pursuant to the provisions of this act identified
22 by posted or moving signs as being a safety corridor. The corridor starts
23 at the first sign identifying the corridor and continues until a posted or
24 moving sign indicates that the corridor has ended.

25 (c) “Secretary” means the secretary of transportation.

26 New Sec. 3. (a) The secretary is authorized to establish a highway
27 safety corridor program in the state.

28 (b) The secretary shall determine the eligibility for highway segments
29 to be designated as a safety corridor. The following criteria shall be used
30 in determining designation as a safety corridor, which shall include, but
31 not be limited to:

32 (1) Whether the designation would diminish accident rates ~~and fa-~~
33 ~~talities; and;~~

34 (2) whether the designation would diminish fatality rates;

35 (3) **accident rates and accident fatality rates, which account for**
36 **the amount of crashes;**

37 (4) **number of crashes resulting in serious injury or death; and**

38 (5) **traffic volumes.**

39 (c) The secretary shall use the same criteria on all highways in deter-
40 mining whether a highway segment shall be designated as a safety
41 corridor.

42 (d) The secretary shall have authority to designate highway safety
43 corridors on highways that are designated as interstate, United States or

1 state highways.

2 (e) The secretary shall not designate a safety corridor on an interstate,
3 United States or state highway within the corporate limits of any city
4 unless the governing body of such city has passed a resolution supporting
5 the designation of a safety corridor by the secretary.

6 (f) The secretary may designate highways that are not interstate,
7 United States or state highways as safety corridors by the local govern-
8 ment entity having jurisdiction over the highway. To be designated a
9 safety corridor the local highway shall meet the criteria established by the
10 secretary. The secretary, upon request of a local government entity, shall
11 determine if a local highway meets criteria pursuant to subsection (b) for
12 the safety corridor designation. If the local highway meets the criteria to
13 be designated a safety corridor, a local government entity shall be re-
14 sponsible for passing an ordinance or resolution pursuant to subsection
15 (e).

16 (g) The secretary shall establish guidelines to evaluate whether a
17 highway segment designated as a safety corridor continues to meet es-
18 tablished criteria. If the secretary determines the criteria no longer ap-
19 plies to the segment, the designation shall be revoked, the signage re-
20 moved and the segment shall cease to be a safety corridor.

21 Sec. 4. K.S.A. 2008 Supp. 8-2118 is hereby amended to read as fol-
22 lows: 8-2118. (a) A person charged with a traffic infraction shall, except
23 as provided in subsection (b), appear at the place and time specified in
24 the notice to appear. If the person enters an appearance, waives right to
25 trial, pleads guilty or no contest, the fine shall be no greater than that
26 specified in the uniform fine schedule in subsection (c) and court costs
27 shall be taxed as provided by law.

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

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

1	ence only and is not a legal definition.		
2	<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
3	Refusal to submit to a preliminary breath test	8-1012	\$90
4	Unsafe speed for prevailing conditions	8-1557	\$60
5	Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
6	in zone posted by the state department of	to	11-20 mph over the limit,
7	transportation; or speeding in locally posted	8-1560	\$30 plus \$6 per mph over
8	zone	8-1560a	10 mph over the limit;
9		or	21-30 mph over the limit,
10		8-1560b	\$90 plus \$9 per mph over
11			20 mph over the limit;
12			31 and more mph over the
13			limit, \$180 plus \$15 per
14			mph over 30 mph over the
15			limit;
16	Disobeying traffic control device	8-1507	\$60
17	Violating traffic control signal	8-1508	\$60
18	Violating pedestrian control signal	8-1509	\$30
19	Violating flashing traffic signals	8-1510	\$60
20	Violating lane-control signal	8-1511	\$60
21	Unauthorized sign, signal, marking or device	8-1512	\$30
22	Driving on left side of roadway	8-1514	\$60
23	Failure to keep right to pass oncoming vehicle	8-1515	\$60
24	Improper passing; increasing speed when	8-1516	\$60
25	passed		
26	Improper passing on right	8-1517	\$60
27	Passing on left with insufficient clearance	8-1518	\$60
28	Driving on left side where curve, grade,	8-1519	\$60
29	intersection railroad crossing, or obstructed		
30	view		
31	Driving on left in no-passing zone	8-1520	\$60
32	Unlawful passing of stopped emergency	8-1520a	\$60
33	vehicle		
34	Driving wrong direction on one-way road	8-1521	\$60
35	Improper driving on laned roadway	8-1522	\$60
36	Following too close	8-1523	\$60
37	Improper crossover on divided highway	8-1524	\$30
38	Failure to yield right-of-way at uncontrolled	8-1526	\$60
39	intersection		
40	Failure to yield to approaching vehicle when	8-1527	\$60
41	turning left		
42	Failure to yield at stop or yield sign	8-1528	\$60
43			

