

As Amended by Senate Committee

Session of 2019

HOUSE BILL No. 2248

By Committee on Transportation

2-12

1 AN ACT concerning motor vehicles; relating to all-terrain *and work-site*
2 *utility* vehicles; allowing ~~all-terrain~~ vehicles to ~~cross~~ *operate on a*
3 federal or state highway *under certain conditions*; amending K.S.A.
4 2018 Supp. 8-15,100 *and 8-15,109* and repealing the existing ~~section~~
5 *sections*.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2018 Supp. 8-15,100 is hereby amended to read as
9 follows: 8-15,100. (a) Except as provided in subsection (b), *(c) or (d)*, it
10 shall be unlawful for any person to operate an all-terrain vehicle: (1) On
11 any interstate highway, federal highway or state highway; or (2) within the
12 corporate limits of any city unless authorized by such city.

13 (b) Notwithstanding the provisions of subsection (a), all-terrain
14 vehicles owned and operated by a county noxious weed department, or all-
15 terrain vehicles owned and operated by persons contracting with a county
16 noxious weed department or the Kansas department of transportation may
17 be allowed to operate such all-terrain vehicles upon the right-of-way of
18 any federal highway or state highway for the purpose of eradicating
19 noxious weeds and such all-terrain vehicles may be operated incidentally
20 upon such federal highway or state highway.

21 (c) *Notwithstanding the provisions of subsection (a), all-terrain*
22 *vehicles may be operated to cross a federal highway or state highway.*

23 (d) *Notwithstanding the provisions of subsection (a) {(1)}, persons*
24 *engaged in agricultural purposes may operate an all-terrain vehicle on a*
25 *federal highway or state highway under the following conditions:*

26 (1) *The operator of the all-terrain vehicle must be a licensed driver*
27 *and be operating within the restrictions of the operator's license;*

28 (2) *the federal highway or state highway must have a posted speed*
29 *limit of 65 miles per hour or less;*

30 (3) *the operator of the all-terrain vehicle must operate the all-*
31 *terrain vehicle as near to the right side of the roadway as practicable,*
32 *except when making or preparing to make a left turn; and*

33 (4) *the purpose of the trip using the all-terrain vehicle must be for*
34 *agricultural purposes.*

1 (e) No all-terrain vehicle shall be operated on any public highway,
2 street or road between sunset and sunrise unless equipped with lights as
3 required by law for motorcycles.

4 ~~(d) The provisions of subsection (a) shall not prohibit any person~~
5 ~~operating an all-terrain vehicle from crossing, by the most direct route, a~~
6 ~~federal or state highway that separates property owned or leased by such~~
7 ~~person.~~

8 ~~(d)(e)(f)~~ This section shall be part of and supplemental to the uniform
9 act regulating traffic on highways.

10 **Sec. 2. K.S.A. 2018 Supp. 8-15,109 is hereby amended to read as**
11 **follows: 8-15,109. (a) It shall be unlawful for any person to operate a**
12 **work-site utility vehicle: (1) On any interstate highway, federal highway**
13 **or state highway; or (2) within the corporate limits of any city unless**
14 **authorized by such city.**

15 (b) Notwithstanding the provisions of subsection (a), work-site utility
16 vehicles may be operated to cross a federal highway or state highway.

17 (c) Notwithstanding the provisions of subsection (a) ~~{(1)}~~, persons
18 engaged in agricultural purposes may operate a work-site utility vehicle
19 on a federal highway or state highway under the following conditions:

20 (1) The operator of the work-site utility vehicle must be a licensed
21 driver and be operating within the restrictions of the operator's license;

22 (2) the federal highway or state highway must have a posted speed
23 limit of 65 miles per hour or less;

24 (3) the operator of the work-site utility vehicle must operate the all-
25 terrain vehicle as near to the right side of the roadway as practicable,
26 except when making or preparing to make a left turn; and

27 (4) the purpose of the trip using the work-site utility vehicle must be
28 for agricultural purposes.

29 (d) **No work-site utility vehicle shall be operated on any public**
30 **highway, street or road between sunset and sunrise unless equipped with**
31 **lights as required by law for motorcycles.**

32 ~~(e)~~(e) **This section shall be part of and supplemental to the uniform**
33 **act regulating traffic on highways.**

34 ~~Sec. 2.~~ 3. K.S.A. 2018 Supp. 8-15,100~~is~~ **and 8-15,109 are** hereby
35 repealed.

36 ~~Sec. 3.~~ 4. This act shall take effect and be in force from and after its
37 publication in the statute book.