

As Amended by House Committee

Session of 2018

HOUSE BILL No. 2534

By Committee on Corrections and Juvenile Justice

1-24

1 AN ACT regulating traffic; concerning racing on highways; exhibition of  
2 speed or acceleration, definition; amending K.S.A. 8-1565 and **K.S.A.**  
3 **2017 Supp. 8-2118 and** repealing the existing ~~section~~ **sections**.

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

6 **New Section 1. No person shall operate any motor vehicle under**  
7 **normal road conditions in a manner that, whether from a stationary**  
8 **position or while the motor vehicle is in motion, intentionally causes:**

9 (a) **The tires of the motor vehicle to break traction with the**  
10 **surface of the road;**

11 (b) **the tires to spin leaving marks on the road; or**

12 (c) **squealing of tires.**

13 ~~Section 1.~~ **Sec. 2.** K.S.A. 8-1565 is hereby amended to read as  
14 follows: 8-1565. (a) No person shall drive any vehicle in any race, speed  
15 competition or contest, drag race or acceleration contest, test of physical  
16 endurance, ~~exhibition of speed or acceleration,~~ or for the purpose of  
17 making a speed record, and no person shall in any manner participate in  
18 any such race, competition, contest, test or exhibition.

19 (b) As used in this section, "drag race" means the operation of two or  
20 more vehicles from a point side by side at accelerating speeds in a  
21 competitive attempt to out-distance each other, or the operation of one or  
22 more vehicles over a common selected course, from the same point to the  
23 same point, for the purpose of comparing the relative speeds or power of  
24 acceleration of such vehicle or vehicles within a certain distance or time  
25 limit.

26 (c) As used in this section, "racing" means the use of one or more  
27 vehicles in an attempt to out-gain, out-distance or prevent another vehicle  
28 from passing, to arrive at a given destination ahead of another vehicle or  
29 vehicles, or to test the physical stamina or endurance of drivers over long  
30 distance driving routes.

31 ~~(d) As used in this section, "exhibition of speed or acceleration"~~  
32 ~~means those acts that:~~

33 ~~(1) Cause or create unnecessary rapid acceleration, unnecessary tire~~  
34 ~~squeal, skid, smoke or slide upon acceleration or stopping, including the~~  
35 ~~casting of tread, gravel, dirt or other road surface materials from the tires;~~

36 ~~(2) simulate a temporary race; or~~

1 ~~(3) cause the vehicle to unnecessarily turn abruptly, sway or lose~~  
 2 ~~traction with the road surface.~~

3 ~~(d)(e)~~(d) Violation of this section is a misdemeanor.

4 **Sec. 3. K.S.A. 2017 Supp. 8-2118 is hereby amended to read as**  
 5 **follows: 8-2118. (a) A person charged with a traffic infraction shall,**  
 6 **except as provided in subsection (b), appear at the place and time**  
 7 **specified in the notice to appear. If the person enters an appearance,**  
 8 **waives right to trial, pleads guilty or no contest, the fine shall be no**  
 9 **greater than that specified in the uniform fine schedule in subsection**  
 10 **(c) and court costs shall be taxed as provided by law.**

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

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

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
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;

