

HOUSE BILL No. 2459

By Committee on Transportation

Requested by Ryan and Monica Ommert

1-15

AN ACT concerning traffic regulations; relating to electric-assisted scooters and electric-assisted bicycles; requiring any person who is 17 years of age and under to wear a helmet while operating an electric-assisted scooter or electric-assisted bicycle; modifying the definition of electric-assisted scooter to include certain specifications and maximum operating speeds; prohibiting any person who is 13 years of age and under from operating an electric-assisted scooter; establishing a maximum speed limit of 15 miles per hour when operating an electric-assisted scooter; amending K.S.A. 8-126, 8-1498 and 8-15,113 and repealing the existing sections.

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

New Section 1. (a) This section shall be known and may be cited as Duke's law.

(b)(1) It shall be unlawful for any person who is 17 years of age and under to operate an electric-assisted scooter as defined in K.S.A. 8-1498, and amendments thereto, or an electric-assisted bicycle as defined in K.S.A. 8-1489, and amendments thereto, without wearing a helmet while operating such electric-assisted scooter or electric-assisted bicycle.

(2) Helmets required by this subsection shall conform to the minimum specifications established for bicycle helmets by the United States product safety commission under 16 C.F.R. § 1203, as in effect on July 1, 2026.

(c) A law enforcement officer shall issue a warning citation to anyone violating the provisions of subsection (b). In addition to the warning citation, a law enforcement officer shall distribute the helmet educational materials created by the department of transportation pursuant to subsection (d).

(d) The Kansas department of transportation shall develop a public education program to promote the use of helmets by children when operating an electric-assisted scooter or electric-assisted bicycle. As part of such program, the department shall make such educational materials available to law enforcement officers for dissemination to the public and anyone who violates the provisions of subsection (b).

Sec. 2. K.S.A. 8-126 is hereby amended to read as follows: 8-126. As

1 used in this act:

2 (a) "All-terrain vehicle" means any motorized nonhighway vehicle,
3 other than an electric-assisted bicycle, that is 55 inches or less in width
4 measured from the outside of one tire rim to the outside of the other tire
5 rim, having a dry weight of 1,500 pounds or less, traveling on three or
6 more nonhighway tires.

7 (b) "Autocycle" means a three-wheel motorcycle that has a steering
8 wheel and seating that does not require the operator to straddle or sit
9 astride it.

10 (c) "Commission" or "state highway commission" means the director
11 of vehicles of the department of revenue.

12 (d) "Contractor" means a person, partnership, corporation, local
13 government, county government, county treasurer or other state agency
14 that has contracted with the department to provide services associated with
15 vehicle functions.

16 (e) "Department" or "motor vehicle department" or "vehicle
17 department" means the division of vehicles of the department of revenue,
18 acting directly or through its duly authorized officers and agents. When
19 acting on behalf of the department of revenue pursuant to this act, a county
20 treasurer shall be deemed to be an agent of the state of Kansas.

21 (f) "Division" means the division of vehicles of the department of
22 revenue.

23 (g) "Electric-assisted bicycle" means the same as defined in K.S.A. 8-
24 1489, and amendments thereto.

25 (h) ~~"Electric-assisted scooter" means every self-propelled vehicle,~~
26 ~~other than an electric-assisted bicycle, that has at least two wheels in~~
27 ~~contact with the ground, an electric motor, handlebars, a brake and a deck~~
28 ~~that is designed to be stood upon when riding the same as defined in~~
29 ~~K.S.A. 8-1498, and amendments thereto.~~

30 (i) "Electric personal assistive mobility device" means a self-
31 balancing two nontandem wheeled device, designed to transport only one
32 person, with an electric propulsion system that limits the maximum speed
33 of the device to 15 miles per hour or less.

34 (j) "Electric vehicle" means a vehicle that is powered by an electric
35 motor drawing current from rechargeable storage batteries or other
36 portable electrical energy storage devices, provided the recharge energy
37 must be drawn from a source off the vehicle, such as, but not limited to:

38 (1) Residential electric service;

39 (2) an electric vehicle charging station, also called an EV charging
40 station, an electric recharging point, a charging point, electric vehicle
41 supply equipment (EVSE) or a public charging station.

