

SENATE BILL No. 213

By Committee on Ways and Means

2-21

1 AN ACT concerning motor vehicles; relating to lightweight roadable
2 vehicles; amending K.S.A. 2010 Supp. 8-126 and 8-1486 and
3 repealing the existing sections.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. "Lightweight roadable vehicle" means a
7 multipurpose motor vehicle that is allowed to be driven on public
8 roadways and is required to be registered with, and flown under the
9 direction of, the federal aviation administration.

10 Sec. 2. K.S.A. 2010 Supp. 8-126 is hereby amended to read as
11 follows: 8-126. The following words and phrases when used in this act
12 shall have the meanings respectively ascribed to them herein:

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

17 (b) "Motor vehicle" means every vehicle, other than a motorized
18 bicycle or a motorized wheelchair, which is self-propelled.

19 (c) "Truck" means a motor vehicle which is used for the
20 transportation or delivery of freight and merchandise or more than 10
21 passengers.

22 (d) "Motorcycle" means every motor vehicle designed to travel on
23 not more than three wheels in contact with the ground, except any such
24 vehicle as may be included within the term "tractor" as herein defined.

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

28 (f) "Farm tractor" means every motor vehicle designed and used as a
29 farm implement power unit operated with or without other attached farm
30 implements in any manner consistent with the structural design of such
31 power unit.

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

36 (h) "Trailer" means every vehicle without motive power designed to

1 carry property or passengers wholly on its own structure and to be drawn
2 by a motor vehicle.

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

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

9 (k) "Specially constructed vehicle" means any vehicle which shall
10 not have been originally constructed under a distinctive name, make,
11 model or type, or which, if originally otherwise constructed shall have
12 been materially altered by the removal of essential parts, or by the
13 addition or substitution of essential parts, new or used, derived from other
14 vehicles or makes of vehicles.

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

19 (m) "Person" means every natural person, firm, partnership,
20 association or corporation.

21 (n) "Owner" means a person who holds the legal title of a vehicle, or
22 in the event a vehicle is the subject of an agreement for the conditional
23 sale thereof with the right of purchase upon performance of the
24 conditions stated in the agreement and with an immediate right of
25 possession vested in the conditional vendee or in the event a vehicle is
26 subject to a lease of 30 days or more with an immediate right of
27 possession vested in the lessee; or in the event a party having a security
28 interest in a vehicle is entitled to possession, then such conditional vendee
29 or lessee or secured party shall be deemed the owner for the purpose of
30 this act.

31 (o) "Nonresident" means every person who is not a resident of this
32 state.

33 (p) "Manufacturer" means every person engaged in the business of
34 manufacturing motor vehicles, trailers or semitrailers.

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

40 (r) "Used vehicle dealer" means every person actively engaged in
41 the business of buying, selling or exchanging used vehicles, and having
42 an established place of business in this state and who does not hold a
43 dealer's contract for the sale of new motor vehicles, travel trailers, trailers

1 or vehicles.

2 (s) "Highway" means every way or place of whatever nature open to
3 the use of the public as a matter of right for the purpose of vehicular
4 travel. The term "highway" shall not be deemed to include a roadway or
5 driveway upon grounds owned by private owners, colleges, universities
6 or other institutions.

7 (t) "Department" or "motor vehicle department" or "vehicle
8 department" means the division of vehicles of the department of revenue,
9 acting directly or through its duly authorized officers and agents. When
10 acting on behalf of the department of revenue pursuant to this act, a
11 county treasurer shall be deemed to be an agent of the state of Kansas.

12 (u) "Commission" or "state highway commission" means the
13 director of vehicles of the department of revenue.

14 (v) "Division" means the division of vehicles of the department of
15 revenue.

16 (w) "Travel trailer" means every vehicle without motive power
17 designed to be towed by a motor vehicle constructed primarily for
18 recreational purposes.

19 (x) "Passenger vehicle" means every motor vehicle, as herein
20 defined, which is designed primarily to carry 10 or fewer passengers, and
21 which is not used as a truck.

22 (y) "Self-propelled farm implement" means every farm implement
23 designed for specific use applications with its motive power unit
24 permanently incorporated in its structural design.

25 (z) "Farm trailer" means every trailer as defined in subsection (h) of
26 this section and every semitrailer as defined in subsection (i) of this
27 section, designed and used primarily as a farm vehicle.

