

Unconventional Vehicles

**that may be seen on the highways,
roads and/or streets of Kansas**

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All-Terrain Vehicle (ATV)



Definition:

8-1402a. "All-terrain vehicle" defined. "All-terrain vehicle" means any motorized nonhighway vehicle 48 inches or less in width, having a dry weight of 1,000 pounds or less, traveling on three or more low-pressure tires, having a seat designed to be straddled by the operator. As used in this section, "low-pressure tire" means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 12 inches or less and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

History: L. 1996, ch. 220, § 1; L. 2005, ch. 71, § 2; July 1.

Registration:

Exempt from registration in **8-128. Registration of vehicles, exceptions.** (a) The following need not be registered under this act, any:

- (1) Implement of husbandry;
- (2) all-terrain vehicle; ...

Insurance:

Since ATVs are exempt registration (8-128), they do not meet the definition of a "motor vehicle" as far as the insurance statutes are concerned. ATVs are not required to be insured by state statutes. However, city ordinances may require liability insurance.

Driver's License:

Required while operated on public highways, roads and streets. An ATV meets the definition of "motor vehicle" as used in KSA 8-235.

Seatbelts:

No requirement for seatbelt or child restraint usage.

Equipment:

Must be equipped with lights as required by law for motorcycles if operated between sunset and sunrise on any public highway, street or road

Operation:**Synopsis:**

- Private citizens shall not operate an ATV on any interstate, federal or state highway; not even incidental movement.
- The City of Ottawa prohibits the operation of ATVs anywhere within the city limits either on private or public property.
- The county, KDOT or persons contracting with the government to eradicate weeds may operate an ATV along the right-of-way of federal and state highways, and incidentally operate upon such highways.

8-15,100. Operation of all-terrain vehicles; where; when; exceptions. (a) Except as provided in subsection (b), it shall be unlawful for any person to operate an all-terrain vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city.

(b) Notwithstanding the provisions of subsection (a), all-terrain vehicles owned and operated by a county noxious weed department, or all-terrain vehicles owned and operated by persons contracting with a county noxious weed department or the Kansas department of transportation may be allowed to operate such all-terrain vehicles upon the right-of-way of any federal highway or state highway for the purpose of eradicating noxious weeds and such all-terrain vehicles may be operated incidentally upon such federal highway or state highway.

(c) No all-terrain vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

History: L. 1996, ch. 220, § 2; L. 2007, ch. 140, § 7; July 1.

WORK-SITE UTILITY VEHICLE (WSUV)



Definition:

8-1493. "Work-site utility vehicle" defined. "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck.

History: HB 2119 Effective July 1, 2008.

Registration:

None required. KSA 8-197 defines WSUV as a "nonhighway vehicle" as used in 8-197 through 8-199. KSA 8-198 exempts nonhighway vehicles from registration.

8-198. Nonhighway and salvage vehicles exempt from registration; nonhighway certificates of title and salvage titles; permit for temporary operation; rebuilt or restored salvage vehicle; rebuilt salvage title; notice attached to rebuilt vehicle; penalties; all-terrain vehicles; work-site utility vehicles; no-fault insurance law inapplicable, exception. (a) A nonhighway or salvage vehicle shall not be required to be registered in this state, as provided in K.S.A. 8-135, and amendments thereto, but nothing in this section shall be construed as abrogating, limiting or otherwise affecting the provisions of K.S.A. 8-142, and amendments thereto, which make it unlawful for any person to operate or knowingly permit the operation in this state of a vehicle required to be registered in this state.

Insurance:

Since WSUVs are exempt registration as a nonhighway vehicle, they do not meet the definition of a "motor vehicle" within the insurance statutes. WSUVs are not required to be insured under state law. However, city ordinances may require liability insurance.

Driver's License:

Required while operated incidentally on fed. and state highways, county roads and city streets. A WSUV meets the definition of "motor vehicle" as used in KSA 8-235.

Seatbelts:

If originally equipped with safety belts as described in 49 CFR 571, the usage of safety belts and child restraints could be required. WSUVs meet the definition of "motor vehicle" in 8-1437, therefore, meeting the definition of "passenger car" in 8-1343a is used within the Child Passenger Safety Act and Safety Belt Use Act.

Equipment:

If lawfully operated on a public highway or street within city limits, or a county road, a WSUV must comply with the equipment requirements under the provisions of article 17 of chapter 8 of the Kansas Statutes Annotated.

Operation:**Synopsis:**

- Unlawful to operate a WSUV on federal or state highways, except for incidental operation.
- Unlawful to operate a WSUV on interstate highway at all.
- WSUVs may be operated on county / township blacktops and gravel roads
- Cities can authorize operation of work-site utility vehicle upon the public highways, streets, roads and alleys within the corporate limits of the city.
- Work-site utility vehicles must comply with equipment requirements of Article 17 of Chapter 8.

8-15,105. Operation of work-site utility vehicles; where; when. (a) On and after July 1, 2007, it shall be unlawful for any person to operate a work-site utility vehicle: (1) On any interstate highway, federal highway or state highway; or (2) within the corporate limits of any city unless authorized by such city. Work-site utility vehicles may be operated incidentally upon a federal highway or state highway.