1			<b>31 and more mph</b>
2			<b>over the limit, \$195</b>
3			<b>plus \$15 per mph</b>
4			<b>over 30 mph over</b>
5			<b>the limit;</b>
6	<b>Disobeying traffic control de-</b>	<b>8-1507</b>	<b>\$75</b>
7	<b>vice</b>		
8	<b>Violating traffic control signal</b>	<b>8-1508</b>	<b>\$75</b>
9	<b>Violating pedestrian control</b>	<b>8-1509</b>	<b>\$45</b>
10	<b>signal</b>		
11	<b>Violating flashing traffic sig-</b>	<b>8-1510</b>	<b>\$75</b>
12	<b>nals</b>		
13	<b>Violating lane-control signal</b>	<b>8-1511</b>	<b>\$75</b>
14	<b>Unauthorized sign, signal,</b>	<b>8-1512</b>	<b>\$45</b>
15	<b>marking or device</b>		
16	<b>Driving on left side of road-</b>	<b>8-1514</b>	<b>\$75</b>
17	<b>way</b>		
18	<b>Failure to keep right to pass</b>	<b>8-1515</b>	<b>\$75</b>
19	<b>oncoming vehicle</b>		
20	<b>Improper passing; increasing</b>	<b>8-1516</b>	<b>\$75</b>
21	<b>speed when passed</b>		
22	<b>Improper passing on right</b>	<b>8-1517</b>	<b>\$75</b>
23	<b>Passing on left with insuffi-</b>	<b>8-1518</b>	<b>\$75</b>
24	<b>cient clearance</b>		
25	<b>Driving on left side where</b>	<b>8-1519</b>	<b>\$75</b>
26	<b>curve, grade, intersec-</b>		
27	<b>tion railroad crossing,or</b>		
28	<b>obstructed view</b>		
29	<b>Driving on left in no-passing</b>	<b>8-1520</b>	<b>\$75</b>
30	<b>zone</b>		
31	<b>Unlawful passing of stopped</b>	<b>8-1520a</b>	<b>\$75</b>
32	<b>emergency vehicle</b>		
33	<b>Driving wrong direction on</b>	<b>8-1521</b>	<b>\$75</b>
34	<b>one-way road</b>		
35	<b>Improper driving on laned</b>	<b>8-1522</b>	<b>\$75</b>
36	<b>roadway</b>		
37	<b>Following too close</b>	<b>8-1523</b>	<b>\$75</b>
38	<b>Improper crossover on di-</b>	<b>8-1524</b>	<b>\$45</b>
39	<b>vided highway</b>		
40	<b>Failure to yield right-of-way</b>	<b>8-1526</b>	<b>\$75</b>
41	<b>at uncontrolled intersection</b>		
42	<b>Failure to yield to approach-</b>	<b>8-1527</b>	<b>\$75</b>
43	<b>ing vehicle when turning</b>		

1	<b>left</b>		
2	<b>Failure to yield at stop or</b>	<b>8-1528</b>	<b>\$75</b>
3	<b>yield sign</b>		
4	<b>Failure to yield from private</b>	<b>8-1529</b>	<b>\$75</b>
5	<b>road or driveway</b>		
6	<b>Failure to yield to emergency</b>	<b>8-1530</b>	<b>\$195</b>
7	<b>vehicle</b>		
8	<b>Failure to yield to pedestrian</b>	<b>8-1531</b>	<b>\$105</b>
9	<b>or vehicle working on</b>		
10	<b>roadway</b>		
11	<b>Failure to comply with re-</b>	<b>8-1531a</b>	<b>\$45</b>
12	<b>strictions in road con-</b>		
13	<b>struction zone</b>		
14	<b>Disobeying pedestrian traffic</b>	<b>8-1532</b>	<b>\$45</b>
15	<b>control device</b>		
16	<b>Failure to yield to pedestrian</b>	<b>8-1533</b>	<b>\$75</b>
17	<b>in crosswalk; pedestrian</b>		
18	<b>suddenly entering road-</b>		
19	<b>way; passing vehicle</b>		
20	<b>stopped for pedestrian at</b>		
21	<b>crosswalk</b>		
22	<b>Improper pedestrian crossing</b>	<b>8-1534</b>	<b>\$45</b>
23	<b>Failure to exercise due care in</b>	<b>8-1535</b>	<b>\$45</b>
24	<b>regard to pedestrian</b>		
25	<b>Improper pedestrian move-</b>	<b>8-1536</b>	<b>\$45</b>
26	<b>ment in crosswalk</b>		
27	<b>Improper use of roadway by</b>	<b>8-1537</b>	<b>\$45</b>
28	<b>pedestrian</b>		
29	<b>Soliciting ride or business</b>	<b>8-1538</b>	<b>\$45</b>
30	<b>on roadway</b>		
31	<b>Driving through safety zone</b>	<b>8-1539</b>	<b>\$45</b>
32	<b>Failure to yield to pedestrian</b>	<b>8-1540</b>	<b>\$45</b>
33	<b>on sidewalk</b>		
34	<b>Failure of pedestrian to yield</b>	<b>8-1541</b>	<b>\$45</b>
35	<b>to emergency vehicle</b>		
36	<b>Failure to yield to blind pe-</b>	<b>8-1542</b>	<b>\$45</b>
37	<b>destrian</b>		
38	<b>Pedestrian disobeying bridge</b>	<b>8-1544</b>	<b>\$45</b>
39	<b>or railroad signal</b>		
40	<b>Improper turn or approach</b>	<b>8-1545</b>	<b>\$75</b>
41	<b>Improper "U" turn</b>	<b>8-1546</b>	<b>\$75</b>
42	<b>Unsafe starting of stopped</b>	<b>8-1547</b>	<b>\$45</b>
43	<b>vehicle</b>		