42 (k) "Electronic certificate of title" means any electronic record of
43 ownership, including any lien or liens that may be recorded, retained by

1 the division in accordance with K.S.A. 8-135d, and amendments thereto.

2 (l) "Electronic notice of security interest" means the division's online
3 internet program that enables a dealer or secured party to submit a notice
4 of security interest as defined in this section, and to cancel the notice or
5 release the security interest using the program. This program is also known
6 as the Kansas elien or KSelien.

7 (m) "Farm tractor" means every motor vehicle designed and used as a
8 farm implement power unit operated with or without other attached farm
9 implements in any manner consistent with the structural design of such
10 power unit.

11 (n) "Farm trailer" means every trailer and semitrailer as those terms
12 are defined in this section, designed and used primarily as a farm vehicle.

13 (o) "Foreign vehicle" means every motor vehicle, trailer, or
14 semitrailer that shall be brought into this state otherwise than in ordinary
15 course of business by or through a manufacturer or dealer and has not been
16 registered in this state.

17 (p) "Golf cart" means a motor vehicle that does not have fewer than
18 three wheels in contact with the ground, an unladen weight of not more
19 than 1,800 pounds, is designed to be and is operated at not more than 25
20 miles per hour and is designed to carry not more than four persons
21 including the driver.

22 (q) "Highway" means every way or place of whatever nature open to
23 the use of the public as a matter of right for the purpose of vehicular travel.
24 The term "highway" does not include a roadway or driveway upon
25 grounds owned by private owners, colleges, universities or other
26 institutions.

27 (r) "Implement of husbandry" means every vehicle designed or
28 adapted and used exclusively for agricultural operations, including
29 feedlots, and only incidentally moved or operated upon the highways.
30 "Implement of husbandry" includes, but is not limited to:

31 (1) A farm tractor;

32 (2) a self-propelled farm implement;

33 (3) a fertilizer spreader, nurse tank or truck permanently mounted
34 with a spreader used exclusively for dispensing or spreading water, dust or
35 liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202,
36 and amendments thereto, regardless of ownership;

37 (4) a truck mounted with a fertilizer spreader used or manufactured
38 principally to spread animal dung; and

39 (5) a mixer-feed truck owned and used by a feedlot, as defined in
40 K.S.A. 47-1501, and amendments thereto, and specially designed and used
41 exclusively for dispensing food to livestock in such feedlot.

42 (s) "Lien" means a security interest as defined in this section.

43 (t) "Lightweight roadable vehicle" means a multipurpose motor

1 vehicle that is allowed to be driven on public roadways and is required to
2 be registered with, and flown under the direction of, the federal aviation
3 administration.

4 (u) "Manufacturer" means every person engaged in the business of
5 manufacturing motor vehicles, trailers or semitrailers.

6 (v) "Micro utility truck" means any motor vehicle that is not less than
7 48 inches in width, has an overall length, including the bumper, of not
8 more than 160 inches, has an unladen weight, including fuel and fluids, of
9 more than 1,500 pounds, can exceed 40 miles per hour as originally
10 manufactured and is manufactured with a metal cab. "Micro utility truck"
11 does not include a work-site utility vehicle or recreational off-highway
12 vehicle.

13 (w) "Motor vehicle" means every vehicle, other than a motorized
14 bicycle, electric-assisted bicycle or a motorized wheelchair, that is self-
15 propelled.

16 (x) "Motorcycle" means every motor vehicle, including autocycles,
17 designed to travel on not more than three wheels in contact with the
18 ground, except an electric-assisted bicycle or any such vehicle as may be
19 included within the term "tractor" as defined in this section.

