

As Amended by House Committee

Session of 2024

HOUSE BILL No. 2680

By Committee on Transportation

Requested by Representative Essex on behalf of Amber Rollins of Kids and Car Safety

2-5

1 AN ACT concerning traffic regulations; relating to unattended children in  
2 vehicles; creating a traffic infraction for leaving a child ~~eight~~ **six** years  
3 of age or younger unattended in a vehicle and providing penalties  
4 therefor; crediting fines from violations of such traffic infraction to the  
5 family and children trust account of the family and children investment  
6 fund; requiring the division of vehicles to include information  
7 concerning the dangers of leaving unattended children in vehicles in  
8 driving materials and courses; amending K.S.A. 8-2118 and repealing  
9 the existing section.

10

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

12 New Section 1. (a) **(1)** A parent, legal guardian or other person  
13 responsible for a child who is ~~eight~~ **six** years of age or younger shall not  
14 knowingly leave such child inside a motor vehicle without being subject to  
15 the supervision of a person who is 12 years of age or older. **This**  
16 **subsection shall apply to any:**

17 **(A) Highway;**

18 **(B) public property;**

19 **(C) private property open to the public; or**

20 **(D) parking lot or parking facility not otherwise excluded**  
21 **pursuant to paragraph (2).**

22 **(2) This subsection shall not apply to a private driveway or any**  
23 **private parking lot or private parking facility of any property used for**  
24 **residential purposes.**

25 (b) Notwithstanding the provisions of K.S.A. 20-350 and 74-7336,  
26 and amendments thereto, any fines collected pursuant to this section shall  
27 be remitted by the clerk of the district court to the state treasurer in  
28 accordance with the provisions of K.S.A. 75-4215, and amendments  
29 thereto. Upon receipt of each such remittance, the state treasurer shall  
30 credit the entire amount to the children and family trust account of the  
31 family and children investment fund established in K.S.A. 38-1808, and  
32 amendments thereto.

33 (c) The division of vehicles shall require information concerning the  
34 dangers of leaving children unattended in motor vehicles, including, but

1 not limited to, the effect of solar heat on the temperature of motor vehicle  
2 interiors and the penalties for violating this section, to be included in the  
3 following materials or courses:

4 (1) The Kansas driving handbook;

5 (2) drivers' training schools, as defined in K.S.A. 8-273, and  
6 amendments thereto;

7 (3) driver training courses conducted by any board, as defined in  
8 K.S.A. 72-4005, and amendments thereto;

9 (4) driver improvement clinics, as described in K.S.A. 8-255, and  
10 amendments thereto; and

11 (5) any materials provided to community driving public awareness  
12 and education programs by the division of vehicles or any other agencies,  
13 including, but not limited to, the department of transportation, the  
14 department for children and families and the Kansas highway patrol.

15 (d) A person who violates the provisions of this section may also be  
16 prosecuted for, convicted of and punished for any offense in chapter 21 of  
17 the Kansas Statutes Annotated, and amendments thereto, resulting from  
18 leaving a child unattended in a motor vehicle.

19 (e) **A law enforcement office shall issue a warning citation to**  
20 **anyone violating the provisions of subsection (a). The provisions of this**  
21 **subsection shall expire and have no effect on and after July 1, 2025.**

22 (f) This section shall be a part of and supplemental to the uniform act  
23 regulating traffic on highways.

24 Sec. 2. K.S.A. 8-2118 is hereby amended to read as follows: 8-2118.

25 (a) A person charged with a traffic infraction shall, except as provided in  
26 subsection (b), appear at the place and time specified in the notice to  
27 appear. If the person enters an appearance, waives right to trial, pleads  
28 guilty or no contest, the fine shall be no greater than that specified in the  
29 uniform fine schedule in subsection (c) and court costs shall be taxed as  
30 provided by law.

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

42 (c) The following uniform fine schedule shall apply uniformly  
43 throughout the state but shall not limit the fine that may be imposed

1 following a court appearance, except an appearance made for the purpose  
 2 of pleading and payment as permitted by subsection (a). The description of  
 3 offense contained in the following uniform fine schedule is for reference  
 4 only and is not a legal definition.

