

HOUSE BILL No. 2556

By Committee on Transportation

1-26

1 AN ACT concerning traffic regulation; designating certain highway
2 segments as safety corridors; establishing the traffic safety corridor
3 fund; amending K.S.A. 2011 Supp. 8-2118 and 74-7336 and repealing
4 the existing sections.
5

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

7 New Section 1. Sections 1 through 4, and amendments thereto, shall
8 be known and may be cited as the safety corridor act.

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

10 (a) "Department" means the department of transportation.

11 (b) "Secretary" means the secretary of transportation.

12 (c) "Executive safety council" means a group of representatives
13 appointed by the secretary who are charged with developing and
14 maintaining the strategic highway safety plan. Representatives may be
15 appointed from the Kansas department of transportation, Kansas
16 department of revenue, Kansas department of health and environment, the
17 Kansas legislature, transportation safety academia, transportation safety
18 businesses, law enforcement, or local governments.

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

24 New Sec. 3. (a) The secretary of transportation is hereby authorized
25 and empowered to establish and administer a safety corridor program.

26 (b) The secretary shall establish criteria and designate safety corridors
27 at the recommendation of the executive safety council. The following
28 criteria shall be used in determining designation as a safety corridor, which
29 shall include, but not be limited to:

30 (1) Accident rates and accident fatality rates, which account for the
31 number of crashes;

32 (2) number of crashes resulting in serious injury or death; and

33 (3) traffic volumes.

34 (c) The secretary shall use the same criteria on all highways in
35 determining whether a highway segment shall be designated as a safety
36 corridor.

1 (d) The secretary shall have authority to designate highway safety
2 corridors on highways that are designated as interstate, United States or
3 state highways.

4 (e) The secretary shall not designate a safety corridor on an interstate,
5 United States or state highway within the corporate limits of any city
6 unless the governing body of such city has passed a resolution supporting
7 the designation of a safety corridor by the secretary. If the governing body
8 of such city passes a resolution revoking its support for the designation of
9 a safety corridor within its corporate limits, upon notification to the
10 secretary that such resolution has passed, the secretary shall remove the
11 safety corridor designation from such highway that is within the corporate
12 limits of the city. All signage regarding its designation as a safety corridor
13 shall be removed from the highway. However, failure to remove the
14 signage shall not affect the status of the highway that is no longer a
15 designated safety corridor and increased fines cannot be assessed for
16 moving violations that occur within the sign marked area.

17 (f) The secretary shall establish guidelines to evaluate whether a
18 highway segment designated as a safety corridor continues to meet
19 established criteria. If the secretary determines the criteria no longer
20 applies to the segment, the designation shall be revoked, the signage shall
21 be removed and the segment shall cease to be a safety corridor.

22 (g) Annually, prior to the 10th day of each regular session of the
23 legislature, the secretary shall report to the house committee on
24 transportation and senate committee on transportation concerning
25 implementation and operation of the program authorized by this section.

26 New Sec. 4. (a) There is hereby created in the state treasury the safety
27 corridor fund to be administered by the secretary of transportation. All
28 moneys credited to the safety corridor fund shall be used solely for
29 programs within designated safety corridors, including appropriate
30 signage, education, enforcement and such other purposes deemed
31 appropriate by the secretary. All fines collected pursuant to subsection (h)
32 of K.S.A. 8-2118, and amendments thereto, shall be remitted to the state
33 treasurer in accordance with the provisions of K.S.A. 75-4215, and
34 amendments thereto. The state treasurer shall credit all moneys received
35 from fines pursuant to subsection (h) of K.S.A. 8-2118, and amendments
36 thereto, in accordance with K.S.A. 74-7336, and amendments thereto.

37 (b) Each municipality or other governmental entity that enacts an
38 ordinance or resolution that is substantially similar to subsection (h) of
39 K.S.A. 8-2118, and amendments thereto, shall remit one half of the
40 doubled fine that is collected as a result of the conviction of a moving
41 violation in a safety corridor to the state treasurer in accordance with the
42 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
43 each such remittance, the state treasurer shall deposit the entire amount in

1 the state treasury to the credit of the safety corridor fund.

