

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 67

As Amended by House Committee on
Transportation

Brief*

SB 67, as amended, would amend the definitions for all-terrain vehicle (ATV) and recreational off-highway vehicle (ROV).

In the definitions of ATV in statutes regarding vehicle registration and in the Uniform Act Regulating Traffic on Highways, the bill would increase the maximum width of such a vehicle from 50 inches to 55 inches and would specify the measurement would be taken from the outside of one tire rim to the outside of the other tire rim. In continuing law, an ATV has a maximum weight of 1,500 pounds and travels on 3 or more nonhighway tires. [Note: KSA 2020 Supp. 8-128 specifies an ATV need not be registered.]

In the definition of ROV in a statute regarding vehicle registration, the bill would increase the maximum width from 64 inches to 75 inches and would specify the measurement would be taken from the outside of one tire rim to the outside of the other tire rim. It also would increase the maximum weight of a recreational off-highway vehicle from 2,000 pounds to 3,500 pounds. In continuing law, an ROV travels on three or more nonhighway tires. [Note: An ROV is included in the definition of a nonhighway vehicle in KSA 2020 Supp. 8-197 and, per KSA 2020 Supp. 8-198, is not required to be registered.]

The bill would be in effect upon publication in the *Kansas Register*.

*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>

Background

The bill was introduced by the Senate Committee on Transportation at the request of a representative of Polaris Inc.

Senate Committee on Transportation

In the Senate Committee hearing, two representatives of Polaris Inc. and representatives of two dealerships that sell vehicles, including ATVs and ROVs, provided **proponent** testimony. A representative of Kansas Farm Bureau provided written-only **proponent** testimony. Proponents stated products meeting the descriptions in the proposed definitions are available for sale and are in demand from consumers for use for recreation and in agriculture.

A representative of the League of Kansas Municipalities (LKM) provided neutral testimony, noting KSA 2020 Supp. 8-15,100 authorizes cities to adopt ordinances regarding operation of ATVs within city limits, and cities regulate operation of other nonhighway vehicles, including ROVs, within city limits under their police powers.

No **opponent** testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar.

House Committee on Transportation

In the House Committee hearing, two representatives of Polaris Inc. and a representative of Jay Hatfield Motorsports provided **proponent** testimony. A representative of Kansas Farm Bureau provided written-only **proponent** testimony.

A representative of the LKM provided neutral testimony.

No **opponent** testimony was provided.

The House Committee amended the bill's effective date from upon publication in the statute book to upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Revenue indicates enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources. Any fiscal effect is not reflected in *The FY 2022 Governor's Budget Report*.

All-terrain vehicle; recreational off-highway vehicle; off-highway vehicle