28 (aa) "Motorized bicycle" means every device having two tandem
29 wheels or three wheels, which may be propelled by either human power
30 or helper motor, or by both, and which has:

31 (1) A motor which produces not more than 3.5 brake horsepower;

32 (2) a cylinder capacity of not more than 130 cubic centimeters;

33 (3) an automatic transmission; and

34 (4) the capability of a maximum design speed of no more than 30
35 miles per hour.

36 (bb) "All-terrain vehicle" means any motorized nonhighway vehicle
37 50 inches or less in width, having a dry weight of 1,500 pounds or less,
38 traveling on three or more nonhighway tires, having a seat designed to be
39 straddled by the operator. As used in this subsection, nonhighway tire
40 means any pneumatic tire six inches or more in width, designed for use
41 on wheels with rim diameter of 14 inches or less.

42 (cc) "Implement of husbandry" means every vehicle designed or
43 adapted and used exclusively for agricultural operations, including

1 feedlots, and only incidentally moved or operated upon the highways.

2 Such term shall include, but not be limited to:

3 (1) A farm tractor;

4 (2) a self-propelled farm implement;

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

9 (4) a truck mounted with a fertilizer spreader used or manufactured
10 principally to spread animal dung;

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

14 (dd) "Motorized wheelchair" means any self-propelled vehicle
15 designed specifically for use by a physically disabled person that is
16 incapable of a speed in excess of 15 miles per hour.

17 (ee) "Oil well servicing, oil well clean-out or oil well drilling
18 machinery or equipment" means a vehicle constructed as a machine used
19 exclusively for servicing, cleaning-out or drilling an oil well and
20 consisting in general of a mast, an engine for power, a draw works and a
21 chassis permanently constructed or assembled for one or more of those
22 purposes. The passenger capacity of the cab of a vehicle shall not be
23 considered in determining whether such vehicle is an oil well servicing,
24 oil well clean-out or oil well drilling machinery or equipment.

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

29 (gg) "Electronic certificate of title" means any electronic record of
30 ownership, including any lien or liens that may be recorded, retained by
31 the division in accordance with K.S.A. 2010 Supp. 8-135d, and
32 amendments thereto.

33 (hh) "Work-site utility vehicle" means any motor vehicle which is
34 not less than 48 inches in width, has an overall length, including the
35 bumper, of not more than 135 inches, has an unladen weight, including
36 fuel and fluids, of more than 800 pounds and is equipped with four or
37 more low pressure tires, a steering wheel and bench or bucket-type
38 seating allowing at least two people to sit side-by-side, and may be
39 equipped with a bed or cargo box for hauling materials. "Work-site utility
40 vehicle" does not include a micro utility truck or recreational off-highway
41 vehicle.

42 (ii) "Micro utility truck" means any motor vehicle which is not less
43 than 48 inches in width, has an overall length, including the bumper, of

1 not more than 160 inches, has an unladen weight, including fuel and
2 fluids, of more than 1,500 pounds, can exceed 40 miles per hour as
3 originally manufactured and is manufactured with a metal cab. "Micro
4 utility truck" does not include a work-site utility vehicle or recreational
5 off-highway vehicle.

6 (jj) "Golf cart" means a motor vehicle that has not less than three
7 wheels in contact with the ground, an unladen weight of not more than
8 1,800 pounds, is designed to be and is operated at not more than 25 miles
9 per hour and is designed to carry not more than four persons including the
10 driver.

11 (kk) "Recreational off-highway vehicle" means any motor vehicle
12 64 inches or less in width, having a dry weight of 2,000 pounds or less,
13 traveling on four or more nonhighway tires, having a nonstraddle seat and
14 steering wheel for steering control.

15 (ll) *"Lightweight roadable vehicle" means a multipurpose motor*
16 *vehicle that is allowed to be driven on public roadways and is required to*
17 *be registered with, and flown under the direction of, the federal aviation*
18 *administration.*

19 Sec. 3. K.S.A. 2010 Supp. 8-1486 is hereby amended to read as
20 follows: 8-1486, K.S.A. 8-1402a, 8-1414a, 8-1439c, 8-1458a, 8-1459a, 8-
21 1475a, 8-1487, 8-1488, 8-1489 and 8-1490 and amendments thereto, and
22 K.S.A. 2010 Supp. 8-1491, 8-1492, 8-1493, 8-1494, ~~and~~ 8-1495 *and*
23 *section 1*, and amendments thereto, shall be a part of, and supplemental
24 to, the uniform act regulating traffic on highways.

25 Sec. 4. K.S.A. 2010 Supp. 8-126 and 8-1486 are hereby repealed.

26 Sec. 5. This act shall take effect and be in force from and after its
27 publication in the statute book.
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