2 Sec. 5. K.S.A. 2011 Supp. 8-2118 is hereby amended to read as
 3 follows: 8-2118. (a) A person charged with a traffic infraction shall, except
 4 as provided in subsection (b), appear at the place and time specified in the
 5 notice to appear. If the person enters an appearance, waives right to trial,
 6 pleads guilty or no contest, the fine shall be no greater than that specified
 7 in the uniform fine schedule in subsection (c) and court costs shall be
 8 taxed as provided by law.

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

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

Description of Offense	Statute	Fine
Refusal to submit to a preliminary breath test	8-1012	\$105
Unsafe speed for prevailing conditions	8-1557	\$75
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, \$45 11-20 mph over the limit, \$45 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$105 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit;
Disobeying traffic control device	8-1507	\$75

1	Violating traffic control signal	8-1508	\$75
2	Violating pedestrian control	8-1509	\$45
3	signal		
4	Violating flashing traffic sig-	8-1510	\$75
5	nals		
6	Violating lane-control signal	8-1511	\$75
7	Unauthorized sign, signal,	8-1512	\$45
8	marking or device		
9	Driving on left side of road-	8-1514	\$75
10	way		
11	Failure to keep right to pass	8-1515	\$75
12	oncoming vehicle		
13	Improper passing; increasing	8-1516	\$75
14	speed when passed		
15	Improper passing on right	8-1517	\$75
16	Passing on left with insuffi-	8-1518	\$75
17	cient clearance		
18	Driving on left side where	8-1519	\$75
19	curve, grade, intersec-		
20	tion railroad crossing, or		
21	obstructed view		
22	Driving on left in no-passing	8-1520	\$75
23	zone		
24	Unlawful passing of stopped	8-1520a	\$75
25	emergency vehicle		
26	Driving wrong direction on	8-1521	\$75
27	one-way road		
28	Improper driving on laned	8-1522	\$75
29	roadway		
30	Following too close	8-1523	\$75
31	Improper crossover on di-	8-1524	\$45
32	vided highway		
33	Failure to yield right-of-way	8-1526	\$75
34	at uncontrolled intersection		
35	Failure to yield to approach-	8-1527	\$75
36	ing vehicle when turning left		
37	Failure to yield at stop or	8-1528	\$75
38	yield sign		
39	Failure to yield from private	8-1529	\$75
40	road or driveway		
41	Failure to yield to emergency	8-1530	\$195
42	vehicle		
43	Failure to yield to pedestrian	8-1531	\$105
44	or vehicle working on		
45	roadway		
46	Failure to comply with re-	8-1531a	\$45
47	strictions in road con-		
48	struction zone		
49	Disobeying pedestrian traffic	8-1532	\$45
50	control device		
51	Failure to yield to pedestrian	8-1533	\$75
52	in crosswalk; pedestrian		
53	suddenly entering road-		
54	way; passing vehicle		

