

Senate Substitute for HOUSE BILL No. 2094

By Committee on Transportation

3-17

1 AN ACT regulating traffic; concerning size limitations of certain vehicles,
2 exceptions, forage cutter and custom harvester; use of safety belts,
3 establishing the seat belt safety fund; amending K.S.A. 2014 Supp. 8-
4 1904, 8-2504, 12-4120 and 74-7336 and repealing the existing sections.

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

7 Section 1. K.S.A. 2014 Supp. 8-1904 is hereby amended to read as
8 follows: 8-1904. (a) No vehicle including any load thereon shall exceed a
9 height of 14 feet, except that a vehicle transporting cylindrically shaped
10 bales of hay as authorized by ~~subsection (e) of K.S.A. 8-1902(e)~~, and
11 amendments thereto, may be loaded with such bales secured to a height
12 not exceeding 14½ feet. Should a vehicle so loaded with bales strike any
13 overpass or other obstacle, the operator of the vehicle shall be liable for all
14 damages resulting therefrom. The secretary of transportation may adopt
15 rules and regulations for the movement of such loads of cylindrically
16 shaped bales of hay.

17 (b) No motor vehicle including the load thereon shall exceed a length
18 of 45 feet extreme overall dimension, excluding the front and rear
19 bumpers, except as provided in subsection (d).

20 (c) Except as otherwise provided in K.S.A. 8-1914 and 8-1915, and
21 amendments thereto, and subsections (d), (e), (f), (g) and (h), no
22 combination of vehicles coupled together shall exceed a total length of 65
23 feet.

24 (d) The length limitations in subsection (b) shall not apply to a truck
25 tractor. No semitrailer which is being operated in combination with a truck
26 tractor shall exceed 59½ feet in length. No semitrailer or trailer which is
27 being operated in a combination consisting of a truck tractor, semitrailer
28 and trailer shall exceed 28½ feet in length.

29 (e) The limitations in this section governing maximum length of a
30 semitrailer or trailer shall not apply to vehicles operating in the daytime
31 when transporting poles, pipe, machinery or other objects of a structural
32 nature which cannot readily be dismembered, except that it shall be
33 unlawful to operate any such vehicle or combination of vehicles which
34 exceeds a total length of 85 feet unless a special permit for such operation
35 has been issued by the secretary of transportation or by an agent or
36 designee of the secretary pursuant to K.S.A. 8-1911, and amendments

1 thereto. For the purpose of authorizing the issuance of such special permits
2 at motor carrier inspection stations, the secretary of transportation may
3 contract with the superintendent of the Kansas highway patrol for such
4 purpose, and in such event, the superintendent or any designee of the
5 superintendent may issue such special permit pursuant to the terms and
6 conditions of the contract. The limitations in this section shall not apply to
7 vehicles transporting such objects operated at nighttime by a public utility
8 when required for emergency repair of public service facilities or
9 properties or when operated under special permit as provided in K.S.A. 8-
10 1911, and amendments thereto, but in respect to such night transportation
11 every such vehicle and the load thereon shall be equipped with a sufficient
12 number of clearance lamps on both sides and marker lamps upon the
13 extreme ends of any projecting load to clearly mark the dimensions of
14 such load.

15 (f) The limitations of this section governing the maximum length of
16 combinations of vehicles shall not apply to a combination of vehicles
17 consisting of a truck tractor towing a house trailer, if such combination of
18 vehicles does not exceed an overall length of 97 feet.

19 (g) The length limitations of this section shall not apply to stinger-
20 steered automobile or boat transporters or one truck and one trailer vehicle
21 combination, loaded or unloaded, used in transporting a combine, *forage*
22 *cutter or combine header* to be engaged in farm custom harvesting
23 operations, as defined in ~~subsection (d) of~~ K.S.A. 8-143j(d), and
24 amendments thereto. A stinger-steered automobile or boat transporter or
25 one truck and one trailer vehicle combination, loaded or unloaded, used in
26 transporting a combine, *forage cutter or combine header* to be engaged in
27 farm custom harvesting operations, as defined in ~~subsection (d) of~~ K.S.A.
28 8-143j(d), and amendments thereto, shall not exceed an overall length
29 limit of 75 feet, exclusive of front and rear overhang.

30 (h) The length limitations of this section shall not apply to drive-away
31 saddlemount or drive-away saddlemount with fullmount vehicle
32 transporter combination. A drive-away saddlemount or drive-away
33 saddlemount with fullmount vehicle transporter combination shall not
34 exceed an extreme overall dimension of 97 feet.

35 New Sec. 2. There is hereby established in the state treasury the seat
36 belt safety fund which shall be administered by the secretary of
37 transportation. All expenditures of moneys in the seat belt safety fund shall
38 be used for the purpose of promotion and education of occupant protection
39 among children, including, but not limited to, programs in schools in
40 Kansas and shall be made in accordance with appropriation acts upon
41 warrants of the director of accounts and reports issued pursuant to
42 vouchers approved by the secretary of transportation or by a person or
43 persons designated by the secretary of transportation. The secretary of

1 transportation may accept all gifts, grants, donations and bequests to the
2 fund. The secretary of transportation shall remit all moneys received under
3 this section to the state treasurer in accordance with the provisions of
4 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
5 remittance, the state treasurer shall deposit the entire amount in the state
6 treasury to the credit of the seat belt safety fund.

