

As Amended by House Committee

As Amended by Senate Committee

Session of 2009

SENATE BILL No. 37

By Senator Lee

1-15

12 AN ACT regulating traffic; concerning ~~golf carts~~ **the regulation of cer-**
13 **tain vehicles**; amending K.S.A. 2008 Supp. 8-126, 8-128, ~~8-1486 8-~~
14 **1402a, 8-1486, 8-1494** and 8-2118 and repealing the existing
15 sections.

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

18 New Section 1. "Golf cart" means a motor vehicle that has not less
19 than three wheels in contact with the ground, an unladen weight of not
20 more than 1,800 pounds, is designed to be and is operated at not more
21 than 25 miles per hour and is designed to carry not more than four per-
22 sons including the driver.

23 New Sec. 2. (a) It shall be unlawful for any person to operate a golf
24 cart: (1) On any interstate highway, federal highway or state highway; (2)
25 on any public highway or street within the corporate limits of any city
26 unless authorized by such city; or (3) on any street or highway with a
27 posted speed limit greater than 30 miles per hour.

28 (b) The provisions of subsection (a) shall not prohibit a golf cart from
29 crossing a federal or state highway or a street or highway with a posted
30 speed limit in excess of 30 miles per hour.

31 ~~(c) A golf cart operated on any public street or highway shall be~~
32 ~~equipped with efficient brakes, brake lights, reliable steering apparatus,~~
33 ~~rearview mirror, red reflectorized warning devices in both the front and~~
34 ~~rear, **a slow moving vehicle emblem, as defined in K.S.A. 8-1717,**~~
35 ~~**and amendments thereto,** and turn signal equipment.~~

36 ~~(d) c~~ A golf cart shall be operated on any public street or highway
37 only during the hours between sunrise and sunset.

38 ~~(e) d~~ This section shall be part of and supplemental to the uniform
39 act regulating traffic on highways.

40 **New Sec. 3. (a) It shall be unlawful for any person to operate**
41 **a work-site utility vehicle: (1) On any interstate highway, federal**
42 **highway or state highway; or (2) within the corporate limits of any**
43 **city unless authorized by such city.**

1 **(b) No work-site utility vehicle shall be operated on any public**
2 **highway, street or road between sunset and sunrise unless**
3 **equipped with lights as required by law for motorcycles.**

4 **(c) This section shall be part of and supplemental to the uni-**
5 **form act regulating traffic on highways.**

6 Sec. 3 4. K.S.A. 2008 Supp. 8-126 is hereby amended to read as
7 follows: 8-126. The following words and phrases when used in this act
8 shall have the meanings respectively ascribed to them herein:

9 (a) “Vehicle” means every device in, upon or by which any person or
10 property is or may be transported or drawn upon a public highway, ex-
11 cepting electric personal assistive mobility devices or devices moved by
12 human power or used exclusively upon stationary rails or tracks.

13 (b) “Motor vehicle” means every vehicle, other than a motorized bi-
14 cycle or a motorized wheelchair, which is self-propelled.

15 (c) “Truck” means a motor vehicle which is used for the transporta-
16 tion or delivery of freight and merchandise or more than 10 passengers.

17 (d) “Motorcycle” means every motor vehicle designed to travel on
18 not more than three wheels in contact with the ground, except any such
19 vehicle as may be included within the term “tractor” as herein defined.

20 (e) “Truck tractor” means every motor vehicle designed and used
21 primarily for drawing other vehicles, and not so constructed as to carry a
22 load other than a part of the weight of the vehicle or load so drawn.

23 (f) “Farm tractor” means every motor vehicle designed and used as
24 a farm implement power unit operated with or without other attached
25 farm implements in any manner consistent with the structural design of
26 such power unit.

27 (g) “Road tractor” means every motor vehicle designed and used for
28 drawing other vehicles, and not so constructed as to carry any load
29 thereon independently, or any part of the weight of a vehicle or load so
30 drawn.

31 (h) “Trailer” means every vehicle without motive power designed to
32 carry property or passengers wholly on its own structure and to be drawn
33 by a motor vehicle.