1	stopped for pedestrian at		
2	crosswalk		
3	Improper pedestrian crossing	8-1534	\$45
4	Failure to exercise due care in	8-1535	\$45
5	regard to pedestrian		
6	Improper pedestrian move-	8-1536	\$45
7	ment in crosswalk		
8	Improper use of roadway by	8-1537	\$45
9	pedestrian		
10	Soliciting ride or business	8-1538	\$45
11	on roadway		
12	Driving through safety zone	8-1539	\$45
13	Failure to yield to pedestrian	8-1540	\$45
14	on sidewalk		
15	Failure of pedestrian to yield	8-1541	\$45
16	to emergency vehicle		
17	Failure to yield to blind pe-	8-1542	\$45
18	destrian		
19	Pedestrian disobeying bridge	8-1544	\$45
20	or railroad signal		
21	Improper turn or approach	8-1545	\$75
22	Improper "U" turn	8-1546	\$75
23	Unsafe starting of stopped	8-1547	\$45
24	vehicle		
25	Unsafe turning or stopping,	8-1548	\$75
26	failure to give proper sig-		
27	nal; using turn signal un-		
28	lawfully		
29	Improper method of giving	8-1549	\$45
30	notice of intention to turn		
31	Improper hand signal	8-1550	\$45
32	Failure to stop or obey	8-1551	\$195
33	road crossing signal		
34	Failure to stop at railroad	8-1552	\$135
35	crossing stop sign		
36	Certain hazardous vehicles	8-1553	\$195
37	failure to stop at railroad		
38	crossing		
39	Improper moving of heavy	8-1554	\$75
40	equipment at railroad		
41	crossing		
42	Vehicle emerging from alley,	8-1555	\$75
43	private roadway, building		
44	or driveway		
45	Improper passing of school	8-1556	\$315
46	bus; improper use of		
47	school bus signals		
48	Improper passing of church	8-1556a	\$195
49	or day-care bus; improper		
50	use of signals		
51	Impeding normal traffic	8-1561	\$45
52	by slow speed		
53	Speeding on motor-driven	8-1562	\$75
54	cycle		

1	Speeding in certain vehicles	8-1563	\$45
2	or on posted bridge		
3	Improper stopping, standing	8-1569	\$45
4	or parking on roadway		
5	Parking, standing or stopping	8-1571	\$45
6	in prohibited area		
7	Improper parking	8-1572	\$45
8	Unattended vehicle	8-1573	\$45
9	Improper backing	8-1574	\$45
10	Driving on sidewalk	8-1575	\$45
11	Driving with view or driving	8-1576	\$45
12	mechanism obstructed		
13	Unsafe opening of vehicle	8-1577	\$45
14	door		
15	Riding in house trailer	8-1578	\$45
16	Unlawful riding on vehicle	8-1578a	\$75
17	Improper driving in defiles,	8-1579	\$45
18	canyons, or on grades		
19	Coasting	8-1580	\$45
20	Following fire apparatus too	8-1581	\$75
21	closely		
22	Driving over fire hose	8-1582	\$45
23	Putting glass, etc., on high-	8-1583	\$105
24	way		
25	Driving into intersection,	8-1584	\$45
26	crosswalk, or crossing		
27	without sufficient space		
28	on other side		
29	Improper operation of snow-	8-1585	\$45
30	mobile on highway		
31	Parental responsibility of	8-1586	\$45
32	child riding bicycle		
33	Not riding on bicycle seat;	8-1588	\$45
34	too many persons on bicycle		
35	Clinging to other vehicle	8-1589	\$45
36	Improper riding of bicycle on	8-1590	\$45
37	roadway		
38	Carrying articles on bicycle;	8-1591	\$45
39	one hand on handlebars		
40	Improper bicycle lamps,	8-1592	\$45
41	brakes or reflectors		
42	Improper operation of mo-	8-1594	\$45
43	torcycle; seats; passen-		
44	gers, bundles		
45	Improper operation of mo-	8-1595	\$75
46	torcycle on laned road		
47	way		
48	Motorcycle clinging to other	8-1596	\$45
49	vehicle		
50	Improper motorcycle handle-	8-1597	\$75
51	bars or passenger		
52	equipment		
53	Motorcycle helmet and eye-	8-1598	\$45
54	protection requirements		

