



FILE

Subject

*Highways - Road & Bridges*

Copy to

*Speed Restrictions -  
Traffic Regulations*

STATE OF KANSAS

*Office of the Attorney General*

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER  
Attorney General

September 23, 1974

Opinion No. 74- 325

Honorable Earl Garrett  
Municipal Judge  
Chetopa, Kansas 67336

RE: Your letter of July 26, 1974.

Dear Judge Garrett:

You request our opinion whether local authorities may enact and enforce a careless driving ordinance similar to K.S.A. 1973 Supp. 8-531a which provided:

"No person shall operate or halt any vehicle in such a manner as to indicate a careless or heedless disregard for the right or the safety of others, or in such a manner as to endanger, or be likely to endanger, any person or property. Any person violating the provisions of this section shall be subject to the provisions of K.S.A. 8-5,125."

This statute, K.S.A. 1973 Supp. 8-531a, was repealed by Chapter 33, Laws 1974.

Section 8-2001, Chapter 33, Laws 1974 provides:

"The provisions of this act shall be applicable and uniform throughout this state and in all cities and other political subdivisions therein, and no local authority shall enact or enforce any ordinance in conflict with

Honorable Earl Garrett  
Page Two  
September 23, 1974

the provisions of this act unless expressly authorized; however, local authorities may adopt additional traffic regulations which are not in conflict with the provisions of this act." [Emphasis added.]

In light of the foregoing, it is our opinion that local authorities may enact and enforce a careless driving ordinance such as previously provided by K.S.A. 8-531a. Such local ordinance would be supplementary, complementary or additional to the act rather than in conflict therewith.

We are hopeful that the foregoing will be of assistance.

Sincerely yours,



VERN MILLER  
Attorney General

VM:DMR:bw