34 (i) “Semitrailer” means every vehicle of the trailer type so designed
35 and used in conjunction with a motor vehicle that some part of its own
36 weight and that of its own load rests upon or is carried by another vehicle.

37 (j) “Pole trailer” means any two-wheel vehicle used as a trailer with
38 bolsters that support the load, and do not have a rack or body extending
39 to the tractor drawing the load.

40 (k) “Specially constructed vehicle” means any vehicle which shall not
41 have been originally constructed under a distinctive name, make, model
42 or type, or which, if originally otherwise constructed shall have been ma-
43 terially altered by the removal of essential parts, or by the addition or

1 substitution of essential parts, new or used, derived from other vehicles
2 or makes of vehicles.

3 (l) “Foreign vehicle” means every motor vehicle, trailer or semitrailer
4 which shall be brought into this state otherwise than in ordinary course
5 of business by or through a manufacturer or dealer and which has not
6 been registered in this state.

7 (m) “Person” means every natural person, firm, partnership, associ-
8 ation or corporation.

9 (n) “Owner” means a person who holds the legal title of a vehicle, or
10 in the event a vehicle is the subject of an agreement for the conditional
11 sale thereof with the right of purchase upon performance of the condi-
12 tions stated in the agreement and with an immediate right of possession
13 vested in the conditional vendee or in the event a vehicle is subject to a
14 lease of 30 days or more with an immediate right of possession vested in
15 the lessee; or in the event a party having a security interest in a vehicle
16 is entitled to possession, then such conditional vendee or lessee or secured
17 party shall be deemed the owner for the purpose of this act.

18 (o) “Nonresident” means every person who is not a resident of this
19 state.

20 (p) “Manufacturer” means every person engaged in the business of
21 manufacturing motor vehicles, trailers or semitrailers.

22 (q) “New vehicle dealer” means every person actively engaged in the
23 business of buying, selling or exchanging new motor vehicles, travel trail-
24 ers, trailers or vehicles and who holds a dealer’s contract therefor from a
25 manufacturer or distributor and who has an established place of business
26 in this state.

27 (r) “Used vehicle dealer” means every person actively engaged in the
28 business of buying, selling or exchanging used vehicles, and having an
29 established place of business in this state and who does not hold a dealer’s
30 contract for the sale of new motor vehicles, travel trailers, trailers or
31 vehicles.

32 (s) “Highway” means every way or place of whatever nature open to
33 the use of the public as a matter of right for the purpose of vehicular
34 travel. The term “highway” shall not be deemed to include a roadway or
35 driveway upon grounds owned by private owners, colleges, universities
36 or other institutions.

37 (t) “Department” or “motor vehicle department” or “vehicle depart-
38 ment” means the division of vehicles of the department of revenue, acting
39 directly or through its duly authorized officers and agents. When acting
40 on behalf of the department of revenue pursuant to this act, a county
41 treasurer shall be deemed to be an agent of the state of Kansas.

42 (u) “Commission” or “state highway commission” means the director
43 of vehicles of the department of revenue.