1	Unlawful operation of all-terrain vehicle	8-15,100	\$75
2			
3	Unlawful operation of low-speed vehicle	8-15,101	\$75
4			
5	Littering	8-15,102	\$115
6	Disobeying school crossing guard	8-15,103	\$75
7			
8	Unlawful operation of micro utility truck	8-15,106	\$75
9			
10	Failure to remove vehicles in accidents	8-15,107	\$75
11			
12	Unlawful operation of golf cart	8-15,108	\$75
13			
14	Unlawful operation of work-site utility vehicle	8-15,109	\$75
15			
16	Unlawful display of license plate	8-15,110	\$60
17			
18	Unlawful text messaging	8-15,111	\$60
19	Equipment offenses that are not misdemeanors	8-1701	\$75
20			
21	Driving without lights when needed	8-1703	\$45
22			
23	Defective headlamps	8-1705	\$45
24	Defective tail lamps	8-1706	\$45
25	Defective reflector	8-1707	\$45
26	Improper stop lamp or turn signal	8-1708	\$45
27			
28	Improper lighting equipment on certain vehicles	8-1710	\$45
29			
30	Improper lamp color on certain vehicles	8-1711	\$45
31			
32	Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$45
33			
34			
35	Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$45
36			
37			
38	No lamp or flag on projecting load	8-1715	\$75
39			
40	Improper lamps on parked vehicle	8-1716	\$45
41			
42	Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$45
43			
44			
45			
46	Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$45
47			
48			
49			
50			
51	Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$45
52			
53	Improper lamps or lights on emergency vehicle	8-1720	\$45
54			

1	Improper stop or turn signal	8-1721	\$45
2	Improper vehicular hazard	8-1722	\$45
3	warning lamp		
4	Unauthorized additional	8-1723	\$45
5	lighting equipment		
6	Improper multiple-beam lights	8-1724	\$45
7	Failure to dim headlights	8-1725	\$75
8	Improper single-beam head-	8-1726	\$45
9	lights		
10	Improper speed with alter-	8-1727	\$45
11	nate lighting		
12	Improper number of driving	8-1728	\$45
13	lamps		
14	Unauthorized lights and sig-	8-1729	\$45
15	nals		
16	Improper school bus lighting	8-1730	\$45
17	equipment and warning		
18	devices		
19	Unauthorized lights and de-	8-1730a	\$45
20	vices on church or day-		
21	care bus		
22	Improper lights on highway	8-1731	\$45
23	construction or maintenance		
24	vehicles		
25	Defective brakes	8-1734	\$45
26	Defective or improper use of	8-1738	\$45
27	horn or warning device		
28	Defective muffler	8-1739	\$45
29	Defective mirror	8-1740	\$45
30	Defective wipers; obstructed	8-1741	\$45
31	windshield or windows		
32	Improper tires	8-1742	\$45
33	Improper flares or warning	8-1744	\$45
34	devices		
35	Improper use of vehicular	8-1745	\$45
36	hazard warning lamps		
37	and devices		
38	Improper air-conditioning	8-1747	\$45
39	equipment		
40	Improper safety belt or	8-1749	\$45
41	shoulder harness		
42	Improper wide-based single	8-1742b	\$75
43	tires		
44	Improper compression re-	8-1761	\$75
45	lease engine braking sys-		
46	tem		
47	Defective motorcycle head-	8-1801	\$45
48	lamp		
49	Defective motorcycle tail	8-1802	\$45
50	lamp		
51	Defective motorcycle reflec-	8-1803	\$45
52	tor		
53	Defective motorcycle stop	8-1804	\$45
54	lamps and turn signals		

