

**Substitute for SENATE BILL No. 62**

By Committee on Transportation

2-21

1 AN ACT regulating traffic; concerning authorized emergency vehicles;  
2 relating to police vehicles; exempting police vehicle drivers engaged in  
3 certain actions from audible or visual requirements; allowed actions by  
4 driver.

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

7 Section 1. (a) When the driver of an authorized emergency vehicle  
8 operated as a police vehicle has reason to believe operation under K.S.A.  
9 8-1506, and amendments thereto, may impede a law enforcement action  
10 based on the circumstances listed in subsections (a)(1) through (5), the  
11 driver shall not be required to make use of audible signals meeting the  
12 requirements of K.S.A. 8-1738, and amendments thereto, or visual signals  
13 meeting the requirements of K.S.A. 8-1720, and amendments thereto,  
14 when such operation can be done with a reasonable degree of safety. Such  
15 actions include:

16 (1) Approaching the proximity of a location to deliver law  
17 enforcement services where the use of audible or visual signals may result  
18 in persons involved in the incident to:

- 19 (A) Flee;  
20 (B) cause the destruction of evidence; or  
21 (C) cause injury to any person;  
22 (2) monitoring for indications of a crime or a need for law  
23 enforcement services;

24 (3) engaging in the surveillance of suspected criminal activity  
25 involving:

- 26 (A) A vehicle;  
27 (B) the occupants of a vehicle; or  
28 (C) other persons who are suspected of involvement in a crime;  
29 (4) obtaining evidence of a violation for someone exceeding the  
30 maximum speed limit; or

31 (5) approaching a vehicle actually or suspected of violating the law  
32 when the vehicle is not attempting to evade a law enforcement officer.

33 (b) Any driver or an authorized emergency vehicle operated as a  
34 police vehicle may perform any of the following while the driver is  
35 actively engaged in the actions set forth in subsection (a):

- 36 (1) Proceed past a red or traffic-control signal, but only after first

1 coming to a stop, and then proceeding as may be necessary for safe  
2 operation;

3 (2) exceed the maximum speed limits by not more than 15 miles per  
4 hour, except such limit shall not apply when performing any action listed  
5 in subsection (a)(4) or (5), so long as such driver does not endanger life or  
6 property;

7 (3) disregard regulations governing direction of movement or turning  
8 in specified directions, so long as such driver does not endanger life or  
9 property; or

10 (4) proceed through toll booths on roads or bridges without stopping  
11 for payment of tolls, but only after slowing down as may be necessary for  
12 safe operation.

13 (c) Any driver of an authorized emergency vehicle operated as a  
14 police vehicle may park or stand, irrespective of the provisions of this  
15 article, while performing law enforcement services.

16 (d) The provisions of this section shall not relieve the driver of an  
17 authorized emergency vehicle from the consequences of reckless disregard  
18 for the safety of others.

19 (e) Any law enforcement agency may limit or prohibit application of  
20 any or all provisions in this section by written policy.

21 (f) This section shall be a part of and supplemental to article 15 of  
22 chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

23 Sec. 2. This act shall take effect and be in force from and after its  
24 publication in the statute book.