- 1 (v) “Division” means the division of vehicles of the department of
2 revenue.
- 3 (w) “Travel trailer” means every vehicle without motive power de-
4 signed to be towed by a motor vehicle constructed primarily for recrea-
5 tional purposes.
- 6 (x) “Passenger vehicle” means every motor vehicle, as herein defined,
7 which is designed primarily to carry 10 or fewer passengers, and which
8 is not used as a truck.
- 9 (y) “Self-propelled farm implement” means every farm implement
10 designed for specific use applications with its motive power unit perma-
11 nently incorporated in its structural design.
- 12 (z) “Farm trailer” means every trailer as defined in subsection (h) of
13 this section and every semitrailer as defined in subsection (i) of this sec-
14 tion, designed and used primarily as a farm vehicle.
- 15 (aa) “Motorized bicycle” means every device having two tandem
16 wheels or three wheels, which may be propelled by either human power
17 or helper motor, or by both, and which has:
- 18 (1) A motor which produces not more than 3.5 brake horsepower;
19 (2) a cylinder capacity of not more than 130 cubic centimeters;
20 (3) an automatic transmission; and
21 (4) the capability of a maximum design speed of no more than 30
22 miles per hour.
- 23 (bb) “All-terrain vehicle” means any motorized nonhighway vehicle
24 ~~48 50~~ inches or less in width, having a dry weight of ~~1,000~~ **1,500** pounds
25 or less, traveling on three or more ~~low-pressure~~ **nonhighway** tires, having
26 a seat designed to be straddled by the operator. As used in this subsection,
27 ~~low-pressure~~ **nonhighway** tire means any pneumatic tire six inches or
28 more in width, designed for use on wheels with rim diameter of ~~12~~ **14**
29 inches or less, ~~and utilizing an operating pressure of 10 pounds per square~~
30 ~~inch or less as recommended by the vehicle manufacturer.~~
- 31 (cc) “Implement of husbandry” means every vehicle designed or
32 adapted and used exclusively for agricultural operations, including feed-
33 lots, and only incidentally moved or operated upon the highways. Such
34 term shall include, but not be limited to:
- 35 (1) A farm tractor;
36 (2) a self-propelled farm implement;
37 (3) a fertilizer spreader, nurse tank or truck permanently mounted
38 with a spreader used exclusively for dispensing or spreading water, dust
39 or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202,
40 and amendments thereto, regardless of ownership;
41 (4) a truck mounted with a fertilizer spreader used or manufactured
42 principally to spread animal dung;
43 (5) a mixer-feed truck owned and used by a feedlot, as defined in

- 1 K.S.A. 47-1501, and amendments thereto, and specially designed and
2 used exclusively for dispensing food to livestock in such feedlot.
- 3 (dd) “Motorized wheelchair” means any self-propelled vehicle de-
4 signed specifically for use by a physically disabled person that is incapable
5 of a speed in excess of 15 miles per hour.
- 6 (ee) “Oil well servicing, oil well clean-out or oil well drilling machin-
7 ery or equipment” means a vehicle constructed as a machine used exclu-
8 sively for servicing, cleaning-out or drilling an oil well and consisting in
9 general of a mast, an engine for power, a draw works and a chassis per-
10 manently constructed or assembled for one or more of those purposes.
11 The passenger capacity of the cab of a vehicle shall not be considered in
12 determining whether such vehicle is an oil well servicing, oil well clean-
13 out or oil well drilling machinery or equipment.
- 14 (ff) “Electric personal assistive mobility device” means a self-balanc-
15 ing two nontandem wheeled device, designed to transport only one per-
16 son, with an electric propulsion system that limits the maximum speed of
17 the device to 15 miles per hour or less.
- 18 (gg) “Electronic certificate of title” means any electronic record of
19 ownership, including any lien or liens that may be recorded, retained by
20 the division in accordance with K.S.A. 2008 Supp. 8-135d, and amend-
21 ments thereto.
- 22 (hh) “Work-site utility vehicle” means any motor vehicle which is not
23 less than 48 inches in width, has an overall length, including the bumper,
24 of not more than 135 inches, has an unladen weight, including fuel and
25 fluids, of more than 800 pounds and is equipped with four or more low
26 pressure tires, a steering wheel and bench or bucket-type seating allowing
27 at least two people to sit side-by-side, and may be equipped with a bed
28 or cargo box for hauling materials. “Work-site utility vehicle” does not
29 include a micro utility truck.
- 30 (ii) “Micro utility truck” means any motor vehicle which is not less
31 than 48 inches in width, has an overall length, including the bumper, of
32 not more than ~~144~~ **160** inches, has an unladen weight, including fuel and
33 fluids, of more than 1,500 pounds, can exceed 40 miles per hour as orig-
34 inally manufactured and is manufactured with a metal cab. “Micro utility
35 truck” does not include a work-site utility vehicle.
- 36 (jj) *“Golf cart” means a motor vehicle that has not less than three*
37 *wheels in contact with the ground, an unladen weight of not more than*
38 *1,800 pounds, is designed to be and is operated at not more than 25 miles*
39 *per hour and is designed to carry not more than four persons including*
40 *the driver.*
- 41 Sec. ~~4~~ **5**. K.S.A. 2008 Supp. 8-128 is hereby amended to read as
42 follows: 8-128. (a) The following need not be registered under this act,
43 any:

- 1 (1) Implement of husbandry;
2 (2) all-terrain vehicle;
3 (3) micro utility truck;
4 (4) *golf cart*;
5 **(5) work-site utility vehicle;**
6 ~~(4)~~ ~~(5)~~ **6** road roller or road machinery temporarily operated or
7 moved upon the highways;
8 ~~(5)~~ ~~(6)~~ **7** municipally owned fire truck;
9 ~~(6)~~ ~~(7)~~ **8** privately owned fire truck subject to a mutual aid agreement
10 with a municipality;
11 ~~(7)~~ ~~(8)~~ **9** school bus owned and operated by a school district or a
12 nonpublic school which has the name of the municipality, school district
13 or nonpublic school plainly painted thereon;
14 ~~(8)~~ ~~(9)~~ **10** farm trailer used in carrying not more than 6,000 pounds
15 owned by a person engaged in farming, which trailer is used exclusively
16 by the owner to transport agricultural products produced by such owner
17 or commodities purchased by the owner for use on the farm owned or
18 rented by the owner of such trailer and the weight of any such farm trailer,
19 plus the cargo weight of 6,000 pounds or less, shall not be considered in
20 determining the gross weight for which the truck or truck tractor pro-
21 pelling the same shall be registered; or
22 ~~(9)~~ ~~(10-11)~~ farm trailer used and designed for transporting hay or
23 forage from a field to a storage area or from a storage area to a feedlot,
24 which is only incidentally moved or operated upon the highways, except
25 that this paragraph shall not apply to a farm semitrailer.
26 (b) Self-propelled cranes where the crane operator on a job site op-
27 erates the controls of such crane from a permanent housing or module
28 on the crane and the crane is not used for the transportation of property,
29 except the property that is required for the operation of the crane itself
30 and earth moving equipment which are equipped with pneumatic tires
31 may be moved on the highways of this state from one job location to
32 another, or to or from places of storage, delivery or repair, without com-
33 plying with the provisions of the law relating to registration and display
34 of license plates but shall comply with all the other requirements of the
35 law relating to motor vehicles.
36 (c) Oil well servicing, oil well clean-out or oil well drilling machinery
37 or equipment need not be registered under this act but shall comply with
38 all the other requirements of the law relating to motor vehicles.
39 (d) A truck permanently mounted with a hydraulic concrete pump
40 and placing boom may be moved on the highways of this state from one
41 job location to another, or to or from places of storage delivery or repair,
42 without being registered under this act, but shall comply with all the other
43 requirements of the law relating to motor vehicles. The provisions of this

1 subsection shall not apply to ready-mix concrete trucks.

2 **Sec. 6. K.S.A. 2008 Supp. 8-1402a is hereby amended to read**
3 **as follows: 8-1402a. “All-terrain vehicle” means any motorized**
4 **nonhighway vehicle 48 50 inches or less in width, having a dry**
5 **weight of 1,000 1,500 pounds or less, traveling on three or more**
6 **low-pressure nonhighway tires, having a seat designed to be strad-**
7 **dled by the operator. As used in this section, “low-pressure nonhigh-**
8 **way tire” means any pneumatic tire six inches or more in width,**
9 **designed for use on wheels with rim diameter of 12 14 inches or**
10 **less and utilizing an operating pressure of 10 pounds per square inch or**
11 **less as recommended by the vehicle manufacturer.**

12 **Sec. 5 7. K.S.A. 2008 Supp. 8-1486 is hereby amended to read as**
13 **follows: 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. 2008 Supp. 8-1491, 8-1492, 8-1493 and 8-1494 and section 1, and**
16 **amendments thereto, shall be a part of, and supplemental to, the uniform**
17 **act regulating traffic on highways.**

18 **Sec. 8. K.S.A. 2008 Supp. 8-1494 is hereby amended to read**
19 **as follows: 8-1494. “Micro utility truck” means any motor vehicle**
20 **which is not less than 48 inches in width, has an overall length,**
21 **including the bumper, of not more than 144 160 inches, has an**
22 **unladen weight, including fuel and fluids, of more than 1,500**
23 **pounds, can exceed 40 miles per hour as originally manufactured**
24 **and is manufactured with a metal cab. “Micro utility truck” does**
25 **not include a work-site utility vehicle.**

