

As Amended by Senate Committee

Session of 2010

SENATE BILL No. 480

By Committee on Ways and Means

1-28

10 AN ACT regulating traffic; concerning license plates; amending K.S.A.
11 2009 Supp. 8-133 and 8-2118 and repealing the existing sections.

12

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

14 New Section 1. (a) It shall be unlawful for any person to attach and
15 display on any vehicle a license plate, as required under article 1 of chap-
16 ter 8 of the Kansas Statutes Annotated, which is:

17 (1) Not maintained free from foreign materials;

18 (2) not in a condition to be clearly legible; or

19 (3) covered, in whole or in part, with any material, including any clear
20 or opaque material or any other plastic-like material that affects the plate's
21 visibility or reflectivity ***the visibility, reflectivity or readability of any***
22 ***relevant information displayed on the plate.***

23 ***(b) From and after July 1, 2010, and prior to July 1, 2011, a law***
24 ***enforcement officer shall issue a warning citation to anyone violat-***
25 ***ing subsection (a)(3).***

26 ~~(b)~~ (c) This section shall be part of and supplemental to the uniform
27 act regulating traffic on highways.

28 Sec. 2. K.S.A. 2009 Supp. 8-133 is hereby amended to read as fol-
29 lows: 8-133. The license plate assigned to the vehicle shall be attached to
30 the rear thereof and shall be so displayed during the current registration
31 year or years. A Kansas registered vehicle shall have no registration plate
32 for any year on the front of the vehicle, except that: (a) The license plate
33 issued for a truck tractor shall be attached to the front of the truck tractor;
34 (b) a model year license plate may be attached to the front of an antique
35 vehicle, in accordance with K.S.A. 8-172, and amendments thereto; or (c)
36 a personalized license plate as authorized under subsection (c) of K.S.A.
37 8-132, and amendments thereto, may be attached to the front of a pas-
38 senger vehicle or truck. Every license plate shall at all times be securely
39 fastened to the vehicle to which it is assigned so as to prevent the plate
40 from swinging, and at a height not less than 12 inches from the ground,
41 measuring from the bottom of such plate, in a place and position to be
42 clearly visible, ~~and shall be maintained free from foreign materials and in~~
43 ~~a condition to be clearly legible.~~ During any period in which the construc-

1 tion of license plates has been suspended pursuant to the provisions of
 2 K.S.A. 8-132, and amendments thereto, the plate, tag, token, marker or
 3 sign assigned to such vehicle shall be attached to and displayed on such
 4 vehicle in such place, position, manner and condition as shall be pre-
 5 scribed by the director of vehicles.

6 Sec. 3. K.S.A. 2009 Supp. 8-2118 is hereby amended to read as fol-
 7 lows: 8-2118. (a) A person charged with a traffic infraction shall, except
 8 as provided in subsection (b), appear at the place and time specified in
 9 the notice to appear. If the person enters an appearance, waives right to
 10 trial, pleads guilty or *pleads* no contest, the fine shall be no greater than
 11 that specified in the uniform fine schedule in subsection (c) and court
 12 costs shall be taxed as provided by law.

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
31 Refusal to submit to a preliminary breath test	8-1012	\$90
32 Unsafe speed for prevailing conditions	8-1557	\$60
33 Exceeding maximum speed limit; or speeding	8-1558	1-10 mph over the limit, \$30
34 in zone posted by the state department of	to	
35 transportation; or speeding in locally posted	8-1560	11-20 mph over the limit,
36 zone	8-1560a	\$30 plus \$6 per mph over
	or	10 mph over the limit;
	8-1560b	
		21-30 mph over the limit,
		\$90 plus \$9 per mph over
		20 mph over the limit;