5 <i>Description of Offense</i>	6 <i>Statute</i>	7 <i>Fine</i>
8 Unsafe speed for prevailing 9 conditions	8-1557	\$75
10 Exceeding maximum speed 11 limit; or speeding in zone 12 posted by the state depart- 13 ment of transportation; or 14 speeding in locally posted 15 zone	8-1558 to 8-1560 8-1560a or 8-1560b	16 1-10 mph over the 17 limit, \$45 18 11-20 mph over the 19 limit, \$45 plus \$6 20 per mph over 10 21 mph over the limit; 22 21-30 mph over the 23 limit, \$105 plus \$9 24 per mph over 20 25 mph over the limit; 26 31 and more mph 27 over the limit, \$195 28 plus \$15 per mph 29 over 30 mph over 30 the limit;
31 Disobeying traffic control de- 32 vice	8-1507	\$75
33 Violating traffic control signal	8-1508	\$75
34 Violating pedestrian control 35 signal	8-1509	\$45
36 Violating flashing traffic signals	8-1510	\$75
37 Violating lane-control signal	8-1511	\$75
38 Unauthorized sign, signal, 39 marking or device	8-1512	\$45
40 Driving on left side of roadway	8-1514	\$75
41 Failure to keep right to pass 42 oncoming vehicle	8-1515	\$75
43 Improper passing; increasing 44 speed when passed	8-1516	\$75
45 Improper passing on right	8-1517	\$75
46 Passing on left with insuffi- 47 cient clearance	8-1518	\$75
48 Driving on left side where 49 curve, grade, intersec- 50 tion railroad crossing, or	8-1519	\$75

1	obstructed view		
2	Driving on left in no-passing	8-1520	\$75
3	zone		
4	Unlawful passing of stopped	8-1520a	\$75
5	emergency vehicle		
6	Driving wrong direction on	8-1521	\$75
7	one-way road		
8	Improper driving on laned	8-1522	\$75
9	roadway		
10	Following too close	8-1523	\$75
11	Improper crossover on di-	8-1524	\$45
12	vided highway		
13	Failure to yield right-of-way	8-1526	\$75
14	at uncontrolled intersection		
15	Failure to yield to approach-	8-1527	\$75
16	ing vehicle when turning		
17	left		
18	Failure to yield at stop or	8-1528	\$75
19	yield sign		
20	Failure to yield from private	8-1529	\$75
21	road or driveway		
22	Failure to yield to emergency	8-1530	\$195
23	vehicle		
24	Failure to yield to pedestrian	8-1531	\$105
25	or vehicle working on		
26	roadway		
27	Failure to comply with re-	8-1531a	\$45
28	strictions in road con-		
29	struction zone		
30	Disobeying pedestrian traffic	8-1532	\$45
31	control device		
32	Failure to yield to pedestrian	8-1533	\$75
33	in crosswalk; pedestrian		
34	suddenly entering road-		
35	way; passing vehicle		
36	stopped for pedestrian at		
37	crosswalk		
38	Improper pedestrian crossing	8-1534	\$45
39	Failure to exercise due care in	8-1535	\$45
40	regard to pedestrian		
41	Improper pedestrian move-	8-1536	\$45
42	ment in crosswalk		
43	Improper use of roadway by	8-1537	\$45

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

1	by slow speed		
2	Speeding on motor-driven	8-1562	\$75
3	cycle		
4	Speeding in certain vehicles	8-1563	\$45
5	or on posted bridge		
6	Improper stopping, standing	8-1569	\$45
7	or parking on roadway		
8	Parking, standing or stopping	8-1571	\$45
9	in prohibited area		
10	Improper parking	8-1572	\$45
11	Unattended vehicle	8-1573	\$45
12	Improper backing	8-1574	\$45
13	Driving on sidewalk	8-1575	\$45
14	Driving with view or driving	8-1576	\$45
15	mechanism obstructed		
16	Unsafe opening of vehicle	8-1577	\$45
17	door		
18	Riding in house trailer	8-1578	\$45
19	Unlawful riding on vehicle	8-1578a	\$75
20	Improper driving in defiles,	8-1579	\$45
21	canyons, or on grades		
22	Coasting	8-1580	\$45
23	Following fire apparatus too	8-1581	\$75
24	closely		
25	Driving over fire hose	8-1582	\$45
26	Putting glass, etc., on high-	8-1583	\$105
27	way		
28	Driving into intersection,	8-1584	\$45
29	crosswalk, or crossing		
30	without sufficient space		
31	on other side		
32	Improper operation of snow-	8-1585	\$45
33	mobile on highway		
34	Parental responsibility of	8-1586	\$45
35	child riding bicycle		
36	Not riding on bicycle seat;	8-1588	\$45
37	too many persons on		
38	bicycle		
39	Clinging to other vehicle	8-1589	\$45
40	Improper riding of bicycle on	8-1590	\$45
41	roadway		
42	Carrying articles on bicycle;	8-1591	\$45
43	one hand on handlebars		