26 **Sec. 6 9. K.S.A. 2008 Supp. 8-2118 is hereby amended to read as**
27 **follows: 8-2118. (a) A person charged with a traffic infraction shall, except**
28 **as provided in subsection (b), appear at the place and time specified in**
29 **the notice to appear. If the person enters an appearance, waives right to**
30 **trial, pleads guilty or no contest, the fine shall be no greater than that**
31 **specified in the uniform fine schedule in subsection (c) and court costs**
32 **shall be taxed as provided by law.**

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

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

| <i>Description of Offense</i> | <i>Statute</i> | <i>Fine</i> |
|--|--|--|
| Refusal to submit to a preliminary breath test | 8-1012 | \$90 |
| Unsafe speed for prevailing conditions | 8-1557 | \$60 |
| Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone | 8-1558 to 8-1560 8-1560a or 8-1560b | 1-10 mph over the limit, \$30 11-20 mph over the limit, \$30 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$90 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$180 plus \$15 per mph over 30 mph over the limit; |
| Disobeying traffic control device | 8-1507 | \$60 |
| Violating traffic control signal | 8-1508 | \$60 |
| Violating pedestrian control signal | 8-1509 | \$30 |
| Violating flashing traffic signals | 8-1510 | \$60 |
| Violating lane-control signal | 8-1511 | \$60 |
| Unauthorized sign, signal, marking or device | 8-1512 | \$30 |
| Driving on left side of roadway | 8-1514 | \$60 |
| Failure to keep right to pass oncoming vehicle | 8-1515 | \$60 |
| Improper passing; increasing speed when passed | 8-1516 | \$60 |
| Improper passing on right | 8-1517 | \$60 |
| Passing on left with insufficient clearance | 8-1518 | \$60 |
| Driving on left side where curve, grade, intersection railroad crossing, or obstructed view | 8-1519 | \$60 |
| Driving on left in no-passing zone | 8-1520 | \$60 |
| Unlawful passing of stopped emergency vehicle | 8-1520a | \$60 |
| Driving wrong direction on one-way road | 8-1521 | \$60 |
| Improper driving on laned roadway | 8-1522 | \$60 |
| Following too close | 8-1523 | \$60 |

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|----|--|---------|-------|
| 1 | Improper crossover on divided highway | 8-1524 | \$30 |
| 2 | Failure to yield right-of-way at uncontrolled | 8-1526 | \$60 |
| 3 | intersection | | |
| 4 | Failure to yield to approaching vehicle when | 8-1527 | \$60 |
| 5 | turning left | | |
| 6 | Failure to yield at stop or yield sign | 8-1528 | \$60 |
| 7 | Failure to yield from private road or driveway | 8-1529 | \$60 |
| 8 | Failure to yield to emergency vehicle | 8-1530 | \$180 |
| 9 | Failure to yield to pedestrian or vehicle | 8-1531 | \$90 |
| 10 | working on roadway | | |
| 11 | Failure to comply with restrictions in road | 8-1531a | \$30 |
| 12 | construction zone | | |
| 13 | Disobeying pedestrian traffic control device | 8-1532 | \$30 |
| 14 | Failure to yield to pedestrian in crosswalk; | 8-1533 | \$60 |
| 15 | pedestrian suddenly entering roadway; | | |
| 16 | passing vehicle stopped for pedestrian at | | |
| 17 | crosswalk | | |
| 18 | Improper pedestrian crossing | 8-1534 | \$30 |
| 19 | Failure to exercise due care in regard to | 8-1535 | \$30 |
| 20 | pedestrian | | |
| 21 | Improper pedestrian movement in crosswalk | 8-1536 | \$30 |
| 22 | Improper use of roadway by pedestrian | 8-1537 | \$30 |
| 23 | Soliciting ride or business on roadway | 8-1538 | \$30 |
| 24 | Driving through safety zone | 8-1539 | \$30 |
| 25 | Failure to yield to pedestrian on sidewalk | 8-1540 | \$30 |
| 26 | Failure of pedestrian to yield to emergency | 8-1541 | \$30 |
| 27 | vehicle | | |
| 28 | Failure to yield to blind pedestrian | 8-1542 | \$30 |
| 29 | Pedestrian disobeying bridge or railroad signal | 8-1544 | \$30 |
| 30 | Improper turn or approach | 8-1545 | \$60 |
| 31 | Improper "U" turn | 8-1546 | \$60 |
| 32 | Unsafe starting of stopped vehicle | 8-1547 | \$30 |
| 33 | Unsafe turning or stopping, failure to give | 8-1548 | \$60 |
| 34 | proper signal; using turn signal unlawfully | | |
| 35 | Improper method of giving notice of intention | 8-1549 | \$30 |
| 36 | to turn | | |
| 37 | Improper hand signal | 8-1550 | \$30 |
| 38 | Failure to stop or obey railroad crossing signal | 8-1551 | \$180 |
| 39 | Failure to stop at railroad crossing stop sign | 8-1552 | \$120 |
| 40 | Certain hazardous vehicles failure to stop at | 8-1553 | \$180 |
| 41 | railroad crossing | | |
| 42 | Improper moving of heavy equipment at | 8-1554 | \$60 |
| 43 | railroad crossing | | |