1	<b>Unsafe turning or stopping,</b>	<b>8-1548</b>	<b>\$75</b>
2	<b>failure to give proper sig-</b>		
3	<b>nal; using turn signal un-</b>		
4	<b>lawfully</b>		
5	<b>Improper method of giving</b>	<b>8-1549</b>	<b>\$45</b>
6	<b>notice of intention to turn</b>		
7	<b>Improper hand signal</b>	<b>8-1550</b>	<b>\$45</b>
8	<b>Failure to stop or obey</b>	<b>8-1551</b>	<b>\$195</b>
9	<b>road crossing signal</b>		
10	<b>Failure to stop at railroad</b>	<b>8-1552</b>	<b>\$135</b>
11	<b>crossing stop sign</b>		
12	<b>Certain hazardous vehicles</b>	<b>8-1553</b>	<b>\$195</b>
13	<b>failure to stop at railroad</b>		
14	<b>crossing</b>		
15	<b>Improper moving of heavy</b>	<b>8-1554</b>	<b>\$75</b>
16	<b>equipment at railroad</b>		
17	<b>crossing</b>		
18	<b>Vehicle emerging from alley,</b>	<b>8-1555</b>	<b>\$75</b>
19	<b>private roadway, building</b>		
20	<b>or driveway</b>		
21	<b>Improper passing of school</b>	<b>8-1556</b>	<b>\$315</b>
22	<b>bus; improper use of</b>		
23	<b>school bus signals</b>		
24	<b>Improper passing of church</b>	<b>8-1556a</b>	<b>\$195</b>
25	<b>or day-care bus; improper</b>		
26	<b>use of signals</b>		
27	<b>Impeding normal traffic</b>	<b>8-1561</b>	<b>\$45</b>
28	<b>by slow speed</b>		
29	<b>Speeding on motor-driven</b>	<b>8-1562</b>	<b>\$75</b>
30	<b>cycle</b>		
31	<b>Speeding in certain vehicles</b>	<b>8-1563</b>	<b>\$45</b>
32	<b>or on posted bridge</b>		
33	<b>Improper stopping, standing</b>	<b>8-1569</b>	<b>\$45</b>
34	<b>or parking on roadway</b>		
35	<b>Parking, standing or stopping</b>	<b>8-1571</b>	<b>\$45</b>
36	<b>in prohibited area</b>		
37	<b>Improper parking</b>	<b>8-1572</b>	<b>\$45</b>
38	<b>Unattended vehicle</b>	<b>8-1573</b>	<b>\$45</b>
39	<b>Improper backing</b>	<b>8-1574</b>	<b>\$45</b>
40	<b>Driving on sidewalk</b>	<b>8-1575</b>	<b>\$45</b>
41	<b>Driving with view or driving</b>	<b>8-1576</b>	<b>\$45</b>
42	<b>mechanism obstructed</b>		
43	<b>Unsafe opening of vehicle</b>	<b>8-1577</b>	<b>\$45</b>

1	door		
2	Riding in house trailer	8-1578	\$45
3	Unlawful riding on vehicle	8-1578a	\$75
4	Improper driving in defiles,	8-1579	\$45
5	canyons, or on grades		
6	Coasting	8-1580	\$45
7	Following fire apparatus too	8-1581	\$75
8	closely		
9	Driving over fire hose	8-1582	\$45
10	Putting glass, etc., on high-	8-1583	\$105
11	way		
12	Driving into intersection,	8-1584	\$45
13	crosswalk, or crossing		
14	without sufficient space		
15	on other side		
16	Improper operation of snow-	8-1585	\$45
17	mobile on highway		
18	Parental responsibility of	8-1586	\$45
19	child riding bicycle		
20	Not riding on bicycle seat;	8-1588	\$45
21	too many persons on		
22	bicycle		
23	Clinging to other vehicle	8-1589	\$45
24	Improper riding of bicycle on	8-1590	\$45
25	roadway		
26	Carrying articles on bicycle;	8-1591	\$45
27	one hand on handlebars		
28	Improper bicycle lamps,	8-1592	\$45
29	brakes or reflectors		
30	Improper operation of mo-	8-1594	\$45
31	torcycle; seats; passen-		
32	gers, bundles		
33	Improper operation of mo-	8-1595	\$75
34	torcycle on laned road		
35	way		
36	Motorcycle clinging to other	8-1596	\$45
37	vehicle		
38	Improper motorcycle handle-	8-1597	\$75
39	bars or passenger		
40	equipment		
41	Motorcycle helmet and eye-	8-1598	\$45
42	protection requirements		
43	Unlawful operation of all-ter-	8-15,100	\$75

