

SENATE BILL No. 342

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. **8-1560c**, 8-2118 and 74-7336 and
4 repealing 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. 8-1560c is hereby amended to read as**
 3 **follows: 8-1560c. (a) Any conviction or forfeiture of bail or bond for**
 4 **violating a maximum posted or authorized speed limit of 30 miles per**
 5 **hour or more but not exceeding 54 miles per hour on any highway, by**
 6 **not more than six miles per hour, shall not be construed as a moving**
 7 **traffic violation for the purpose of K.S.A. 8-255, and amendments**
 8 **thereto, except that a conviction of exceeding the maximum speed limit**
 9 **within a safety corridor shall be considered a moving violation pursuant**
 10 **to K.S.A. 8-255, and amendments thereto.**

11 **(b) Any conviction or forfeiture of bail or bond for violating the**
 12 **maximum posted or authorized speed limit of 55 miles per hour or more**
 13 **but not exceeding 75 miles per hour on any highway, by not more than**
 14 **10 miles per hour, shall not be construed as a moving traffic violation**
 15 **for the purpose of K.S.A. 8-255, and amendments thereto, except that a**
 16 **conviction of exceeding the maximum speed limit within a safety corridor**
 17 **shall be considered a moving violation pursuant to K.S.A. 8-255, and**
 18 **amendments thereto.**

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

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

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

43 *Description of Offense* *Statute* *Fine*

1	Refusal to submit to a prelim-	8-1012	\$105
2	inary breath test		
3	Unsafe speed for prevailing	8-1557	\$75
4	conditions		
5	Exceeding maximum speed	8-1558	1-10 mph over the
6	limit; or speeding in zone	to	limit, \$45
7	posted by the state depart-	8-1560	11-20 mph over the
8	ment of transportation; or	8-1560a	limit, \$45 plus \$6
9	speeding in locally posted	or	per mph over 10
10	zone	8-1560b	mph over the limit;
11			21-30 mph over the
12			limit, \$105 plus \$9
13			per mph over 20
14			mph over the limit;
15			31 and more mph
16			over the limit, \$195
17			plus \$15 per mph
18			over 30 mph over
19			the limit;
20	Disobeying traffic control de-	8-1507	\$75
21	vice		
22	Violating traffic control signal	8-1508	\$75
23	Violating pedestrian control	8-1509	\$45
24	signal		
25	Violating flashing traffic sig-	8-1510	\$75
26	nals		
27	Violating lane-control signal	8-1511	\$75
28	Unauthorized sign, signal,	8-1512	\$45
29	marking or device		
30	Driving on left side of road-	8-1514	\$75
31	way		
32	Failure to keep right to pass	8-1515	\$75
33	oncoming vehicle		
34	Improper passing; increasing	8-1516	\$75
35	speed when passed		
36	Improper passing on right	8-1517	\$75
37	Passing on left with insuffi-	8-1518	\$75
38	cient clearance		
39	Driving on left side where	8-1519	\$75
40	curve, grade, intersec-		
41	tion railroad crossing, or		
42	obstructed view		
43	Driving on left in no-passing	8-1520	\$75

1	zone		
2	Unlawful passing of stopped	8-1520a	\$75
3	emergency vehicle		
4	Driving wrong direction on	8-1521	\$75
5	one-way road		
6	Improper driving on laned	8-1522	\$75
7	roadway		
8	Following too close	8-1523	\$75
9	Improper crossover on di-	8-1524	\$45
10	vided highway		
11	Failure to yield right-of-way	8-1526	\$75
12	at uncontrolled intersection		
13	Failure to yield to approach-	8-1527	\$75
14	ing vehicle when turning left		
15	Failure to yield at stop or	8-1528	\$75
16	yield sign		
17	Failure to yield from private	8-1529	\$75
18	road or driveway		
19	Failure to yield to emergency	8-1530	\$195
20	vehicle		
21	Failure to yield to pedestrian	8-1531	\$105
22	or vehicle working on		
23	roadway		
24	Failure to comply with re-	8-1531a	\$45
25	strictions in road con-		
26	struction zone		
27	Disobeying pedestrian traffic	8-1532	\$45
28	control device		
29	Failure to yield to pedestrian	8-1533	\$75
30	in crosswalk; pedestrian		
31	suddenly entering road-		
32	way; passing vehicle		
33	stopped for pedestrian at		
34	crosswalk		
35	Improper pedestrian crossing	8-1534	\$45
36	Failure to exercise due care in	8-1535	\$45
37	regard to pedestrian		
38	Improper pedestrian move-	8-1536	\$45
39	ment in crosswalk		
40	Improper use of roadway by	8-1537	\$45
41	pedestrian		
42	Soliciting ride or business	8-1538	\$45
43	on roadway		

