

**SENATE BILL No. 108**

By Senators Pittman and Kloos

1-26

1 AN ACT concerning law enforcement; prohibiting motorcycle profiling by  
2 law enforcement agencies.

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5 WHEREAS, Motorcycle ridership has continued to increase over time  
6 nationally with registrations growing from 3,826,373 in 1997 to  
7 13,158,100 in 2018; and

8 WHEREAS, As of December 31, 2020, the ongoing national  
9 motorcycle profiling survey (2015-2020), conducted by the motorcycle  
10 profiling project, found that approximately 1/2 of the motorcyclists  
11 surveyed felt that they had been profiled by law enforcement at least once,  
12 and approximately 90% of survey participants urge their state and federal  
13 elected officials to legislatively address the issue of motorcyclist profiling;  
14 and

15 WHEREAS, Motorcyclist profiling means the illegal use of the fact  
16 that a person rides a motorcycle or wears motorcycle-related apparel as a  
17 factor in deciding to stop and question, take enforcement action, arrest or  
18 search a person or vehicle with or without legal basis under the  
19 Constitution of the United States; and

20 WHEREAS, Complaints surrounding motorcyclist profiling have been  
21 cited in all 50 states; and

22 WHEREAS, Nationwide demonstrations to raise awareness and combat  
23 motorcyclist profiling have been held in multiple states; and

24 WHEREAS, All congressional representatives from Kansas signed onto  
25 the resolution adopted by the United States house of representatives H.  
26 Res. 366 on December 23, 2022, that stated the above and called for  
27 greater awareness and education to end motorcycle profiling.

28 Now, therefore:

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

30 Section 1. (a) No law enforcement agency shall engage in motorcycle  
31 profiling.

32 (b) As used in this section, "motorcycle profiling" means using any of  
33 the following as a factor in deciding to stop and question, take  
34 enforcement action, arrest or search a person or vehicle under the United  
35 States constitution or the constitution of the state of Kansas:

36 (1) The person is riding a motorcycle by oneself, with a passenger or

1 in a group;

2 (2) the person wears motorcycle-related clothing or paraphernalia; or

3 (3) the person associates with a motorcycle association, club or  
4 group.

5 Sec. 2. This act shall take effect and be in force from and after its  
6 publication in the statute book.