| | | | |
|----|---|---------|-------|
| 1 | Vehicle emerging from alley, private roadway, | 8-1555 | \$60 |
| 2 | building or driveway | | |
| 3 | Improper passing of school bus; improper use | 8-1556 | \$300 |
| 4 | of school bus signals | | |
| 5 | Improper passing of church or day-care bus; | 8-1556a | \$180 |
| 6 | improper use of signals | | |
| 7 | Impeding normal traffic by slow speed | 8-1561 | \$30 |
| 8 | Speeding on motor-driven cycle | 8-1562 | \$60 |
| 9 | Speeding in certain vehicles or on posted | 8-1563 | \$30 |
| 10 | bridge | | |
| 11 | Improper stopping, standing or parking on | 8-1569 | \$30 |
| 12 | roadway | | |
| 13 | Parking, standing or stopping in prohibited | 8-1571 | \$30 |
| 14 | area | | |
| 15 | Improper parking | 8-1572 | \$30 |
| 16 | Unattended vehicle | 8-1573 | \$30 |
| 17 | Improper backing | 8-1574 | \$30 |
| 18 | Driving on sidewalk | 8-1575 | \$30 |
| 19 | Driving with view or driving mechanism | 8-1576 | \$30 |
| 20 | obstructed | | |
| 21 | Unsafe opening of vehicle door | 8-1577 | \$30 |
| 22 | Riding in house trailer | 8-1578 | \$30 |
| 23 | Improper driving in defiles, canyons, or on | 8-1579 | \$30 |
| 24 | grades | | |
| 25 | Coasting | 8-1580 | \$30 |
| 26 | Following fire apparatus too closely | 8-1581 | \$60 |
| 27 | Driving over fire hose | 8-1582 | \$30 |
| 28 | Putting glass, etc., on highway | 8-1583 | \$90 |
| 29 | Driving into intersection, crosswalk, or | 8-1584 | \$30 |
| 30 | crossing without sufficient space on other | | |
| 31 | side | | |
| 32 | Improper operation of snowmobile on | 8-1585 | \$30 |
| 33 | highway | | |
| 34 | Parental responsibility of child riding bicycle | 8-1586 | \$30 |
| 35 | Not riding on bicycle seat; too many persons | 8-1588 | \$30 |
| 36 | on bicycle | | |
| 37 | Clinging to other vehicle | 8-1589 | \$30 |
| 38 | Improper riding of bicycle on roadway | 8-1590 | \$30 |
| 39 | Carrying articles on bicycle; one hand on | 8-1591 | \$30 |
| 40 | handlebars | | |
| 41 | Improper bicycle lamps, brakes or reflectors | 8-1592 | \$30 |
| 42 | Improper operation of motorcycle; seats; | 8-1594 | \$30 |
| 43 | passengers, bundles | | |

