

**To:** Senate Committee on Federal and State Affairs  
**From:** Spencer Duncan, Government Affairs Director  
**Date:** March 11, 2024  
**RE:** HB 2783 – Prohibiting Restrictions on Vehicles Sales by Energy Source  
*In Opposition – Verbal Testimony*

HB 2783 is a for attempting to address a non-existent problem that pushes aside Constitutional Home Rule and the desire of Kansans to have local governments make these determinations. The League, and cities of Kansas, respectfully ask you to support Constitutional Home Rule and vote NO on HB 2783. However, if this committee decides to move forward with HB 2783, it needs amended to ensure the protection of Kansans. We offer the following amended language:

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

*Section 1. (a) No state agency, city or county shall regulate or restrict, **except as provided in subsection (c)**, the use or sale of motor vehicles by the public based on the energy source used to power a motor vehicle, including propulsion or for powering other functions of the motor vehicle.*

***(c) State agencies, cities, or counties shall be permitted to regulate such uses or sales in such cases where there is an imminent threat to public safety or welfare, excluding environmental concerns.***

*~~(e)~~**(d)** "Municipality" means the same as defined in K.S.A. 75-6102, and amendments thereto.*

Sixty-four years ago, Kansas voters approved Constitutional Home Rule powers allowing cities to conduct their affairs to reflect the direct will of residents. The Constitutional directive to you is clear: citizens want local governments to make these decisions for their communities. HB 2783 contradicts the Constitutional right of local self-governance by removing any ability for local consideration of whether the regulation of these vehicles is appropriate for a municipality in times of imminent danger.

This intent and directive to you is clear in Article 12, Section 5(d) of the Kansas Constitution, where it states, "*Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.*"

Prohibiting cities from regulating motor vehicles based on energy source limits their ability to address local needs. Cities can react more quickly when there is a public safety concern, whereas the Legislature cannot step in efficiently when immediate issues arise.

Please support Constitutional Home Rule and either vote NO on HB 2783 or amend the bill to help cities continue to be able to protect their citizens in times of imminent need. I am always available to provide more information and answer any questions.

**Spencer Duncan**

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