

SESSION OF 2009

SUPPLEMENTAL NOTE ON SENATE BILL NO. 37

As Amended by House Committee on
Transportation

Brief*

SB 37, as amended, would provide for the regulation of golf carts and work-site utility vehicles and would amend the definition of "all-terrain vehicle."

Definitions

The bill would define "golf cart" as a motor vehicle that has not less than three wheels in contact with the ground, has an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour, and is designed to carry not more than four persons, including the driver.

The bill would amend the definition of "all-terrain vehicle" to mean a motorized nonhighway vehicle 50 (rather than 48 as in current law) inches maximum width, having a dry weight of 1,500 (rather than 1,000) pounds, traveling on three or more nonhighway (rather than low-pressure) tires that have a maximum rim diameter of 14 (rather than 12) inches.

The bill would amend the definition of "micro utility truck" to mean certain vehicles with a maximum width of no more than 160 (rather than 144) inches.

Operation Restrictions

The bill would make it unlawful to operate a golf cart on:

*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>

- Any public highway or street, except as authorized and regulated under the powers granted to local authorities under current law (KSA 8-2002);
- An interstate highway, U.S. highway, or state highway; and
- Any street or highway with a posted speed limit of greater than 30 miles per hour.

A golf cart could be operated only during daylight hours.

The bill would make it unlawful to operate a work-site utility vehicle under these circumstances:

- On any interstate, federal or state highway or within any city unless authorized by that city; and
- Between sunset and sunrise unless the vehicle is equipped with lights as required by law for motorcycles;.

Other Related Provisions

The bill also would:

- Allow a golf cart to cross a federal or state highway that has a posted speed limit greater than 30 miles per hour;
- Set the fine at \$60 for the unlawful operation of a golf cart or for unlawful operation of a work-site utility vehicle; and
- Exempt golf carts and work-site utility vehicles from registration.

Background

SB 37, as introduced, was proposed and supported by Senator Janis Lee. Other conferees who presented testimony in support of the bill were Representative Bob Bethell and

Sandy Jacquot, League of Kansas Municipalities. There were no other conferees before the Senate Transportation Committee.

It was noted that the bill is patterned after the Arizona law. The bill was requested by constituents of Senator Lee from communities where they have no public transportation system. Those constituents believe that allowing the use of golf carts on the streets in their communities would enhance the ability of some citizens to continue living in their own homes longer. The League of Kansas Municipalities requested consideration of an expansion to the bill to regulate additional types of “alternative motor vehicles,” including golf carts.

The Senate Committee on Transportation amended the bill to require a golf cart to be equipped with a slow-moving vehicle emblem.

The House Committee on Transportation received testimony supporting the bill from Senator Lee and a representative of the League of Kansas Municipalities. A representative of The State Farm Insurance Companies presented testimony opposing the bill, which he stated could raise the rates of homeowners’ insurance for those owning golf carts in cities that approve their operation on city streets. No other testimony was presented.

The House Committee on Transportation amended the bill to do the following:

- Remove requirements for certain types of safety equipment before a golf cart could be operated on any public street or highway. (Cities would have the authority to require such equipment.)
- Prohibit operation of a work-site utility vehicle on any interstate, federal, or state highway or within any city unless authorized by that city; and to prohibit operation of a work-site utility vehicle between sunset and sunrise

unless the vehicle is equipped with lights as required by law for motorcycles;

- Amend the definitions of “all-terrain vehicle” and “micro utility truck” as noted above;
- Exclude work-site utility vehicles from vehicle registration; and
- Set a fine of \$60 (plus court costs) for unlawful operation of a work-site utility vehicle.

Work-site utility vehicles were authorized for use on certain roads in 2007, but the statute allowing their use on those roads and on city streets with city authorization was repealed in 2008.

The fiscal note prepared by the Division of the Budget on the original bill states that the League of Kansas Municipalities estimates the fiscal effect to cities would be negligible because the League states it is not possible to know how many, if any, cities would authorize the operation of golf carts upon city streets.