

HOUSE BILL No. 2119

By Committee on Local Government

1-27

1 AN ACT concerning emergency medical services; relating to [political
2 subdivisions; relating to] accident response service fees; amending
3 K.S.A. 80-1557 and repealing the existing section; relating to
4 marking of vehicles; amending K.S.A. 8-305 and repealing the
5 existing section].
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7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. — K.S.A. 80-1557 is hereby amended to read as follows: 80-
9 1557. (a) As used in this section:

10 (1) "Rescue service" means a service which provides emergency care
11 by qualified personnel through a township or fire district fire department.

12 (2) "Emergency care" means the services provided after the onset of a
13 medical condition manifesting itself by acute symptoms of sufficient
14 severity such that the absence of immediate medical attention could
15 reasonably be expected to: (A) Place the patient's health in serious
16 jeopardy; (B) seriously impair bodily functions; or (C) result in serious
17 dysfunction of any bodily organ or part.

18 (3) "Qualified personnel" means any individual who holds a
19 certificate as an attendant as defined in K.S.A. 65-6112, and amendments
20 thereto.

21 (4) "Township" means any township which has established a fire
22 department pursuant to K.S.A. 80-1901 et seq., and amendments thereto.

23 (5) "Fire district" means any fire district which has established a fire
24 department pursuant to K.S.A. 80-1540 et seq., and amendments thereto.

25 (b) The township board or governing body of the fire district may
26 authorize the township or fire district fire department to provide rescue
27 service as a township or fire district function, within or without the
28 township or fire district, or may contract with any person or governmental
29 entity for the furnishing of rescue service and upon such terms and
30 conditions, and for such compensation as may be agreed upon which shall
31 be payable from the township general fund or the fire fund or the fire
32 district fund.

1 ~~(e) The township board or governing body of the fire district may~~
2 ~~establish charges to persons receiving rescue service inside or outside of~~
3 ~~such township or fire district. Rescue service shall not include an accident~~
4 ~~response service fee. As used in this subsection, the term "accident~~
5 ~~response service fee" means any fee imposed on the driver or owner of a~~
6 ~~motor vehicle, an insurance company or any other person, for the response~~
7 ~~to or investigation of a motor vehicle accident, but does not include the~~
8 ~~usual and customary charges for providing ambulance and emergency~~
9 ~~services when immediate action is required to save life, prevent suffering~~
10 ~~or disability or to protect and save property. The charges so made and~~
11 ~~received shall be deposited in the general funds of the township or fire~~
12 ~~district, and the same may be used in addition to funds received under the~~
13 ~~tax levies authorized by K.S.A. 80-1546 and 80-1903, and amendments~~
14 ~~thereto.~~

15 ~~(d) Qualified personnel providing rescue service shall be~~
16 ~~compensated in the same manner as other fire department employees and~~
17 ~~volunteers as provided by K.S.A. 80-1544 and 80-1904, and amendments~~
18 ~~thereto.~~

19 ~~Sec. 2.—K.S.A.80-1557 is hereby repealed.~~

20 [New] Section 1. (a) As used in this section:

21 (1) "Municipality" means a city, county, township, fire district or
22 any other political and taxing subdivisions in this state.

23 (2) "Accident response service fee" means any fee imposed on the
24 driver or owner of a motor vehicle, an insurance company or any
25 other person, for the response to or investigation of a motor vehicle
26 accident, but does not include the usual and customary charges for
27 providing ambulance and emergency services when immediate action
28 is required to save life, prevent suffering or disability or to protect and
29 save property.

30 (3) "Emergency services" includes the ~~police, fire~~ *the actual costs*
31 *of police, fire, technical rescue situations, including, but not limited to,*
32 *vehicle extrication, trench rescue, high-angle rescue, confined-space*
33 *rescue and swift-water rescue* and emergency medical service
34 personnel and equipment deemed appropriate by the municipality to
35 address reasonably anticipated needs including, but not limited to,
36 unknown number of injured persons and possible environmental and
37 health threats *involving hazardous material.*

38 (b) No municipality shall charge an accident response fee to
39 persons receiving emergency services inside or outside of such
40 municipality, except for actual costs of a motor vehicle accident
41 ~~involving hazardous materials or requiring extraordinary emergency~~
42 ~~services.~~

43 [Sec. 2. K.S.A. 8-305 is hereby amended to read as follows: 8-305.

1 **All motor vehicles owned or leased by any political subdivision of the**
2 **state of Kansas shall bear the name of the political subdivision owning**
3 **or leasing such vehicle plainly printed on both sides thereof. This act**
4 **shall not apply to the following:**

- 5 (a) **Municipal fire apparatus, police patrols and ambulances;**
- 6 (b) **passenger vehicles used by plain clothes police officers, *county***
7 ***or district attorney investigators* or community corrections personnel**
8 **working in the employ of any political subdivision; and**
- 9 (c) **motor vehicles owned or leased by any municipal university.]**

10 **[Sec. 3. K.S.A. 8-305 is hereby repealed.]**

11 ~~Sec. 3-2.~~ **[4.]** This act shall take effect and be in force from and after
12 its publication in the statute book.

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