| | | | |
|----|--|------------------|-------------|
| 1 | Improper operation of motorcycle on laned | 8-1595 | \$60 |
| 2 | roadway | | |
| 3 | Motorcycle clinging to other vehicle | 8-1596 | \$30 |
| 4 | Improper motorcycle handlebars or passenger | 8-1597 | \$60 |
| 5 | equipment | | |
| 6 | Motorcycle helmet and eye-protection | 8-1598 | \$30 |
| 7 | requirements | | |
| 8 | Unlawful riding on vehicle | 8-1578a | \$60 |
| 9 | Unlawful operation of all-terrain vehicle | 8-15,100 | \$60 |
| 10 | Unlawful operation of low-speed vehicle | 8-15,101 | \$60 |
| 11 | Littering | 8-15,102 | \$100 |
| 12 | Disobeying school crossing guard | 8-15,103 | \$60 |
| 13 | Unlawful operation of micro utility truck | 8-15,106 | \$60 |
| 14 | <i>Unlawful operation of golf cart</i> | <i>section 2</i> | <i>\$60</i> |
| 15 | Unlawful operation of work-site utility | section 2 | \$60 |
| 16 | vehicle | | |
| 17 | Equipment offenses that are not | 8-1701 | \$60 |
| 18 | misdemeanors | | |
| 19 | Driving without lights when needed | 8-1703 | \$30 |
| 20 | Defective headlamps | 8-1705 | \$30 |
| 21 | Defective tail lamps | 8-1706 | \$30 |
| 22 | Defective reflector | 8-1707 | \$30 |
| 23 | Improper stop lamp or turn signal | 8-1708 | \$30 |
| 24 | Improper lighting equipment on certain | 8-1710 | \$30 |
| 25 | vehicles | | |
| 26 | Improper lamp color on certain vehicles | 8-1711 | \$30 |
| 27 | Improper mounting of reflectors and lamps on | 8-1712 | \$30 |
| 28 | certain vehicles | | |
| 29 | Improper visibility of reflectors and lamps on | 8-1713 | \$30 |
| 30 | certain vehicles | | |
| 31 | No lamp or flag on projecting load | 8-1715 | \$60 |
| 32 | Improper lamps on parked vehicle | 8-1716 | \$30 |
| 33 | Improper lights, lamps, reflectors and | 8-1717 | \$30 |
| 34 | emblems on farm tractors or slow-moving | | |
| 35 | vehicles | | |
| 36 | Improper lamps and equipment on | 8-1718 | \$30 |
| 37 | implements of husbandry, road machinery | | |
| 38 | or animal-drawn vehicles | | |
| 39 | Unlawful use of spot, fog, or auxiliary lamp | 8-1719 | \$30 |
| 40 | Improper lamps or lights on emergency | 8-1720 | \$30 |
| 41 | vehicle | | |
| 42 | Improper stop or turn signal | 8-1721 | \$30 |
| 43 | Improper vehicular hazard warning lamp | 8-1722 | \$30 |

| | | | |
|----|--|---------|------|
| 1 | Unauthorized additional lighting equipment | 8-1723 | \$30 |
| 2 | Improper multiple-beam lights | 8-1724 | \$30 |
| 3 | Failure to dim headlights | 8-1725 | \$60 |
| 4 | Improper single-beam headlights | 8-1726 | \$30 |
| 5 | Improper speed with alternate lighting | 8-1727 | \$30 |
| 6 | Improper number of driving lamps | 8-1728 | \$30 |
| 7 | Unauthorized lights and signals | 8-1729 | \$30 |
| 8 | Improper school bus lighting equipment and | 8-1730 | \$30 |
| 9 | warning devices | | |
| 10 | Unauthorized lights and devices on church or | 8-1730a | \$30 |
| 11 | day-care bus | | |
| 12 | Improper lights on highway construction or | 8-1731 | \$30 |
| 13 | maintenance vehicles | | |
| 14 | Defective brakes | 8-1734 | \$30 |
| 15 | Defective or improper use of horn or warning | 8-1738 | \$30 |
| 16 | device | | |
| 17 | Defective muffler | 8-1739 | \$30 |
| 18 | Defective mirror | 8-1740 | \$30 |
| 19 | Defective wipers; obstructed windshield or | 8-1741 | \$30 |
| 20 | windows | | |
| 21 | Improper tires | 8-1742 | \$30 |
| 22 | Improper flares or warning devices | 8-1744 | \$30 |
| 23 | Improper use of vehicular hazard warning | 8-1745 | \$30 |
| 24 | lamps and devices | | |
| 25 | Improper air-conditioning equipment | 8-1747 | \$30 |
| 26 | Improper safety belt or shoulder harness | 8-1749 | \$30 |
| 27 | Improper wide-based single tires | 8-1742b | \$60 |
| 28 | Improper compression release engine braking | 8-1761 | \$60 |
| 29 | system | | |
| 30 | Defective motorcycle headlamp | 8-1801 | \$30 |
| 31 | Defective motorcycle tail lamp | 8-1802 | \$30 |
| 32 | Defective motorcycle reflector | 8-1803 | \$30 |
| 33 | Defective motorcycle stop lamps and turn | 8-1804 | \$30 |
| 34 | signals | | |
| 35 | Defective multiple-beam lighting | 8-1805 | \$30 |
| 36 | Improper road-lighting equipment on motor- | 8-1806 | \$30 |
| 37 | driven cycles | | |
| 38 | Defective motorcycle or motor-driven cycle | 8-1807 | \$30 |
| 39 | brakes | | |
| 40 | Improper performance ability of brakes | 8-1808 | \$30 |
| 41 | Operating motorcycle with disapproved | 8-1809 | \$30 |
| 42 | braking system | | |
| 43 | Defective horn, muffler, mirrors or tires | 8-1810 | \$30 |