1	rain vehicle		
2	Unlawful operation of	8-15,101	\$75
3	low-speed vehicle		
4	Littering	8-15,102	\$115
5	Disobeying school crossing	8-15,103	\$75
6	guard		
7	Unlawful operation of micro	8-15,106	\$75
8	utility truck		
9	Failure to remove vehicles in	8-15,107	\$75
10	accidents		
11	Unlawful operation of golf	8-15,108	\$75
12	cart		
13	Unlawful operation of work-	8-15,109	\$75
14	site utility vehicle		
15	Unlawful display of license	8-15,110	\$60
16	plate		
17	Unlawful text messaging	8-15,111	\$60
18	Equipment offenses that are	8-1701	\$75
19	not misdemeanors		
20	Driving without lights when	8-1703	\$45
21	needed		
22	Defective headlamps	8-1705	\$45
23	Defective tail lamps	8-1706	\$45
24	Defective reflector	8-1707	\$45
25	Improper stop lamp or turn	8-1708	\$45
26	signal		
27	Improper lighting equipment	8-1710	\$45
28	on certain vehicles		
29	Improper lamp color on cer-	8-1711	\$45
30	tain vehicles		
31	Improper mounting of re-	8-1712	\$45
32	flectors and lamps on cer-		
33	tain vehicles		
34	Improper visibility of reflec-	8-1713	\$45
35	tors and lamps on certain		
36	vehicles		
37	No lamp or flag on projecting	8-1715	\$75
38	load		
39	Improper lamps on parked	8-1716	\$45
40	vehicle		
41	Improper lights, lamps, re-	8-1717	\$45
42	flectors and emblems on		
43	farm tractors or slow-		

1	moving vehicles		
2	<b>Improper lamps and equip-</b>	<b>8-1718</b>	<b>\$45</b>
3	<b>ment on implements of</b>		
4	<b>husbandry, road machin-</b>		
5	<b>ery or animal-drawn ve-</b>		
6	<b>hicles</b>		
7	<b>Unlawful use of spot, fog, or</b>	<b>8-1719</b>	<b>\$45</b>
8	<b>auxiliary lamp</b>		
9	<b>Improper lamps or lights on</b>	<b>8-1720</b>	<b>\$45</b>
10	<b>emergency vehicle</b>		
11	<b>Improper stop or turn signal</b>	<b>8-1721</b>	<b>\$45</b>
12	<b>Improper vehicular hazard</b>	<b>8-1722</b>	<b>\$45</b>
13	<b>warning lamp</b>		
14	<b>Unauthorized additional</b>	<b>8-1723</b>	<b>\$45</b>
15	<b>lighting equipment</b>		
16	<b>Improper multiple-beam lights</b>	<b>8-1724</b>	<b>\$45</b>
17	<b>Failure to dim headlights</b>	<b>8-1725</b>	<b>\$75</b>
18	<b>Improper single-beam head-</b>	<b>8-1726</b>	<b>\$45</b>
19	<b>lights</b>		
20	<b>Improper speed with alter-</b>	<b>8-1727</b>	<b>\$45</b>
21	<b>nate lighting</b>		
22	<b>Improper number of driving</b>	<b>8-1728</b>	<b>\$45</b>
23	<b>lamps</b>		
24	<b>Unauthorized lights and sig-</b>	<b>8-1729</b>	<b>\$45</b>
25	<b>nals</b>		
26	<b>Improper school bus lighting</b>	<b>8-1730</b>	<b>\$45</b>
27	<b>equipment and warning</b>		
28	<b>devices</b>		
29	<b>Unauthorized lights and de-</b>	<b>8-1730a</b>	<b>\$45</b>
30	<b>vices on church or day-</b>		
31	<b>care bus</b>		
32	<b>Improper lights on highway</b>	<b>8-1731</b>	<b>\$45</b>
33	<b>construction or maintenance</b>		
34	<b>vehicles</b>		
35	<b>Defective brakes</b>	<b>8-1734</b>	<b>\$45</b>
36	<b>Defective or improper use of</b>	<b>8-1738</b>	<b>\$45</b>
37	<b>horn or warning device</b>		
38	<b>Defective muffler</b>	<b>8-1739</b>	<b>\$45</b>
39	<b>Defective mirror</b>	<b>8-1740</b>	<b>\$45</b>
40	<b>Defective wipers; obstructed</b>	<b>8-1741</b>	<b>\$45</b>
41	<b>windshield or windows</b>		
42	<b>Improper tires</b>	<b>8-1742</b>	<b>\$45</b>
43	<b>Improper flares or warning</b>	<b>8-1744</b>	<b>\$45</b>