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1			31 and more mph over the
2			limit, \$180 plus \$15 per
3			mph over 30 mph over the
4			limit;
5	Disobeying traffic control device	8-1507	\$60
6	Violating traffic control signal	8-1508	\$60
7	Violating pedestrian control signal	8-1509	\$30
8	Violating flashing traffic signals	8-1510	\$60
9	Violating lane-control signal	8-1511	\$60
10	Unauthorized sign, signal, marking or device	8-1512	\$30
11	Driving on left side of roadway	8-1514	\$60
12	Failure to keep right to pass oncoming vehicle	8-1515	\$60
13	Improper passing; increasing speed when	8-1516	\$60
14	passed		
15	Improper passing on right	8-1517	\$60
16	Passing on left with insufficient clearance	8-1518	\$60
17	Driving on left side where curve, grade,	8-1519	\$60
18	intersection railroad crossing, or obstructed		
19	view		
20	Driving on left in no-passing zone	8-1520	\$60
21	Unlawful passing of stopped emergency	8-1520a	\$60
22	vehicle		
23	Driving wrong direction on one-way road	8-1521	\$60
24	Improper driving on laned roadway	8-1522	\$60
25	Following too close	8-1523	\$60
26	Improper crossover on divided highway	8-1524	\$30
27	Failure to yield right-of-way at uncontrolled	8-1526	\$60
28	intersection		
29	Failure to yield to approaching vehicle when	8-1527	\$60
30	turning left		
31	Failure to yield at stop or yield sign	8-1528	\$60
32	Failure to yield from private road or driveway	8-1529	\$60
33	Failure to yield to emergency vehicle	8-1530	\$180
34	Failure to yield to pedestrian or vehicle	8-1531	\$90
35	working on roadway		
36	Failure to comply with restrictions in road	8-1531a	\$30
37	construction zone		
38	Disobeying pedestrian traffic control device	8-1532	\$30
39	Failure to yield to pedestrian in crosswalk;	8-1533	\$60
40	pedestrian suddenly entering roadway;		
41	passing vehicle stopped for pedestrian at		
42	crosswalk		
43	Improper pedestrian crossing	8-1534	\$30

1	Failure to exercise due care in regard to	8-1535	\$30
2	pedestrian		
3	Improper pedestrian movement in crosswalk	8-1536	\$30
4	Improper use of roadway by pedestrian	8-1537	\$30
5	Soliciting ride or business on roadway	8-1538	\$30
6	Driving through safety zone	8-1539	\$30
7	Failure to yield to pedestrian on sidewalk	8-1540	\$30
8	Failure of pedestrian to yield to emergency	8-1541	\$30
9	vehicle		
10	Failure to yield to blind pedestrian	8-1542	\$30
11	Pedestrian disobeying bridge or railroad signal	8-1544	\$30
12	Improper turn or approach	8-1545	\$60
13	Improper “U” turn	8-1546	\$60
14	Unsafe starting of stopped vehicle	8-1547	\$30
15	Unsafe turning or stopping, failure to give	8-1548	\$60
16	proper signal; using turn signal unlawfully		
17	Improper method of giving notice of intention	8-1549	\$30
18	to turn		
19	Improper hand signal	8-1550	\$30
20	Failure to stop or obey railroad crossing signal	8-1551	\$180
21	Failure to stop at railroad crossing stop sign	8-1552	\$120
22	Certain hazardous vehicles failure to stop at	8-1553	\$180
23	railroad crossing		
24	Improper moving of heavy equipment at	8-1554	\$60
25	railroad crossing		
26	Vehicle emerging from alley, private roadway,	8-1555	\$60
27	building or driveway		
28	Improper passing of school bus; improper use	8-1556	\$300
29	of school bus signals		
30	Improper passing of church or day-care bus;	8-1556a	\$180
31	improper use of signals		
32	Impeding normal traffic by slow speed	8-1561	\$30
33	Speeding on motor-driven cycle	8-1562	\$60
34	Speeding in certain vehicles or on posted	8-1563	\$30
35	bridge		
36	Improper stopping, standing or parking on	8-1569	\$30
37	roadway		
38	Parking, standing or stopping in prohibited	8-1571	\$30
39	area		
40	Improper parking	8-1572	\$30
41	Unattended vehicle	8-1573	\$30
42	Improper backing	8-1574	\$30
43	Driving on sidewalk	8-1575	\$30