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

1	gers, bundles		
2	Improper operation of mo-	8-1595	\$75
3	torcycle on laned road		
4	way		
5	Motorcycle clinging to other	8-1596	\$45
6	vehicle		
7	Improper motorcycle handle-	8-1597	\$75
8	bars or passenger		
9	equipment		
10	Motorcycle helmet and eye-	8-1598	\$45
11	protection requirements		
12	Unlawful operation of all-ter-	8-15,100	\$75
13	rain vehicle		
14	Unlawful operation of	8-15,101	\$75
15	low-speed vehicle		
16	Littering	8-15,102	\$115
17	Disobeying school crossing	8-15,103	\$75
18	guard		
19	Unlawful operation of micro	8-15,106	\$75
20	utility truck		
21	Failure to remove vehicles in	8-15,107	\$75
22	accidents		
23	Unlawful operation of golf	8-15,108	\$75
24	cart		
25	Unlawful operation of work-	8-15,109	\$75
26	site utility vehicle		
27	Unlawful display of license	8-15,110	\$60
28	plate		
29	Unlawful text messaging	8-15,111	\$60
30	Equipment offenses that are	8-1701	\$75
31	not misdemeanors		
32	Driving without lights when	8-1703	\$45
33	needed		
34	Defective headlamps	8-1705	\$45
35	Defective tail lamps	8-1706	\$45
36	Defective reflector	8-1707	\$45
37	Improper stop lamp or turn	8-1708	\$45
38	signal		
39	Improper lighting equipment	8-1710	\$45
40	on certain vehicles		
41	Improper lamp color on cer-	8-1711	\$45
42	tain vehicles		
43	Improper mounting of re-	8-1712	\$45

1	flectors and lamps on cer-		
2	tain vehicles		
3	Improper visibility of reflec-	8-1713	\$45
4	tors and lamps on certain		
5	vehicles		
6	No lamp or flag on projecting	8-1715	\$75
7	load		
8	Improper lamps on parked	8-1716	\$45
9	vehicle		
10	Improper lights, lamps, re-	8-1717	\$45
11	flectors and emblems on		
12	farm tractors or slow-		
13	moving vehicles		
14	Improper lamps and equip-	8-1718	\$45
15	ment on implements of		
16	husbandry, road machin-		
17	ery or animal-drawn ve-		
18	hicles		
19	Unlawful use of spot, fog, or	8-1719	\$45
20	auxiliary lamp		
21	Improper lamps or lights on	8-1720	\$45
22	emergency vehicle		
23	Improper stop or turn signal	8-1721	\$45
24	Improper vehicular hazard	8-1722	\$45
25	warning lamp		
26	Unauthorized additional	8-1723	\$45
27	lighting equipment		
28	Improper multiple-beam lights	8-1724	\$45
29	Failure to dim headlights	8-1725	\$75
30	Improper single-beam head-	8-1726	\$45
31	lights		
32	Improper speed with alter-	8-1727	\$45
33	nate lighting		
34	Improper number of driving	8-1728	\$45
35	lamps		
36	Unauthorized lights and sig-	8-1729	\$45
37	nals		
38	Improper school bus lighting	8-1730	\$45
39	equipment and warning		
40	devices		
41	Unauthorized lights and de-	8-1730a	\$45
42	VICES on church or day-		
43	care bus		

1	Improper lights on highway	8-1731	\$45
2	construction or maintenance		
3	vehicles		
4	Defective brakes	8-1734	\$45
5	Defective or improper use of	8-1738	\$45
6	horn or warning device		
7	Defective muffler	8-1739	\$45
8	Defective mirror	8-1740	\$45
9	Defective wipers; obstructed	8-1741	\$45
10	windshield or windows		
11	Improper tires	8-1742	\$45
12	Improper flares or warning	8-1744	\$45
13	devices		
14	Improper use of vehicular	8-1745	\$45
15	hazard warning lamps		
16	and devices		
17	Improper air-conditioning	8-1747	\$45
18	equipment		
19	Improper safety belt or	8-1749	\$45
20	shoulder harness		
21	Improper wide-based single	8-1742b	\$75
22	tires		
23	Improper compression re-	8-1761	\$75
24	lease engine braking sys-		
25	tem		
26	Defective motorcycle head-	8-1801	\$45
27	lamp		
28	Defective motorcycle tail	8-1802	\$45
29	lamp		
30	Defective motorcycle reflec-	8-1803	\$45
31	tor		
32	Defective motorcycle stop	8-1804	\$45
33	lamps and turn signals		
34	Defective multiple-beam	8-1805	\$45
35	lighting		
36	Improper road-lighting equip-	8-1806	\$45
37	ment on motor-driven cy-		
38	cles		
39	Defective motorcycle or mo-	8-1807	\$45
40	tor-driven cycle brakes		
41	Improper performance abil-	8-1808	\$45
42	ity of brakes		
43	Operating motorcycle with	8-1809	\$45