20 (y) "Motorized bicycle" means every device, other than an electric-
21 assisted bicycle, having two tandem wheels or three wheels, that may be
22 propelled by either human power or helper motor, or by both, and has:

- 23 (1) A motor that produces not more than 3.5 brake horsepower;
- 24 (2) a cylinder capacity of not more than 130 cubic centimeters;
- 25 (3) an automatic transmission; and
- 26 (4) the capability of a maximum design speed of no more than 30
27 miles per hour.

28 (z) "Motorized wheelchair" means any self-propelled vehicle
29 designed specifically for use by a physically disabled person and such
30 vehicle is incapable of a speed in excess of 15 miles per hour.

31 (aa) "New vehicle dealer" means every person actively engaged in the
32 business of buying, selling or exchanging new motor vehicles, travel
33 trailers, trailers or vehicles who holds a dealer's contract therefor from a
34 manufacturer or distributor and has an established place of business in this
35 state.

36 (bb) "Nonresident" means every person who is not a resident of this
37 state.

38 (cc) "Notice of security interest" means a notification to the division
39 from a dealer or secured party of a purchase money security interest as
40 provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and
41 amendments thereto, upon a vehicle that has been sold and delivered to the
42 purchaser describing the vehicle and showing the name, address and
43 acknowledgment of the secured party as well as the name and address of

1 the debtor or debtors and other information the division requires.

2 (dd) "Oil well servicing, oil well clean-out or oil well drilling
3 machinery or equipment" means a vehicle constructed as a machine used
4 exclusively for servicing, cleaning-out or drilling an oil well and
5 consisting in general of a mast, an engine for power, a draw works and a
6 chassis permanently constructed or assembled for one or more of those
7 purposes. The passenger capacity of the cab of a vehicle shall not be
8 considered in determining whether such vehicle is oil well servicing, oil
9 well clean-out or oil well drilling machinery or equipment.

10 (ee) "Owner" means a person who holds the legal title of a vehicle, or
11 in the event a vehicle is the subject of an agreement for the conditional
12 sale thereof with the right of purchase upon performance of the conditions
13 stated in the agreement and with an immediate right of possession vested
14 in the conditional vendee or in the event a vehicle is subject to a lease of
15 30 days or more with an immediate right of possession vested in the
16 lessee; or in the event a party having a security interest in a vehicle is
17 entitled to possession, then such conditional vendee or lessee or secured
18 party shall be deemed the owner for the purpose of this act.

19 (ff) "Passenger vehicle" means every motor vehicle, as defined in this
20 section, that is designed primarily to carry 10 or fewer passengers, and is
21 not used as a truck.

22 (gg) "Person" means every natural person, firm, partnership,
23 association or corporation.

24 (hh) "Pole trailer" means any two-wheel vehicle used as a trailer with
25 bolsters that support the load, and do not have a rack or body extending to
26 the tractor drawing the load.

27 (ii) "Recreational off-highway vehicle" means any motor vehicle not
28 greater than 75 inches in width measured from the outside of one tire rim
29 to the outside of the other tire rim, having a dry weight of 3,500 pounds or
30 less, traveling on four or more nonhighway tires.

31 (jj) "Road tractor" means every motor vehicle designed and used for
32 drawing other vehicles, and not so constructed as to carry any load thereon
33 independently, or any part of the weight of a vehicle or load so drawn.

34 (kk) "Self-propelled farm implement" means every farm implement
35 designed for specific use applications with its motive power unit
36 permanently incorporated in its structural design.

37 (ll) "Semitrailer" means every vehicle of the trailer type so designed
38 and used in conjunction with a motor vehicle that some part of its own
39 weight and that of its own load rests upon or is carried by another vehicle.

40 (mm) "Specially constructed vehicle" means any vehicle that shall
41 not have been originally constructed under a distinctive name, make,
42 model or type, or that, if originally otherwise constructed shall have been
43 materially altered by the removal of essential parts, or by the addition or

1 substitution of essential parts, new or used, derived from other vehicles or
2 makes of vehicles.

3 (nn) "Trailer" means every vehicle without motive power designed to
4 carry property or passengers wholly on its own structure and to be drawn
5 by a motor vehicle.