1	Driving with view or driving mechanism	8-1576	\$30
2	obstructed		
3	Unsafe opening of vehicle door	8-1577	\$30
4	Unlawful riding on vehicle	8-1578a	\$60
5	Riding in house trailer	8-1578	\$30
6	Unlawful riding on vehicle	8-1578a	\$60
7	Improper driving in defiles, canyons, or on	8-1579	\$30
8	grades		
9	Coasting	8-1580	\$30
10	Following fire apparatus too closely	8-1581	\$60
11	Driving over fire hose	8-1582	\$30
12	Putting glass, etc., on highway	8-1583	\$90
13	Driving into intersection, crosswalk, or	8-1584	\$30
14	crossing without sufficient space on other		
15	side		
16	Improper operation of snowmobile on	8-1585	\$30
17	highway		
18	Parental responsibility of child riding bicycle	8-1586	\$30
19	Not riding on bicycle seat; too many persons	8-1588	\$30
20	on bicycle		
21	Clinging to other vehicle	8-1589	\$30
22	Improper riding of bicycle on roadway	8-1590	\$30
23	Carrying articles on bicycle; one hand on	8-1591	\$30
24	handlebars		
25	Improper bicycle lamps, brakes or reflectors	8-1592	\$30
26	Improper operation of motorcycle; seats;	8-1594	\$30
27	passengers, bundles		
28	Improper operation of motorcycle on laned	8-1595	\$60
29	roadway		
30	Motorcycle clinging to other vehicle	8-1596	\$30
31	Improper motorcycle handlebars or passenger	8-1597	\$60
32	equipment		
33	Motorcycle helmet and eye-protection	8-1598	\$30
34	requirements		
35	Unlawful riding on vehicle	8-1578a	\$60
36	Unlawful operation of all-terrain vehicle	8-15,100	\$60
37	Unlawful operation of low-speed vehicle	8-15,101	\$60
38	Littering	8-15,102	\$100
39	Disobeying school crossing guard	8-15,103	\$60
40	Unlawful operation of micro utility truck	8-15,106	\$60
41	Failure to remove vehicles in accidents	8-15,107	\$60
42	Unlawful operation of golf cart	8-15,108	\$60
43	Unlawful operation of work-site utility vehicle	8-15,109	\$60