1	Improper bicycle lamps,	8-1592	\$45
2	brakes or reflectors		
3	Improper operation of mo-	8-1594	\$45
4	torcycle; seats; passen-		
5	gers, bundles		
6	Improper operation of motor	8-1595	\$75
7	cycle on laned roadway		
8	Motorcycle clinging to other	8-1596	\$45
9	vehicle		
10	Improper motorcycle handle-	8-1597	\$75
11	bars or passenger		
12	equipment		
13	Motorcycle helmet and eye-	8-1598	\$45
14	protection requirements		
15	Unlawful operation of all-ter-	8-15,100	\$75
16	rain vehicle		
17	Unlawful operation of	8-15,101	\$75
18	low-speed vehicle		
19	Littering	8-15,102	\$115
20	Disobeying school crossing	8-15,103	\$75
21	guard		
22	Unlawful operation of micro	8-15,106	\$75
23	utility truck		
24	Failure to remove vehicles in	8-15,107	\$75
25	accidents		
26	Unlawful operation of golf	8-15,108	\$75
27	cart		
28	Unlawful operation of work-	8-15,109	\$75
29	site utility vehicle		
30	Unlawful display of license	8-15,110	\$60
31	plate		
32	Unlawful text messaging	8-15,111	\$60
33	Unlawful passing of a waste	8-15,112	\$45
34	collection vehicle		
35	Unlawful operation of	8-15,113	\$45
36	electric-assisted scooter		
37	Unlawful passing of a utility or	8-15,114	\$105
38	telecommunications vehicle		
39	<i>Leaving a child unattended in a</i>	<i>section 1</i>	<i>\$100</i>
40	<i>motor vehicle</i>		
41	Equipment offenses that are	8-1701	\$75
42	not misdemeanors		
43	Driving without lights when	8-1703	\$45

1	needed		
2	Defective headlamps	8-1705	\$45
3	Defective tail lamps	8-1706	\$45
4	Defective reflector	8-1707	\$45
5	Improper stop lamp or turn	8-1708	\$45
6	signal		
7	Improper lighting equipment	8-1710	\$45
8	on certain vehicles		
9	Improper lamp color on cer-	8-1711	\$45
10	tain vehicles		
11	Improper mounting of re-	8-1712	\$45
12	flectors and lamps on cer-		
13	tain vehicles		
14	Improper visibility of reflec-	8-1713	\$45
15	tors and lamps on certain		
16	vehicles		
17	No lamp or flag on projecting	8-1715	\$75
18	load		
19	Improper lamps on parked	8-1716	\$45
20	vehicle		
21	Improper lights, lamps, re-	8-1717	\$45
22	flectors and emblems on		
23	farm tractors or slow-		
24	moving vehicles		
25	Improper lamps and equip-	8-1718	\$45
26	ment on implements of		
27	husbandry, road machin-		
28	ery or animal-drawn ve-		
29	hicles		
30	Unlawful use of spot, fog, or	8-1719	\$45
31	auxiliary lamp		
32	Improper lamps or lights on	8-1720	\$45
33	emergency vehicle		
34	Improper stop or turn signal	8-1721	\$45
35	Improper vehicular hazard	8-1722	\$45
36	warning lamp		
37	Unauthorized additional	8-1723	\$45
38	lighting equipment		
39	Improper multiple-beam lights	8-1724	\$45
40	Failure to dim headlights	8-1725	\$75
41	Improper single-beam head-	8-1726	\$45
42	lights		
43	Improper speed with alter-	8-1727	\$45



