

**HOUSE BILL No. 2736**

By Committee on Appropriations

3-15

1 AN ACT regulating traffic; relating to motor carrier inspections, probable  
2 cause for spot checks; amending K.S.A. 2015 Supp. 66-1324 and  
3 repealing the existing section.  
4

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

6 Section 1. K.S.A. 2015 Supp. 66-1324 is hereby amended to read as  
7 follows: 66-1324. The superintendent of the Kansas highway patrol shall  
8 have authority to regulate the operation of motor carrier inspection stations  
9 under the superintendent's supervision and control, including, when  
10 necessary to the enforcement of any laws relating to the operation or  
11 registration of motor carriers within this state, the authority to require all  
12 motor carriers, trucks or truck tractors to stop at any such inspection  
13 station to submit to inspection for compliance with any of the laws which  
14 the superintendent is charged by this act with the duty to enforce.  
15 Whenever the superintendent shall require motor carriers, trucks or truck  
16 tractors to stop at any inspection station, the superintendent shall cause to  
17 be displayed on the highway on which such inspection station is located,  
18 an illuminated sign or other device indicating such requirement. No motor  
19 carrier, truck or truck tractor shall be required to stop for inspection at any  
20 motor carrier inspection station which is not displaying the sign  
21 hereinabove provided for. Nothing in this section shall be construed to  
22 relieve any person of the duty to stop at any motor carrier inspection  
23 station when it is necessary for such person to register under or comply  
24 with any of the laws of this state, or rules and regulations adopted  
25 thereunder, relating to the size, weight and load of motor vehicles and  
26 trailers, motor vehicle registration laws, registration and insurance laws  
27 and requirements of the state corporation commission, motor fuel use tax  
28 laws, liquid fuel carriers tax laws or livestock inspection laws. No motor  
29 carrier, truck and truck tractor which is required to be registered under the  
30 provisions of K.S.A. 66-1,139, and amendments thereto, shall be required  
31 to stop for clearance inspection at any open motor carrier inspection  
32 station before entering or traveling through this state, if such vehicle:

33 (a) Has a valid annual registration with the state corporation  
34 commission under the provisions of K.S.A. 66-1,139, and amendments  
35 thereto;

36 (b) is in current compliance with the vehicle registration laws

1 prescribed in chapter 8 of Kansas Statutes Annotated, *and amendments*  
2 *thereto*; and

3 (c) is in current compliance with the motor fuel tax laws prescribed  
4 by article 34 of chapter 79 of Kansas Statutes Annotated, *and amendments*  
5 *thereto*.

6 Nothing in this section shall be construed as prohibiting the  
7 superintendent of the highway patrol or any member of the state highway  
8 patrol from stopping any or all motor carriers, trucks or truck tractors ~~for~~  
9 ~~the purpose of conducting~~ *upon probable cause to believe that such* spot  
10 checks *are necessary* to insure compliance with any state law relating to  
11 the regulation of motor carriers, trucks or truck tractors. Any person  
12 violating any of the provisions of this section, upon conviction thereof,  
13 shall pay a fine in accordance with K.S.A. 8-2118, and amendments  
14 thereto.

15 Sec. 2. K.S.A. 2015 Supp. 66-1324 is hereby repealed.

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