1	<i>Unlawful display of license plate</i>	<i>section 1</i>	\$60
2	Equipment offenses that are not	8-1701	\$60
3	misdemeanors		
4	Driving without lights when needed	8-1703	\$30
5	Defective headlamps	8-1705	\$30
6	Defective tail lamps	8-1706	\$30
7	Defective reflector	8-1707	\$30
8	Improper stop lamp or turn signal	8-1708	\$30
9	Improper lighting equipment on certain	8-1710	\$30
10	vehicles		
11	Improper lamp color on certain vehicles	8-1711	\$30
12	Improper mounting of reflectors and lamps on	8-1712	\$30
13	certain vehicles		
14	Improper visibility of reflectors and lamps on	8-1713	\$30
15	certain vehicles		
16	No lamp or flag on projecting load	8-1715	\$60
17	Improper lamps on parked vehicle	8-1716	\$30
18	Improper lights, lamps, reflectors and	8-1717	\$30
19	emblems on farm tractors or slow-moving		
20	vehicles		
21	Improper lamps and equipment on	8-1718	\$30
22	implements of husbandry, road machinery		
23	or animal-drawn vehicles		
24	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$30
25	Improper lamps or lights on emergency	8-1720	\$30
26	vehicle		
27	Improper stop or turn signal	8-1721	\$30
28	Improper vehicular hazard warning lamp	8-1722	\$30
29	Unauthorized additional lighting equipment	8-1723	\$30
30	Improper multiple-beam lights	8-1724	\$30
31	Failure to dim headlights	8-1725	\$60
32	Improper single-beam headlights	8-1726	\$30
33	Improper speed with alternate lighting	8-1727	\$30
34	Improper number of driving lamps	8-1728	\$30
35	Unauthorized lights and signals	8-1729	\$30
36	Improper school bus lighting equipment and	8-1730	\$30
37	warning devices		
38	Unauthorized lights and devices on church or	8-1730a	\$30
39	day-care bus		
40	Improper lights on highway construction or	8-1731	\$30
41	maintenance vehicles		
42	Defective brakes	8-1734	\$30
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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	Improper safety belt or shoulder harness	8-1749	\$30
13	Improper wide-based single tires	8-1742b	\$60
14	Improper compression release engine braking	8-1761	\$60
15	system		
16	Defective motorcycle headlamp	8-1801	\$30
17	Defective motorcycle tail lamp	8-1802	\$30
18	Defective motorcycle reflector	8-1803	\$30
19	Defective motorcycle stop lamps and turn	8-1804	\$30
20	signals		
21	Defective multiple-beam lighting	8-1805	\$30
22	Improper road-lighting equipment on motor-	8-1806	\$30
23	driven cycles		
24	Defective motorcycle or motor-driven cycle	8-1807	\$30
25	brakes		
26	Improper performance ability of brakes	8-1808	\$30
27	Operating motorcycle with disapproved	8-1809	\$30
28	braking system		
29	Defective horn, muffler, mirrors or tires	8-1810	\$30
30	Unlawful statehouse parking	75-4510a	\$15
31	Exceeding gross weight of vehicle or	8-1909	Pounds Overweight
32	combination		up to 1000 \$25
33			1001 to 2000 3¢ per pound
34			2001 to 5000 5¢ per pound
35			5001 to 7500 7¢ per pound
36			7501 and over ... 10¢ per pound
37	Exceeding gross weight on any axle or tandem,	8-1908	Pounds Overweight
38	triple or quad axles		up to 1000 \$25
39			1001 to 2000 3¢ per pound
40			2001 to 5000 5¢ per pound
41			5001 to 7500 7¢ per pound
42			7501 and over ... 10¢ per pound
43			

1	Failure to obtain proper registration, clearance	66-1324	\$272
2	or to have current certification		
3	Insufficient liability insurance for motor	66-1,128	\$122
4	carriers	or 66-1314	
5	Failure to obtain interstate motor fuel tax	79-34,122	\$122
6	authorization		
7	No authority as private or common carrier	66-1,111	\$122
8	Violation of motor carrier safety rules and	66-1,129	\$100
9	regulations, except for violations specified in		
10	subsection (b)(2) of K.S.A. 66-1,130, and		
11	amendments thereto		

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

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

25 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
 26 amendments thereto, within two years after a prior conviction of K.S.A.
 27 8-1908 or 8-1909, and amendments thereto, such person, upon conviction
 28 shall be fined 1½ times the applicable amount from one, but not both,
 29 of the schedules listed in the uniform fine schedule contained in
 30 subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and
 31 amendments thereto, within two years, after two prior convictions of
 32 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
 33 conviction shall be fined two times the applicable amount from one, but
 34 not both, of the schedules listed in the uniform fine schedule contained
 35 in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-
 36 1908 or 8-1909, and amendments thereto, within two years after three
 37 prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto,
 38 such person, upon conviction shall be fined 2½ times the applicable
 39 amount from one, but not both, of the schedules listed in the uniform
 40 fine schedule contained in subsection (c).

41 (g) Fines listed in the uniform fine schedule contained in subsection
 42 (c) relating to exceeding the maximum speed limit, shall be doubled if a
 43 person is convicted of exceeding the maximum speed limit in a school

1 zone authorized under subsection (a)(4) of K.S.A. 8-1560, and
2 amendments thereto.
3 Sec. 4. K.S.A. 2009 Supp. 8-133 and 8-2118 are hereby repealed.
4 Sec. 5. This act shall take effect and be in force from and after its
5 publication in the statute book.