1	Defective multiple-beam	8-1805	\$45
2	lighting		
3	Improper road-lighting equip-	8-1806	\$45
4	ment on motor-driven cy-		
5	cles		
6	Defective motorcycle or mo-	8-1807	\$45
7	tor-driven cycle brakes		
8	Improper performance abil-	8-1808	\$45
9	ity of brakes		
10	Operating motorcycle with	8-1809	\$45
11	disapproved braking sys-		
12	tem		
13	Defective horn, muffler, mir-	8-1810	\$45
14	rors or tires		
15	Unlawful statehouse parking	75-4510a	\$30
16	Exceeding gross weight of	8-1909	Pounds Overweight
17	vehicle or combination		up to 1000 \$40
18			1001 to 2000..... 3¢
19			per pound
20			2001 to 5000..... 5¢
21			per pound
22			5001 to 7500..... 7¢
23			per pound
24			7501 and over..... 10¢
25			per pound
26	Exceeding gross weight on any	8-1908	Pounds Overweight
27	axle or tandem, triple or		up to 1000 \$40
28	quad axles		1001 to 2000..... 3¢
29			per pound
30			2001 to 5000..... 5¢
31			per pound
32			5001 to 7500..... 7¢
33			per pound
34			7501 and over..... 10¢
35			per pound
36	Failure to obtain proper registration,	66-1324	\$287
37	clearance or to have current		
38	certification		
39	Insufficient liability insurance for	66-1,128	\$137
40	motor carriers	or 66-1314	
41	Failure to obtain interstate motor fuel	79-34,122	\$137
42	tax authorization		
43	No authority as private or common	66-1,111	\$137
44	carrier		
45	Violation of motor carrier safety rules	66-1,129	\$115
46	and regulations, except for		
47	violations specified in subsection		
48	(b)(2) of K.S.A. 66-1,130, and		
49	amendments thereto		

50

51 (d) Traffic offenses classified as traffic infractions by this section

52 shall be classified as ordinance traffic infractions by those cities adopting

53 ordinances prohibiting the same offenses. A schedule of fines for all

1 ordinance traffic infractions shall be established by the municipal judge in
2 the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such
3 fines may vary from those contained in the uniform fine schedule
4 contained in subsection (c).

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

11 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
12 amendments thereto, within two years after a prior conviction of K.S.A. 8-
13 1908 or 8-1909, and amendments thereto, such person, upon conviction
14 shall be fined 1½ times the applicable amount from one, but not both, of
15 the schedules listed in the uniform fine schedule contained in subsection
16 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments
17 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or
18 8-1909, and amendments thereto, such person, upon conviction shall be
19 fined two times the applicable amount from one, but not both, of the
20 schedules listed in the uniform fine schedule contained in subsection (c).
21 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,
22 and amendments thereto, within two years after three prior convictions of
23 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
24 conviction shall be fined 2½ times the applicable amount from one, but not
25 both, of the schedules listed in the uniform fine schedule contained in
26 subsection (c).

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

32 (h) *Fines listed in the uniform fine schedule contained in subsection*
33 *(c) shall be doubled if a person is convicted of a traffic infraction, which is*
34 *defined as a moving violation in accordance with rules and regulations*
35 *adopted pursuant to K.S.A. 8-249, and amendments thereto, committed*
36 *within any safety corridor designated pursuant to section 3, and*
37 *amendments thereto.*

38 Sec. 6. K.S.A. 2011 Supp. 74-7336 is hereby amended to read as
39 follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures
40 received from clerks of the district court, at least monthly, the state
41 treasurer shall credit:

- 42 (1) 10.94% to the crime victims compensation fund;
- 43 (2) 2.24% to the crime victims assistance fund;

- 1 (3) 2.75% to the community alcoholism and intoxication programs
2 fund;
- 3 (4) 7.65% to the department of corrections alcohol and drug abuse
4 treatment fund;
- 5 (5) 0.16% to the boating fee fund;
- 6 (6) 0.11% to the children's advocacy center fund;
- 7 (7) 2.28% to the EMS revolving fund;
- 8 (8) 2.28% to the trauma fund;
- 9 (9) 2.28% to the traffic records enhancement fund;
- 10 (10) 2.91% to the criminal justice information system line fund; ~~and~~
11 *(11) 0.9% to the safety corridor fund; and*
12 ~~(11)~~*(12)* the remainder of the remittances to the state general fund.
- 13 (b) The county treasurer shall deposit grant moneys as provided in
14 subsection (a), from the crime victims assistance fund, to the credit of a
15 special fund created for use by the county or district attorney in
16 establishing and maintaining programs to aid witnesses and victims of
17 crime.
- 18 Sec. 7. K.S.A. 2011 Supp. 8-2118 and 74-7336 are hereby repealed.
- 19 Sec. 8. This act shall take effect and be in force from and after its
20 publication in the statute book.