

**SENATE BILL No. 298**

By Committee on Transportation

1-18

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1 AN ACT regulating traffic; relating to penalties for violating size and  
2 weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and  
3 repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2011 Supp. 8-1901 is hereby amended to read as  
7 follows: 8-1901. (a) It shall be unlawful for any person to drive or move or  
8 for the owner or lessee to cause or knowingly permit to be driven or  
9 moved on any highway any vehicle or combination of vehicles of a size or  
10 weight exceeding the limitations stated in article 19 of chapter 8 of Kansas  
11 Statutes Annotated or otherwise in violation of this article, and the  
12 maximum size and weight of vehicles herein specified shall be lawful  
13 throughout this state, and local authorities shall have no power or authority  
14 to alter such limitations except as express authority may be granted in this  
15 article.

16 (b) Any person violating any of the provisions of article 19 of chapter  
17 8 of the Kansas Statutes Annotated, except for the provisions of K.S.A. 8-  
18 1908 and 8-1909, and amendments thereto, shall, upon conviction thereof,  
19 be fined in an amount not to exceed \$500.

20 (c) Any person violating any of the provisions of K.S.A. 8-1908 or 8-  
21 1909, and amendments thereto, shall, upon a first conviction thereof, pay a  
22 fine from one, but not both of the schedules listed in subsection (c) of  
23 K.S.A. 8-2118, and amendments thereto.

24 (d) Except as otherwise specifically provided in this act, the  
25 provisions of article 19 of chapter 8 of Kansas Statutes Annotated  
26 governing size, weight and load shall not apply to fire apparatus, road  
27 machinery, farm tractors or to implements of husbandry temporarily  
28 moved upon a highway, or to a vehicle operated under the terms of a  
29 currently valid special permit issued in accordance with K.S.A. 8-1911,  
30 and amendments thereto.

31 (e) Except on highways designated as part of the national system of  
32 interstate defense highways, the gross weight limitation prescribed by  
33 article 19 of chapter 8 of Kansas Statutes Annotated on any axle or  
34 tandem, triple or quad axles shall not apply to: (1) Trucks specifically  
35 designed and equipped and used exclusively for garbage, refuse or solid  
36 waste disposal operations when loaded with garbage, refuse or waste; or

1 (2) trucks mounted with a fertilizer spreader used or manufactured  
2 principally to spread animal dung, except that this paragraph (2) shall not  
3 apply to truck tractors so equipped. Except that such trucks under this  
4 subsection shall not exceed ~~the maximum gross weight limitations~~  
5 ~~contained in the table in K.S.A. 8-1909, and amendments thereto~~ *60,000*  
6 *pounds for three axles or 40,000 pounds for two axles, regardless of width*  
7 *spacing between axles.*

8 (f) As used in this section, "conviction" means a final conviction  
9 without regard to whether sentence was suspended or probation granted  
10 after such conviction, and a forfeiture of bail, bond or collateral deposited  
11 to secure a defendant's appearance in court, which forfeiture has not been  
12 vacated, is equivalent to a conviction.

13 Sec. 2. K.S.A. 2011 Supp. 8-1901 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its  
15 publication in the statute book.  
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