1	Failure to yield from private road or driveway	8-1529	\$60
2	Failure to yield to emergency vehicle	8-1530	\$180
3	Failure to yield to pedestrian or vehicle	8-1531	\$90
4	working on roadway		
5	Failure to comply with restrictions in road	8-1531a	\$30
6	construction zone		
7	Disobeying pedestrian traffic control device	8-1532	\$30
8	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
9	pedestrian suddenly entering roadway;		
10	passing vehicle stopped for pedestrian at		
11	crosswalk		
12	Improper pedestrian crossing	8-1534	\$30
13	Failure to exercise due care in regard to	8-1535	\$30
14	pedestrian		
15	Improper pedestrian movement in crosswalk	8-1536	\$30
16	Improper use of roadway by pedestrian	8-1537	\$30
17	Soliciting ride or business on roadway	8-1538	\$30
18	Driving through safety zone	8-1539	\$30
19	Failure to yield to pedestrian on sidewalk	8-1540	\$30
20	Failure of pedestrian to yield to emergency	8-1541	\$30
21	vehicle		
22	Failure to yield to blind pedestrian	8-1542	\$30
23	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
24	Improper turn or approach	8-1545	\$60
25	Improper "U" turn	8-1546	\$60
26	Unsafe starting of stopped vehicle	8-1547	\$30
27	Unsafe turning or stopping, failure to give	8-1548	\$60
28	proper signal; using turn signal unlawfully		
29	Improper method of giving notice of intention	8-1549	\$30
30	to turn		
31	Improper hand signal	8-1550	\$30
32	Failure to stop or obey railroad crossing signal	8-1551	\$180
33	Failure to stop at railroad crossing stop sign	8-1552	\$120
34	Certain hazardous vehicles failure to stop at	8-1553	\$180
35	railroad crossing		
36	Improper moving of heavy equipment at	8-1554	\$60
37	railroad crossing		
38	Vehicle emerging from alley, private roadway,	8-1555	\$60
39	building or driveway		
40	Improper passing of school bus; improper use	8-1556	\$300
41	of school bus signals		
42	Improper passing of church or day-care bus;	8-1556a	\$180
43	improper use of signals		

1	Impeding normal traffic by slow speed	8-1561	\$30
2	Speeding on motor-driven cycle	8-1562	\$60
3	Speeding in certain vehicles or on posted	8-1563	\$30
4	bridge		
5	Improper stopping, standing or parking on	8-1569	\$30
6	roadway		
7	Parking, standing or stopping in prohibited	8-1571	\$30
8	area		
9	Improper parking	8-1572	\$30
10	Unattended vehicle	8-1573	\$30
11	Improper backing	8-1574	\$30
12	Driving on sidewalk	8-1575	\$30
13	Driving with view or driving mechanism	8-1576	\$30
14	obstructed		
15	Unsafe opening of vehicle door	8-1577	\$30
16	Riding in house trailer	8-1578	\$30
17	Improper driving in defiles, canyons, or on	8-1579	\$30
18	grades		
19	Coasting	8-1580	\$30
20	Following fire apparatus too closely	8-1581	\$60
21	Driving over fire hose	8-1582	\$30
22	Putting glass, etc., on highway	8-1583	\$90
23	Driving into intersection, crosswalk, or	8-1584	\$30
24	crossing without sufficient space on other		
25	side		
26	Improper operation of snowmobile on	8-1585	\$30
27	highway		
28	Parental responsibility of child riding bicycle	8-1586	\$30
29	Not riding on bicycle seat; too many persons	8-1588	\$30r
30	on bicycle		
31	Clinging to other vehicle	8-1589	\$30
32	Improper riding of bicycle on roadway	8-1590	\$30
33	Carrying articles on bicycle; one hand on	8-1591	\$30
34	handlebars		
35	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
36	Improper operation of motorcycle; seats;	8-1594	\$30
37	passengers, bundles		
38	Improper operation of motorcycle on laned	8-1595	\$60
39	roadway		
40	Motorcycle clinging to other vehicle	8-1596	\$30
41	Improper motorcycle handlebars or passenger	8-1597	\$60
42	equipment		