7 Sec. 3. K.S.A. 2014 Supp. 8-2504 is hereby amended to read as
8 follows: 8-2504. (a) (1) Persons violating ~~subsection (a)(1) of K.S.A. 8-~~
9 ~~2503(a)(1), and amendments thereto, shall be fined \$5 and no court costs~~
10 ~~and, from and after July 1, 2011, persons violating subsection (a)(1) of~~
11 ~~K.S.A. 8-2503, and amendments thereto, shall be fined \$10 \$30 and no~~
12 ~~court costs; and~~

13 (2) persons violating ~~subsection (a)(2) of K.S.A. 8-2503(a)(2), and~~
14 ~~amendments thereto, shall be fined \$60 and no court costs.~~

15 (b) No court shall report violation of this act to the department of
16 revenue.

17 (c) Evidence of failure of any person to use a safety belt shall not be
18 admissible in any action for the purpose of determining any aspect of
19 comparative negligence or mitigation of damages.

20 (d) The provisions of this section shall be applicable and uniform
21 throughout the state and no city, county, subdivision or local authority
22 shall enact or enforce any law, ordinance, rule, regulation or resolution in
23 conflict with, in addition to, or supplemental to, the provisions of this
24 section.

25 Sec. 4. K.S.A. 2014 Supp. 12-4120 is hereby amended to read as
26 follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from
27 each fine imposed for a violation of a city ordinance prohibiting the acts
28 prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2014 Supp. 8-1025, and
29 amendments thereto, shall be remitted by the judge or clerk of the
30 municipal court to the state treasurer in accordance with the provisions of
31 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
32 remittance, the state treasurer shall credit the entire amount to the
33 community corrections supervision fund established by K.S.A. 2014 Supp.
34 75-52,113, and amendments thereto.

35 (b) On and after July 1, 2013, the amount of \$2,500 from each fine
36 imposed for a violation of a city ordinance prohibiting the acts prohibited
37 by K.S.A. 2014 Supp. 21-6421, and amendments thereto, shall be remitted
38 by the judge or clerk of the municipal court to the state treasurer in
39 accordance with the provisions of K.S.A. 75-4215, and amendments
40 thereto. Upon receipt of each such remittance, the state treasurer shall
41 credit the entire amount to the human trafficking victim assistance fund
42 established by K.S.A. 2014 Supp. 75-758, and amendments thereto.

43 (c) *On and after July 1, 2015, the amount of \$20 from each fine*

1 *imposed for a violation of a city ordinance requiring the use of safety belts*
2 *for those individuals required by K.S.A. 8-2503(a)(1), and amendments*
3 *thereto, shall be remitted by the judge or clerk of the municipal court to*
4 *the state treasurer in accordance with the provisions of K.S.A. 75-4215,*
5 *and amendments thereto. Upon receipt of each such remittance, the state*
6 *treasurer shall credit the entire amount to the seat belt safety fund*
7 *established by section 2, and amendments thereto.*

8 Sec. 5. K.S.A. 2014 Supp. 74-7336 is hereby amended to read as
9 follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures
10 received from clerks of the district court, at least monthly, the state
11 treasurer shall credit:

- 12 (1) ~~10.94%~~*10.64%* to the crime victims compensation fund;
- 13 (2) ~~2.24%~~*2.18%* to the crime victims assistance fund;
- 14 (3) ~~2.75%~~*2.67%* to the community alcoholism and intoxication
15 programs fund;
- 16 (4) ~~7.65%~~*7.44%* to the department of corrections alcohol and drug
17 abuse treatment fund;
- 18 (5) 0.16% to the boating fee fund;
- 19 (6) 0.11% to the children's advocacy center fund;
- 20 (7) ~~2.28%~~*2.22%* to the EMS revolving fund;
- 21 (8) ~~2.28%~~*2.22%* to the trauma fund;
- 22 (9) ~~2.28%~~*2.22%* to the traffic records enhancement fund;
- 23 (10) ~~2.91%~~*2.83%* to the criminal justice information system line
24 fund; ~~and~~

25 *(11) 2.74% to the seat belt safety fund; and*

26 ~~(11)~~*(12) the remainder of the remittances to the state general fund.*

27 (b) The county treasurer shall deposit grant moneys as provided in
28 subsection (a), from the crime victims assistance fund, to the credit of a
29 special fund created for use by the county or district attorney in
30 establishing and maintaining programs to aid witnesses and victims of
31 crime.

32 Sec. 6. K.S.A. 2014 Supp. 8-1904, 8-2504, 12-4120 and 74-7336 are
33 hereby repealed.

34 Sec. 7. This act shall take effect and be in force from and after its
35 publication in the statute book.