

SESSION OF 2011

**SUPPLEMENTAL NOTE ON HOUSE
SUBSTITUTE FOR SENATE BILL NO. 213**

As Amended by House Committee of the Whole

Brief*

House Sub. for SB 213 would increase the maximum lawful speed limit from 70 miles per hour (mph) to 75 mph on any separated multilane highway, as designated by the Secretary of Transportation. The bill would increase 70 mph to 75 mph in two additional statutes: a violation of a speed limit of 55 mph up to 75 mph (increased from 70 mph) by not more than 10 mph could not be construed as a moving violation, nor could it be reported by the Division of Vehicles to an insurance company or considered by any insurance company in determining the rate to be charged for an automobile liability insurance policy.

The bill would include the Safety Belt Use Act in the Uniform Act Regulating Traffic. It would clarify that no court costs are to be applied to seat belt violations and would remove outdated language. It would remove unnecessary language redundant to the Child Passenger Safety Act.

The bill would become effective upon publication in the *Kansas Register*.

Background

The original SB 213 would have defined a "lightweight roadable vehicle" and would have excluded that type of vehicle from the definition of "aircraft" in the statute that

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

exempts business aircraft from property taxes. The House Committee on Transportation removed the provisions of SB 213 and replaced them with the provisions of HB 2192, placing the Safety Belt Use Act into the Uniform Act Regulating Traffic, resulting in House Sub. for SB 213.

Representatives Tom Burroughs, Rich Proehl, and Vince Wetta testified in support of HB 2192, and Representative Gary Hayzlett submitted written testimony as a proponent of the bill. A representative of AAA Kansas presented neutral testimony. A representative of the League of Kansas Municipalities submitted testimony opposing the bill.

Moving the Safety Belt Use Act into the Uniform Act Regulating Traffic would make penalty provisions for seat belt violations uniform throughout Kansas. The fine is \$10, and no court costs are to be added.

The House Committee of the Whole added the contents of HB 2034 as amended by the House Committee of the Whole. In sections of law not amended by the bill, the Secretary of Transportation has the authority to establish a lower speed limit for a specific route, and the Kansas Turnpike Authority has the authority to set maximum and minimum speed limits for the Turnpike.

According to the fiscal note prepared by the Division of the Budget on the original bill, the Kansas Department of Transportation said passage of this bill would require modification to highway signs, at a cost of \$16,500 to \$24,750. The fiscal note prepared by the Division of the Budget on HB 2192 states that court cost charges for seat belt violations would decrease but, because a seat belt violation often is accompanied by another violation, the effect would be negligible. The League of Kansas Municipalities reported there would be a fiscal effect to cities that had adopted other fines and collected court costs for these violations, but it could not determine a precise fiscal effect on cities.