| | | | |
|----|--|-----------|---------------------------------------|
| 1 | Unlawful statehouse parking | 75-4510a | \$15 |
| 2 | Exceeding gross weight of vehicle or | 8-1909 | Pounds Overweight |
| 3 | combination | | up to 1000 \$25 |
| 4 | | | 1001 to 2000 3¢ per pound |
| 5 | | | 2001 to 5000 5¢ per pound |
| 6 | | | 5001 to 7500 7¢ per pound |
| 7 | | | 7501 and over 10¢ per pound |
| 8 | Exceeding gross weight on any axle or tandem, | 8-1908 | Pounds Overweight |
| 9 | triple or quad axles | | up to 1000 \$25 |
| 10 | | | 1001 to 2000 3¢ per pound |
| 11 | | | 2001 to 5000 5¢ per pound |
| 12 | | | 5001 to 7500 7¢ per pound |
| 13 | | | 7501 and over 10¢ per pound |
| 14 | Failure to obtain proper registration, clearance | 66-1324 | \$272 |
| 15 | or to have current certification | | |
| 16 | Insufficient liability insurance for motor | 66-1,128 | \$122 |
| 17 | carriers | or | |
| 18 | | 66-1314 | |
| 19 | Failure to obtain interstate motor fuel tax | 79-34,122 | \$122 |
| 20 | authorization | | |
| 21 | No authority as private or common carrier | 66-1,111 | \$122 |
| 22 | Violation of motor carrier safety rules and | 66-1,129 | \$100 |
| 23 | regulations, except for violations specified in | | |
| 24 | subsection (b)(2) of K.S.A. 66-1,130, and | | |
| 25 | amendments thereto | | |

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

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

39 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
 40 amendments thereto, within two years after a prior conviction of K.S.A.
 41 8-1908 or 8-1909, and amendments thereto, such person, upon conviction
 42 shall be fined 1 ½ times the applicable amount from one, but not both,
 43 of the schedules listed in the uniform fine schedule contained in

1 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and
2 amendments thereto, within two years, after two prior convictions of
3 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
4 conviction shall be fined two times the applicable amount from one, but
5 not both, of the schedules listed in the uniform fine schedule contained
6 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-
7 1908 or 8-1909, and amendments thereto, within two years after three
8 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,
9 such person, upon conviction shall be fined 2½ times the applicable
10 amount from one, but not both, of the schedules listed in the uniform
11 fine schedule contained in subsection (c).

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

17 Sec. ~~7~~ **10**. K.S.A. 2008 Supp. 8-126, 8-128, ~~8-1486~~ **8-1402a**, **8-1486**,
18 **8-1494** and 8-2118 are hereby repealed.

19 Sec. ~~8~~ **11**. This act shall take effect and be in force from and after
20 its publication in the statute book.