1	Motorcycle helmet and eye-protection	8-1598	\$30
2	requirements		
3	Unlawful riding on vehicle	8-1578a	\$60
4	Unlawful operation of all-terrain vehicle	8-15,100	\$60
5	Unlawful operation of low-speed vehicle	8-15,101	\$60
6	Littering	8-15,102	\$100
7	Disobeying school crossing guard	8-15,103	\$60
8	Unlawful operation of micro utility truck	8-15,106	\$60
9	Equipment offenses that are not	8-1701	\$60
10	misdemeanors		
11	Driving without lights when needed	8-1703	\$30
12	Defective headlamps	8-1705	\$30
13	Defective tail lamps	8-1706	\$30
14	Defective reflector	8-1707	\$30
15	Improper stop lamp or turn signal	8-1708	\$30
16	Improper lighting equipment on certain	8-1710	\$30
17	vehicles		
18	Improper lamp color on certain vehicles	8-1711	\$30
19	Improper mounting of reflectors and lamps on	8-1712	\$30
20	certain vehicles		
21	Improper visibility of reflectors and lamps on	8-1713	\$30
22	certain vehicles		
23	No lamp or flag on projecting load	8-1715	\$60
24	Improper lamps on parked vehicle	8-1716	\$30
25	Improper lights, lamps, reflectors and	8-1717	\$30
26	emblems on farm tractors or slow-moving		
27	vehicles		
28	Improper lamps and equipment on	8-1718	\$30
29	implements of husbandry, road machinery		
30	or animal-drawn vehicles		
31	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
32	Improper lamps or lights on emergency	8-1720	\$30
33	vehicle		
34	Improper stop or turn signal	8-1721	\$30
35	Improper vehicular hazard warning lamp	8-1722	\$30
36	Unauthorized additional lighting equipment	8-1723	\$30
37	Improper multiple-beam lights	8-1724	\$30
38	Failure to dim headlights	8-1725	\$60
39	Improper single-beam headlights	8-1726	\$30
40	Improper speed with alternate lighting	8-1727	\$30
41	Improper number of driving lamps	8-1728	\$30
42	Unauthorized lights and signals	8-1729	\$30

1	Improper school bus lighting equipment and	8-1730	\$30
2	warning devices		
3	Unauthorized lights and devices on church or	8-1730a	\$30
4	day-care bus		
5	Improper lights on highway construction or	8-1731	\$30
6	maintenance vehicles		
7	Defective brakes	8-1734	\$30
8	Defective or improper use of horn or warning	8-1738	\$30
9	device		
10	Defective muffler	8-1739	\$30
11	Defective mirror	8-1740	\$30
12	Defective wipers; obstructed windshield or	8-1741	\$30
13	windows		
14	Improper tires	8-1742	\$30
15	Improper flares or warning devices	8-1744	\$30
16	Improper use of vehicular hazard warning	8-1745	\$30
17	lamps and devices		
18	Improper air-conditioning equipment	8-1747	\$30
19	Improper safety belt or shoulder harness	8-1749	\$30
20	Improper wide-based single tires	8-1742b	\$60
21	Improper compression release engine braking	8-1761	\$60
22	system		
23	Defective motorcycle headlamp	8-1801	\$30
24	Defective motorcycle tail lamp	8-1802	\$30
25	Defective motorcycle reflector	8-1803	\$30
26	Defective motorcycle stop lamps and turn	8-1804	\$30
27	signals		
28	Defective multiple-beam lighting	8-1805	\$30
29	Improper road-lighting equipment on motor-	8-1806	\$30
30	driven cycles		
31	Defective motorcycle or motor-driven cycle	8-1807	\$30
32	brakes		
33	Improper performance ability of brakes	8-1808	\$30
34	Operating motorcycle with disapproved	8-1809	\$30
35	braking system		
36	Defective horn, muffler, mirrors or tires	8-1810	\$30
37	Unlawful statehouse parking	75-4510a	\$15
38	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
39	combination		up to 1000 \$25
40			1001 to 2000 3¢ per pound
41			2001 to 5000 5¢ per pound
42			5001 to 7500 7¢ per pound
43			7501 and over ... 10¢ per pound

