

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2248

As Amended by Senate Committee of the Whole

Brief*

HB 2248, as amended, would authorize operation of all-terrain vehicles (ATVs) and work-site utility vehicles to cross a federal highway or a state highway.

The bill also would authorize a person engaged in agricultural purposes to operate an ATV or work-site utility vehicle on a federal highway or state highway outside the corporate limits of any city under the following conditions:

- The operator must be a licensed driver and operating within the restrictions of the operator's license;
- The posted speed limit on the federal highway or state highway must be 65 miles per hour or less;
- The vehicle must be operated as near to the right side of the roadway as practicable, except when making or preparing to make a left turn; and
- The trip must be for agricultural purposes.

Background

The bill was introduced by the House Committee on Transportation at the request of Representative Highland on behalf of a constituent. At the House Committee hearing, Representative Highland and representatives of the Kansas Livestock Association (KLA) and the Kansas Farm Bureau

*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>

(KFB) provided proponent testimony, with the former proposing amendments also supported by the latter. Representative Highland stated the bill had been reviewed by the Kansas Highway Patrol (KHP). No neutral or opponent testimony was provided.

At the Senate Committee on Transportation hearing, the Deputy Secretary of Transportation, testifying in support of the bill, stated the Kansas Department of Transportation (KDOT) had worked with the KHP and the KLA on amendatory language, and she reviewed the proposed amendments. Representatives of the KLA and the KFB also testified in support of the bill and the proposed amendments; the KLA representative suggested a change to the proposed amendments. Written-only proponent testimony was provided by representatives of the Kansas Corn Growers Association and the Kansas Pork Association. No neutral or opponent testimony was provided.

As introduced, the bill would have authorized operation of an ATV to cross, by the most direct route, a federal or state highway that separates property owned or leased by such person. The Senate Committee amended the bill to include work-site utility vehicles, authorize the vehicles to cross a federal highway or state highway, and authorize operation for persons engaged in agricultural purposes to operate on federal highways or state highways under the conditions stated above. [*Note: A further KDOT-proposed amendment, to require the operation be between the person's residence and agricultural property owned or leased by that person or by an employee, was not included in the Senate Committee amendment.*]

The Senate Committee of the Whole amended the bill to specify the provisions to be added by the bill authorizing certain operation of ATVs and work-site utility vehicles for agricultural purposes would not apply within the corporate limits of a city. [*Note: A city must authorize operation of an ATV or work-site utility vehicle within the city's corporate limits.*]

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KHP reports enactment of the bill would have no fiscal effect on agency operations.