1	devices		
2	<b>Improper use of vehicular</b>	<b>8-1745</b>	<b>\$45</b>
3	<b>hazard warning lamps</b>		
4	<b>and devices</b>		
5	<b>Improper air-conditioning</b>	<b>8-1747</b>	<b>\$45</b>
6	<b>equipment</b>		
7	<b>Improper safety belt or</b>	<b>8-1749</b>	<b>\$45</b>
8	<b>shoulder harness</b>		
9	<b>Improper wide-based single</b>	<b>8-1742b</b>	<b>\$75</b>
10	<b>tires</b>		
11	<b>Improper compression re-</b>	<b>8-1761</b>	<b>\$75</b>
12	<b>lease engine braking sys-</b>		
13	<b>tem</b>		
14	<b>Defective motorcycle head-</b>	<b>8-1801</b>	<b>\$45</b>
15	<b>lamp</b>		
16	<b>Defective motorcycle tail</b>	<b>8-1802</b>	<b>\$45</b>
17	<b>lamp</b>		
18	<b>Defective motorcycle reflec-</b>	<b>8-1803</b>	<b>\$45</b>
19	<b>tor</b>		
20	<b>Defective motorcycle stop</b>	<b>8-1804</b>	<b>\$45</b>
21	<b>lamps and turn signals</b>		
22	<b>Defective multiple-beam</b>	<b>8-1805</b>	<b>\$45</b>
23	<b>lighting</b>		
24	<b>Improper road-lighting equip-</b>	<b>8-1806</b>	<b>\$45</b>
25	<b>ment on motor-driven cy-</b>		
26	<b>cles</b>		
27	<b>Defective motorcycle or mo-</b>	<b>8-1807</b>	<b>\$45</b>
28	<b>tor-driven cycle brakes</b>		
29	<b>Improper performance abil-</b>	<b>8-1808</b>	<b>\$45</b>
30	<b>ity of brakes</b>		
31	<b>Operating motorcycle with</b>	<b>8-1809</b>	<b>\$45</b>
32	<b>disapproved braking sys-</b>		
33	<b>tem</b>		
34	<b>Defective horn, muffler, mir-</b>	<b>8-1810</b>	<b>\$45</b>
35	<b>rors or tires</b>		
36	<b>Unlawful statehouse parking</b>	<b>75-4510a</b>	<b>\$30</b>
37	<b>Exceeding gross weight of</b>	<b>8-1909</b>	<b>Pounds Overweight</b>
38	<b>vehicle or combination</b>		<b>up to 1000 \$40</b>
39			<b>1001 to 2000 3¢</b>
40			<b>per pound</b>
41			<b>2001 to 5000 5¢</b>
42			<b>per pound</b>
43			<b>5001 to 7500 7¢</b>



1 amendments thereto, committed within any road construction zone as  
2 defined in K.S.A. 8-1458a, and amendments thereto.

3 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
4 amendments thereto, within two years after a prior conviction of  
5 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
6 conviction shall be fined  $1\frac{1}{2}$  times the applicable amount from one,  
7 but not both, of the schedules listed in the uniform fine schedule  
8 contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-  
9 1909, and amendments thereto, within two years, after two prior  
10 convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such  
11 person, upon conviction shall be fined two times the applicable  
12 amount from one, but not both, of the schedules listed in the uniform  
13 fine schedule contained in subsection (c). For a fourth and each  
14 succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments  
15 thereto, within two years after three prior convictions of K.S.A. 8-1908  
16 or 8-1909, and amendments thereto, such person, upon conviction  
17 shall be fined  $2\frac{1}{2}$  times the applicable amount from one, but not both,  
18 of the schedules listed in the uniform fine schedule contained in  
19 subsection (c).

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

25 ~~Sec.-2-~~ 4. K.S.A. 8-1565 ~~is~~ and K.S.A. 2017 Supp. 8-2118 are  
26 hereby repealed.

27 ~~Sec.-3-~~ 5. This act shall take effect and be in force from and after its  
28 publication in the statute book.