

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2044

As Amended by Senate Committee of the Whole

Brief*

HB 2044 would establish the definition for “autocycle” as a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it. The bill would exempt persons under the age of 18 years from requirements otherwise applicable to motorcycle use to wear a helmet and eye-protective devices while riding in or operating an autocycle. Class M motor vehicles would not include autocycles for driver’s license purposes.

The bill would require each occupant age 14 years and older of an autocycle manufactured with seat belts to have a seat belt properly fastened around the person’s body when the vehicle is in motion. The bill also would require a child younger than 14 years to be properly restrained within an autocycle as the child would be in a passenger car. Failure to properly restrain a child in an autocycle as required would be a violation of the Child Passenger Safety Act.

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

Background

The bill was requested by Representative Couture-Lovelady, who also testified in support of the bill in the House Committee on Transportation. He stated, currently, a motorcycle license is required to drive an autocycle in Kansas and the bill would remove that requirement. Also testifying as

*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>

a proponent was a representative of Polaris Industries, who requested an amendment to strike the word “enclosed” in the definition of the vehicle. Both provided illustrations of and specifications for vehicles that would fit the definition. Written proponent testimony was provided by the vice president of governmental affairs for Elio Motors and a private citizen. There was no other testimony.

The representative of Polaris Industries provided additional written information regarding autocycle operation and safety features to House Committee members in response to questions.

The House Committee amended the bill to remove “enclosed” from the vehicle definitions. One definition would appear in the Uniform Act Regulating Traffic and the other in registration and titling statutes.

Representative Couture-Lovelady and representatives of Elio Motors and Polaris Industries provided proponent testimony to the Senate Committee on Transportation; there was no other testimony. Illustrations of the vehicles were provided, and their safety features, including seat belts, were discussed.

The Senate Committee amended the bill to require occupants of autocycles age 14 years and older to wear seatbelts.

The Senate Committee of the Whole amended the bill to require child safety restraint and include failure to restrain a child in an autocycle as required as a violation of the Child Passenger Safety Act.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Revenue indicates the bill would have no fiscal effect.