(b) No work-site utility vehicle shall be operated on any public highway, street or road unless such vehicle complies with the equipment requirements under the provisions of article 17 of chapter 8 of the Kansas Statutes Annotated.

(c) This section shall be part of and supplemental to the uniform act regulating traffic on highways.

History: L. 2007, ch. 140, § 3; Apr. 26.

Micro Utility Truck (MUT)



Definition:

8-1494. “Micro Utility Truck” defined: “Micro utility truck” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. “Micro utility truck” does not include a work-site utility vehicle. (K.S.A.8-1494 as of July 1, 2008)

Registration:

Micro Utility Trucks are exempt registration per K.S.A.8-128 effective July 1, 2008.

Insurance:

Since MUTs are exempt registration (8-128), they do not meet the definition of a "motor vehicle" as far as the insurance statutes are concerned. Micro utility trucks are not required to be insured under state statutes. However, city ordinances may require liability insurance.

Driver’s License:

Required while operated on public highways, roads and streets. A MUT meets the definition of “motor vehicle” as used in KSA 8-235.

Seatbelts:

MUTs are defined as motor vehicles. They meet the definition of “passenger car” in 8-1343a. If originally equipped with safety belts, the Child Safety Act and Safety Belt Use Act apply on public roads.

Equipment:

If lawfully operated on a public highway or street within city limits, or a county road, a micro utility truck must comply with the equipment requirements under the provisions of article 17 of chapter 8 of the Kansas Statutes Annotated.

Operation:

Synopsis:

Unlawful to operate an MUT on federal or state highways, except to cross the highway.

Unlawful to operate an MUT on interstate highway at all.

MUTs may be operated on county / township blacktops and gravel roads.

Cities may authorize operation of micro utility trucks upon all public highways, streets and alleys within the corporate limits of the city. (per D. Dernovish e-mail 7/28/08)

MUTs must comply with equipment requirements of Article 17 of Chapter 8 if operated in public roads.

8- 15,106 (a) It shall be unlawful for any person to operate a micro utility truck: (1) On any interstate highway, federal highway or state highway; or (2) on any public highway or street within the corporate limits of any city unless authorized by such city.

(b) No micro utility truck shall be operated on any public highway or street, unless such truck complies with the equipment requirements under article 17 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(c) The provisions of subsection (a) shall not prohibit a micro utility truck from crossing a federal or state highway.

(d) This section shall be part of and supplemental to the uniform act regulating traffic on highways. (Effective July 1, 2008 from HB 2119)

Low Speed Vehicle (LSV)



Definition:

8-1488. "Low-speed vehicle" defined. "Low-speed vehicle" means any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571.500. **History:** L. 2000, ch. 179, § 2; July 1.

Conventional "**Golf carts**" are originally designed to reach a top speed of no more than 20 miles per hour. They are normally not equipped as required for a LSV. If a golf cart is modified and certified in writing by the modifier/ manufacturer (not the owner) to meet all the FMVSS, and if it meets the definition of "Low-speed vehicle", and if it has an MSO that states it is "road worthy"; then it may be registered for operation on a public road by the Kansas Department of Revenue.

Registration:

Low-speed Vehicles must comply with 49 CFR 571.500 which make them "street legal" (see next page under "equipment" for more details). Vehicle registration would be required to lawfully operate on a public street as outlined in 8-15,101.

Insurance:

Proof of insurance required to obtain vehicle registration.

Driver's License:

LSVs meet the definition of a “motor vehicle” and are required registration to operate on public roads and streets; therefore, a valid driver’s license would be required for such operation.

Seatbelts:

LSVs are required by federal regulation to be equipped with safety belts. They meet the definition of “passenger car” in 8-1343a, therefore, the Child Passenger Safety Act (8-1343) and Safety Belt Use Act (8-2501) apply.

Equipment:

Low-speed vehicles, 21 to 25 mph top speed vehicles, are subject to Federal Motor Vehicle Safety Standard No. 500 (49 CFR 571.500). The standard requires low-speed vehicles to be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.

Operation:**Synopsis:**

- May operate on streets and highways with posted speed limit of 40 MPH or less.
- May cross streets and highways with posted speed limit > 40.

8-15,101. Unlawful operation of low-speed vehicle. (a) It shall be unlawful for any person to operate a low-speed vehicle on any street or highway with a posted speed limit greater than 40 miles per hour.

(b) The provisions of subsection (a), shall not prohibit a low-speed vehicle from crossing a street or highway with a posted speed limit in excess of 40 miles per hour.

(c) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.

History: L. 2000, ch. 179, § 3; July 1.

Motorized Bicycle



Definition:

8-1439a. "Motorized bicycle" defined. "Motorized bicycle" means every device having two tandem wheels or three wheels which may be propelled by either human power or helper motor, or by both, and which has:

- (a) A motor which produces not more than 3.5 brake horsepower;
- (b) a cylinder capacity of not more than 130 cubic centimeters;
- (c) an automatic transmission; and
- (d) the capability of a maximum design speed of no more than 30 miles per hour except a low power cycle.

