

To: House Transportation Committee

From: Wendi Stark, Research Associate

Date: January 25, 2022

RE: Neutral Testimony to SB 101

Thank you to Chairman Proehl and Committee members for allowing the League of Kansas Municipalities the opportunity to provide neutral testimony on SB 101.

As electric-assisted bicycles have increased in popularity, over 25 states now have various laws similar to SB 101 establishing a framework for how to treat electric-assisted bicycles under the law.

While we are not opposed to the concept of electric-assisted bicycles, the League was opposed to the bill as originally drafted because of the limits on local control. We would like to thank the proponents and members of the Committee for working with the League last year to amend this bill by striking the language in Section 9 (g)(2)-(4) and replacing it with language suggested by the League that recognizes the home rule authority of local governments and supports decision-making at the local level.

We would also like to call the Committee's attention to the fact that Class 3 electric-assisted bicycles will be able to travel up to 28 mph. Other states have made additional rules for this category. While we do not have a position on whether this Class should be allowed or what additional rules should be imposed, we do strongly encourage the Committee to consider how these should be treated under our Kansas DUI laws. Currently, e-bicycles do not appear to fit any current category of DUI and, in researching this issue, we found articles suggesting these bicycles as a good way to avoid worrying about DUI laws. As these bicycles will be allowed on any public road, it is probably an area that is worth further consideration if SB 101 is to be considered by the full House.