1	disapproved braking sys-		
2	tem		
3	Defective horn, muffler, mir-	8-1810	\$45
4	rors or tires		
5	Unlawful statehouse parking	75-4510a	\$30
6	Exceeding gross weight of	8-1909	Pounds Overweight
7	vehicle or combination		up to 1000..... \$40
8			1001 to 2000..... 3¢
9			per pound
10			2001 to 5000..... 5¢
11			per pound
12			5001 to 7500..... 7¢
13			per pound
14			7501 and over.... 10¢
15			per pound
16	Exceeding gross weight on any	8-1908	Pounds Overweight
17	axle or tandem, triple or		up to 1000..... \$40
18	quad axles		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	Failure to obtain proper registration,	66-1324	\$287
27	clearance or to have current		
28	certification		
29	Insufficient liability insurance for	66-1,128	\$137
30	motor carriers	or 66-1314	
31	Failure to obtain interstate motor fuel	79-34,122	\$137
32	tax authorization		
33	No authority as private or common	66-1,111	\$137
34	carrier		
35	Violation of motor carrier safety rules	66-1,129	\$115
36	and regulations, except for		
37	violations specified in subsection		
38	(b)(2) of K.S.A. 66-1,130, and		
39	amendments thereto		
40	(d) Traffic offenses classified as traffic infractions by this section		
41	shall be classified as ordinance traffic infractions by those cities adopting		
42	ordinances prohibiting the same offenses. A schedule of fines for all		
43	ordinance traffic infractions shall be established by the municipal judge in		

1 the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such
2 fines may vary from those contained in the uniform fine schedule
3 contained in subsection (c).

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

10 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and
11 amendments thereto, within two years after a prior conviction of K.S.A. 8-
12 1908 or 8-1909, and amendments thereto, such person, upon conviction
13 shall be fined $1\frac{1}{2}$ times the applicable amount from one, but not both, of
14 the schedules listed in the uniform fine schedule contained in subsection
15 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments
16 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or
17 8-1909, and amendments thereto, such person, upon conviction shall be
18 fined two times the applicable amount from one, but not both, of the
19 schedules listed in the uniform fine schedule contained in subsection (c).
20 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,
21 and amendments thereto, within two years after three prior convictions of
22 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon
23 conviction shall be fined $2\frac{1}{2}$ times the applicable amount from one, but not
24 both, of the schedules listed in the uniform fine schedule contained in
25 subsection (c).

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

31 (h) *Fines listed in the uniform fine schedule contained in subsection*
32 *(c) shall be doubled if a person is convicted of a traffic infraction, which is*
33 *defined as a moving violation in accordance with rules and regulations*
34 *adopted pursuant to K.S.A. 8-249, and amendments thereto, committed*
35 *within any safety corridor designated pursuant to section 3, and*
36 *amendments thereto. **A person may not enter into a diversion agreement***
37 *in lieu of further criminal proceedings that would prevent such person's*
38 *conviction of exceeding the maximum speed limit in a safety corridor*
39 *from appearing on the person's record.*

40 Sec. 6 7. K.S.A. 2011 Supp. 74-7336 is hereby amended to read as
41 follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures
42 received from clerks of the district court, at least monthly, the state
43 treasurer shall credit:

- 1 (1) 10.94% to the crime victims compensation fund;
- 2 (2) 2.24% to the crime victims assistance fund;
- 3 (3) 2.75% to the community alcoholism and intoxication programs
- 4 fund;
- 5 (4) 7.65% to the department of corrections alcohol and drug abuse
- 6 treatment fund;
- 7 (5) 0.16% to the boating fee fund;
- 8 (6) 0.11% to the children's advocacy center fund;
- 9 (7) 2.28% to the EMS revolving fund;
- 10 (8) 2.28% to the trauma fund;
- 11 (9) 2.28% to the traffic records enhancement fund;
- 12 (10) 2.91% to the criminal justice information system line fund; ~~and~~
- 13 *(11) 0.9% to the safety corridor fund; and*
- 14 ~~(H)~~*(12)* the remainder of the remittances to the state general fund.
- 15 (b) The county treasurer shall deposit grant moneys as provided in
- 16 subsection (a), from the crime victims assistance fund, to the credit of a
- 17 special fund created for use by the county or district attorney in
- 18 establishing and maintaining programs to aid witnesses and victims of
- 19 crime.
- 20 Sec. ~~7~~ **8**. K.S.A. 2011 Supp. ~~8-1560c~~, 8-2118 and 74-7336 are hereby
- 21 repealed.
- 22 Sec. **8** **9**. This act shall take effect and be in force from and after its
- 23 publication in the statute book.