History: L. 1976, ch. 42, § 5; L. 1977, ch. 28, § 4; L. 1978, ch. 29, § 2; L. 1980, ch. 42, § 2; L. 1982, ch. 36, § 3; L. 1985, ch. 42, § 2; L. 2000, ch. 179, § 18; July

* "Motorized bicycle" is specifically excluded from the definition of "motor vehicle" in 8-1437.

Registration:

Motorized bicycles are required to have registration per KSA 8-127.

Insurance:

None required under KSA 40-3104. The motorized bicycle is specifically excluded from the definition of "motor vehicle" in KSA 40-3103.

Driver's License:

The operator must possess a valid driver's license for any class of motor vehicle, or a driver's license specifically for the operation of a motorized bicycle per KSA 8-235.

Seatbelts:

None required.

Equipment:

Must be equipped, and use a headlamp and rear reflector at “nighttime” per KSA 8-1592.

Operation:**Synopsis:**

- Must wear a motorcycle helmet
- Must ride on seat. No passengers unless it is designed for more than one person.
- No clinging to other vehicles.
- Use bicycle path when available.
- Headlamp and rear reflector required at nighttime.

The operator or rider, under the age of 18, of a motorized bicycle shall wear a helmet designed for use by motorcyclists per 8-1598.

The laws pertaining to the riding of a bicycle in 8-1586 through 8-1592 apply to motorized bicycles per 8-1592a.

Electric-Assisted Bicycle



Definition:

8-1489. "Electric-assisted bicycle" defined. "Electric-assisted bicycle" means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle's electric motor must have a power output of no more than 1,000 watts, be incapable of propelling the device at a speed of more than 20 miles per hour on level ground and incapable of further increasing the speed of the device when human power alone is used to propel the device beyond 20 miles per hour.

History: L. 2000, ch. 179, § 4; July 1.

Registration:

None Required per KSA **8-1592b. Electric-assisted bicycles; traffic law application; no registration or driver's license required.** Vehicle registration and driver's license shall not be required for operation of an electric-assisted bicycle. Traffic regulations applicable to bicycles shall apply to electric-assisted bicycles, except tricycles with no brake horsepower.

History: L. 1980, ch. 42, § 4; L. 2000, ch. 179, § 21; July 1.

Insurance:

None required.

Driver's License:

None required per KSA 8-1592b.

Seatbelts:

None Required:

Equipment:

Headlamp and rear red reflector required at night. Operative brake required at all times. (8-1592)

Operation:

Traffic regulations applicable to bicycles (8-1587 through 8-1592) shall apply to electric-assisted bicycles, except tricycles with no brake horsepower per KSA 8-1592b.

Motor-Driven Cycle



49CC - 4.9 HP - 45 MPH

Definition:

8-1439. "Motor-driven cycle" defined. "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, and every bicycle with motor attached, except a motorized bicycle or an electric-assisted bicycle.

History: L. 1974, ch. 33, § 8-1439; L. 1976, ch. 42, § 4; L. 1980, ch. 42, § 1; L. 2000, ch. 179, § 17; July 1.

The main difference between the "motor-driven cycle" and the "motorized bicycle" is the maximum allowable brake horsepower.

Motor-driven cycle = 5 brake horsepower, maximum

Motorized bicycle = 3.5 brake horsepower, maximum

Registration:

Registration is required. It meets the definition of "vehicle" and "motorcycle" in 8-126. KSA 8-142(1) requires "vehicles" as defined in 8-126 to display registration, and there is no specific exemption found in statute.

Insurance:

Proof of insurance is required to obtain registration.

Driver's License:

A Class M (motorcycle) driver's license is required.

Equipment:

Must be equipped as any motorcycle.

Operation:

8-1562. Special speed limitation on motor-driven cycles. No person shall operate any motor-driven cycle at any time mentioned in K.S.A. 8-1703 at a speed greater than thirty-five (35) miles per hour unless such motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred (300) feet ahead.

History: L. 1974, ch. 33, § 8-1562; July 1.

Mini-Motorcycles / Mini-Chopper / Pocket-Bikes / Mini-Scooter



Definition:

No official definition in state statute. They are, however, small, unconventional vehicles designed, manufactured and intended for operation on private property and closed courses. They are not “street legal.”

Registration:

Cannot obtain registration. The owner’s manual and/or manufacturer’s documentation clearly states they are not intended for use on public streets or highways. They do not meet Federal Safety Standards nor EPA emissions requirements.

Insurance:

Non-applicable

Driver’s License:

Non-applicable

Seatbelts:

None required.

Equipment:

Non-applicable

Operation:

These vehicles do not meet Federal Safety nor EPA standards and do not have proper vehicle identification numbers. Because they do not conform to these standards, they cannot obtain registration and must be used only on private property or closed courses.

The owner's manual and/or manufacturer's documentation clearly states they are not intended for use on public streets or highways.

They can never lawfully be operated on public streets, sidewalks, roads or highways.