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MEMORANDUM

To: House Committee on Transportation
From: Office of Revisor of Statutes
Date: January 25, 2022
Subject: Bill Brief – SB 101

SB 101 amends the definition of electric-assisted bicycles and provides for the regulation and approved use thereof.

Sections 1 and 7 – provides the definition of electric-assisted bicycles. The current definition is amended for the size of the motor where the former limit of not more than 1,000 watts that is not capable of speeds of more than 20 miles per hour is replaced with a limit of less than 750 watts that meets 1 of 3 classes listed in Section 7 of the bill.

Section 2 – exempts electric assisted bicycles from having to be registered.

Sections 3, 6, 8, 10 and 11 – exempts electric-assisted bicycles from the definitions of other vehicles.

Section 9 – amends the current statute governing the use of electric-assisted bicycles. Currently electric-assisted bicycles are not required to register nor are operators required to possess a driver’s license. Traffic regulations applicable to bicycles currently apply to electric-assisted bicycle.

The bill provides that electric-assisted bicycles are afforded the rights and privileges of a bicycle rider. Additionally, the rider shall not be required to: (1) maintain vehicle liability insurance; (2) possess a driver’s license; (3) register the vehicle; (4) obtain a certificate of title; or (5) possess a license plate for the vehicle.

The bill would require manufacturers to affix a label on the electric-assisted bicycle that contains the classification number, the top assisted speed and motor wattage. The notice shall be in Arial font in at least nine-point type.

The bill prohibits tampering with the electric-assisted bicycle that changes the motor-powered speed capability unless the label indicating the classification is replaced after modification.

The bill requires that an electric-assisted bicycle comply with manufacturing requirements adopted by the United States consumer product safety commission.

The bill requires that the electric-assisted bicycle operate in a manner so that the electronic motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

The bill provides that an electric-assisted bicycle may be ridden where bicycles are allowed such as streets, highways, roadways, bicycle lanes and paths and trails or trail networks. The bill was amended in the Senate to clarify that these new provisions do not prohibit a city from adopting ordinances governing the operation of electric-assisted bicycles on streets and sidewalks that are under that city's jurisdiction. That provision also states that a municipality, county or agency may restrict or prohibit the operation of electric-assisted bicycles on bicycle paths or trail or trail networks.

The bill prohibits persons under 16 years of age from operating a class 3 electric-assisted bicycle.

The bill requires class 3 electric-assisted bicycles to be equipped with a speedometer.