6 (oo) "Travel trailer" means every vehicle without motive power
7 designed to be towed by a motor vehicle constructed primarily for
8 recreational purposes.

9 (pp) "Truck" means a motor vehicle that is used for the transportation
10 or delivery of freight and merchandise or more than 10 passengers.

11 (qq) "Truck tractor" means every motor vehicle designed and used
12 primarily for drawing other vehicles, and not so constructed as to carry a
13 load other than a part of the weight of the vehicle or load so drawn.

14 (rr) "Used vehicle dealer" means every person actively engaged in the
15 business of buying, selling or exchanging used vehicles, and having an
16 established place of business in this state and who does not hold a dealer's
17 contract for the sale of new motor vehicles, travel trailers or vehicles.

18 (ss) "Vehicle" means every device in, upon or by which any person or
19 property is or may be transported or drawn upon a public highway,
20 excepting electric personal assistive mobility devices or devices moved by
21 human power or used exclusively upon stationary rails or tracks.

22 (tt) "Vehicle functions" means services relating to the application,
23 processing, auditing or distribution of original or renewal vehicle
24 registrations, certificates of title, driver's licenses and division-issued
25 identification cards associated with services and functions set out in
26 articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and
27 amendments thereto. "Vehicle functions" may also include personal
28 property taxation duties set out in article 51 of chapter 79 of the Kansas
29 Statutes Annotated, and amendments thereto, and other vehicle-related
30 events described in article 1 of chapter 8 of the Kansas Statutes Annotated,
31 and amendments thereto.

32 (uu) "Work-site utility vehicle" means any motor vehicle that is not
33 less than 48 inches in width, has an unladen weight, including fuel and
34 fluids, of more than 800 pounds and is equipped with four or more
35 nonhighway tires, a steering wheel and bench or bucket-type seating
36 allowing at least two people to sit side-by-side, and may be equipped with
37 a bed or cargo box for hauling materials. "Work-site utility vehicle" does
38 not include a micro utility truck or recreational off-highway vehicle.

39 Sec. 3. K.S.A. 8-1498 is hereby amended to read as follows: 8-1498.
40 "Electric-assisted scooter" means every self-propelled vehicle, other than
41 an electric-assisted bicycle, that *weighs less than 100 pounds and* has at
42 least two wheels in contact with the ground, an electric motor *with a*
43 *power output of less than 2000 watts*, handlebars, a brake ~~and~~, a deck that

1 is designed to be stood upon when riding *and a maximum operating speed*
2 *of 20 miles per hour or less.*

3 Sec. 4. K.S.A. 8-15,113 is hereby amended to read as follows: 8-
4 15,113. (a) It shall be unlawful for any person to operate an electric-
5 assisted scooter on any interstate highway, federal highway or state
6 highway.

7 (b) *It shall be unlawful for any person who is 13 years of age and*
8 *under to operate an electric-assisted scooter on any public highway, street*
9 *or sidewalk.*

10 (c) *No person shall operate an electric-assisted scooter at a speed in*
11 *excess of 15 miles per hour on any public highway, street or sidewalk.*

12 ~~(b)~~(d) Notwithstanding the provisions of ~~subsection~~ subsections (a)
13 *through (c)*, traffic regulations applicable to bicycles shall apply to
14 electric-assisted scooters.

15 ~~(e)~~(e) The governing body of a city or county may adopt an ordinance
16 or resolution that further restricts or prohibits the operation of electric-
17 assisted scooters on any public highway, street or sidewalk within such
18 city or county.

19 ~~(d)~~(f) Except as otherwise provided in subsection ~~—(e)~~ (e), the
20 provisions of subsection (a) shall not prohibit an electric-assisted scooter
21 from crossing a federal or state highway.

22 ~~(e)~~(g) This section shall be a part of and supplemental to the uniform
23 act regulating traffic on highways.

24 Sec. 5. K.S.A. 8-126, 8-1498 and 8-15,113 are hereby repealed.

25 Sec. 6. This act shall take effect and be in force from and after its
26 publication in the statute book.