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	Violation of motor carrier safety rules and	66-1,129	\$100
15	regulations, except for violations specified in		
16	subsection (b)(2) of K.S.A. 66-1,130, and		
17	amendments thereto		

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

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

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

1 such person, upon conviction shall be fined 2½ times the applicable
2 amount from one, but not both, of the schedules listed in the uniform
3 fine schedule contained in subsection (c).

4 (g) Fines listed in the uniform fine schedule contained in subsection
5 (c) relating to exceeding the maximum speed limit, shall be doubled if a
6 person is convicted of exceeding the maximum speed limit in a school
7 zone authorized under subsection (a)(4) of K.S.A. 8-1560, and
8 amendments thereto.

9 (h) *Fines listed in the uniform fine schedule contained in subsection*
10 *(c) shall be doubled if a person is convicted of a traffic violation which is*
11 *defined as a moving violation in accordance with rules and regulations*
12 *adopted pursuant to K.S.A. 8-249, and amendments thereto, committed*
13 *within any safety corridor as defined in section 2, and amendments*
14 *thereto, except that if a person is convicted of a moving violation pursuant*
15 *to both this subsection and subsection (e), such person, upon conviction*
16 *shall be fined the applicable amount from one, but not both of the*
17 *schedules listed in the uniform fine schedule contained in subsection (c).*

18 New Sec. 5. (a) The secretary of transportation is hereby authorized
19 and empowered to establish and administer a grant program for local
20 governmental entities wanting to designate a segment of highway as a
21 safety corridor pursuant to resolution or ordinance upon application in a
22 manner prescribed by the secretary from the safety corridor fund
23 established by this section.

24 (b) There is hereby created in the state treasury the safety corridor
25 fund to be administered by the secretary of transportation. All fines
26 collected pursuant to subsection (h) of K.S.A. 8-2118, and amendments
27 thereto, shall be remitted to the state treasurer in accordance with the
28 provisions of K.S.A. 75-4215, and amendments thereto, and upon receipt
29 of each such remittance, the state treasurer shall deposit \$25 to the credit
30 of the safety corridor fund and deposit the remainder ~~to the credit of the~~
31 ~~state general fund~~ **as prescribed by K.S.A. 74-7336, and amendments**
32 **thereto.** All moneys credited to the safety corridor fund shall be used
33 solely for programs within designated safety corridors, including
34 education, enforcement, **reimbursement, as soon as moneys are**
35 **available therefor, of actual and necessary expenses paid from**
36 **another fund of the department of transportation, or any other state**
37 **agency to implement the safety corridor act** and such other purposes
38 deemed appropriate by the secretary. Each municipality or other
39 governmental entity who enacts an ordinance or resolution that is
40 substantially similar to this section shall remit \$25 from each fine collected
41 for a violation to the safety corridor fund.

42 ~~New Sec. 6. No plea bargaining agreement shall be entered into nor~~
43 ~~shall any judge approve a plea bargaining agreement entered into for the~~

1 ~~purpose of permitting a person charged with a traffic violation which is~~
2 ~~defined as a moving violation, in accordance with rules and regulations~~
3 ~~adopted pursuant to K.S.A. 8-249, and amendments thereto, committed~~
4 ~~within any safety corridor as defined in section 2, and amendments~~
5 ~~thereto, or a violation of any ordinance of a city or resolution of any county~~
6 ~~in this state which prohibits the acts prohibited by this act, to avoid the~~
7 ~~mandatory penalties established by this act or by the ordinance. A district~~
8 ~~court or municipal court shall not waive, reduce or suspend the minimum~~
9 ~~fine or court costs, or both, imposed pursuant to subsection (h) of K.S.A.~~
10 ~~8-2118, and amendments thereto.~~
11 Sec. ~~7.~~ **6.** K.S.A. 2008 Supp. 8-2118 is hereby repealed.
12 Sec. ~~8.~~ **7.** This act shall take effect and be in force from and after its
13 publication in the statute book.