

HOUSE BILL No. 2188

By Committee on Transportation

1-26

1 AN ACT regulating traffic; concerning right-of-way violations; providing
2 for increased penalties in certain cases.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Any person who is convicted of violating K.S.A. 8-
6 1526, 8-1527, 8-1528, 8-1529 or 8-1531, and amendments thereto, and as
7 a result of such violation was involved in a vehicle accident or collision,
8 upon conviction, shall be guilty of an unclassified misdemeanor
9 punishable by being required to take 16 hours of driver's education: and

10 (1) If the vehicle accident or collision results in bodily harm to
11 another person, by a fine of not more than \$250;

12 (2) if the vehicle accident or collision results in great bodily harm to
13 another person or disfigurement to another person, by a fine of not more
14 than \$500; or

15 (3) if the vehicle accident or collision results in the death of another
16 person, by:

17 (A) A fine of not more than \$1,000; and

18 (B) being required to perform 200 hours of community service if such
19 convicted person is also convicted of violating K.S.A. 8-1567 or 8-15,111,
20 and amendments thereto.

21 (b) Convictions of violating K.S.A. 8-1526, 8-1527, 8-1528, 8-1529
22 or 8-1531, and amendments thereto, which are punishable under this
23 section, shall be considered a moving violation for the purpose of K.S.A.
24 8-255, and amendments thereto. A person shall not be allowed to enter into
25 a diversion agreement in lieu of further criminal proceedings that would
26 prevent such person's conviction for violating K.S.A. 8-1526, 8-1527, 8-
27 1528, 8-1529 or 8-1531, and amendments thereto, from appearing on the
28 person's record if such violation resulted in a vehicle accident or collision
29 that caused bodily harm, great bodily harm or disfigurement or death to
30 another person.

31 (c) For the purpose of this section, "conviction" means a final
32 conviction without regard to whether the sentence was suspended or
33 probation granted after such conviction. Forfeiture of bail, bond or
34 collateral deposited to secure a defendant's appearance in court, which
35 forfeiture has not been vacated, shall be equivalent to a conviction.

36 (d) This section shall be part of and supplemental to the uniform act

1 regulating traffic on highways.

2 Sec. 2. This act shall take effect and be in force from and after its

3 publication in the statute book.