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

1	lamps and turn signals		
2	Defective multiple-beam	8-1805	\$45
3	lighting		
4	Improper road-lighting equip-	8-1806	\$45
5	ment on motor-driven cy-		
6	cles		
7	Defective motorcycle or mo-	8-1807	\$45
8	tor-driven cycle brakes		
9	Improper performance abil-	8-1808	\$45
10	ity of brakes		
11	Operating motorcycle with	8-1809	\$45
12	disapproved braking sys-		
13	tem		
14	Defective horn, muffler, mir-	8-1810	\$45
15	rors or tires		
16	Unlawful statehouse parking	75-4510a	\$30
17	Exceeding gross weight of	8-1909	Pounds Overweight
18	vehicle or combination		up to 1000.....\$40
19			1001 to 2000.....3¢
20			per pound
21			2001 to 5000.....5¢
22			per pound
23			5001 to 7500.....7¢
24			per pound
25			7501 and over.....10¢
26			per pound
27	Exceeding gross weight on	8-1908	Pounds Overweight
28	any axle or tandem,		up to 1000.....\$40
29	triple or quad axles		1001 to 2000.....3¢
30			per pound
31			2001 to 5000.....5¢
32			per pound
33			5001 to 7500.....7¢
34			per pound
35			7501 and over.....10¢
36			per pound
37	Failure to obtain proper re-	66-1324	\$287
38	gistration, clearance or		
39	to have current cer-		
40	tification		
41	Insufficient liability insur-	66-1,128	\$137
42	ance for motor carriers	or 66-1314	
43	Failure to obtain interstate	79-34,122	\$137

1	motor fuel tax author-		
2	ization		
3	No authority as private or	66-1,111	\$137
4	common carrier		
5	Violation of motor carrier	66-1,129	\$115
6	safety rules and regula-		
7	tions, except for viola-		
8	tions specified in K.S.A.		
9	66-1,130(b)(2), and		
10	amendments thereto		

11

12 (d) Traffic offenses classified as traffic infractions by this section  
 13 shall be classified as ordinance traffic infractions by those cities adopting  
 14 ordinances prohibiting the same offenses. A schedule of fines for all  
 15 ordinance traffic infractions shall be established by the municipal judge in  
 16 the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such  
 17 fines may vary from those contained in the uniform fine schedule  
 18 contained in subsection (c).

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

25 (f) For a second violation of K.S.A. 8-1908 or 8-1909, and  
 26 amendments thereto, within two years after a prior conviction of K.S.A. 8-  
 27 1908 or 8-1909, and amendments thereto, such person, upon conviction  
 28 shall be fined 1½ times the applicable amount from one, but not both, of  
 29 the schedules listed in the uniform fine schedule contained in subsection  
 30 (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments  
 31 thereto, within two years, after two prior convictions of K.S.A. 8-1908 or  
 32 8-1909, and amendments thereto, such person, upon conviction shall be  
 33 fined two times the applicable amount from one, but not both, of the  
 34 schedules listed in the uniform fine schedule contained in subsection (c).  
 35 For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909,  
 36 and amendments thereto, within two years after three prior convictions of  
 37 K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon  
 38 conviction shall be fined 2½ times the applicable amount from one, but  
 39 not both, of the schedules listed in the uniform fine schedule contained in  
 40 subsection (c).

41 (g) Fines listed in the uniform fine schedule contained in subsection  
 42 (c) relating to exceeding the maximum speed limit, shall be doubled if a  
 43 person is convicted of exceeding the maximum speed limit in a school

1 zone authorized under K.S.A. 8-1560(a)(4), and amendments thereto.

2 (h) For a second violation of K.S.A. 8-1556, and amendments thereto,  
3 within five years after a prior conviction of K.S.A. 8-1556, and  
4 amendments thereto, such person, upon conviction, shall be fined \$750 for  
5 the second violation. For a third and each succeeding violation of K.S.A.  
6 8-1556, and amendments thereto, within five years after two prior  
7 convictions of K.S.A. 8-1556, and amendments thereto, such person, upon  
8 conviction, shall be fined \$1,000 for the third and each succeeding  
9 violation.

10 **(i) For a second violation of section 1(a), and amendments**  
11 **thereto, within five years after a prior conviction of section 1(a), and**  
12 **amendments thereto, such person, upon conviction, shall be fined \$200**  
13 **for such second violation. For a third and each succeeding violation of**  
14 **section 1(a), and amendments thereto, within five years after two prior**  
15 **convictions of section 1(a), and amendments thereto, such person,**  
16 **upon conviction, shall be fined \$500 for such third violation and each**  
17 **succeeding violation.**

18 Sec. 3. K.S.A. 8-2118 is hereby repealed.

19 Sec. 4. This act shall take effect and be in force from and after its  
20 publication in the statute book.