

Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, September 19, 2019 at Kansas Wetland Education Center, 592 NE K156 Hwy, Great Bend, Kansas to consider the approval and adoption of the proposed regulation of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on the business of the Wildlife, Parks, and Tourism Commission will begin at 1:30 p.m., September 19 at the location listed above. The meeting will recess at approximately 5:00 p.m. and then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. September 20 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ks.gov if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

K.A.R. 115-8-13a. This new permanent regulation allows for use of electric-assisted bicycles in state parks and exempts the electric-assisted bicycles from motor vehicle permit requirements.

Economic Impact Summary: No substantial negative economic impact to the department, other state agencies, small businesses, or individual members of the public is anticipated.

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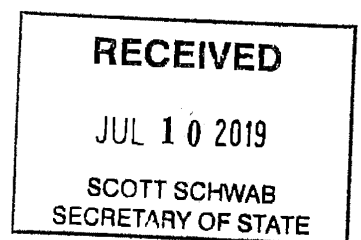
JUL 10 2019

SCOTT SCHWAB
SECRETARY OF STATE

Proposed

Copies of the complete text of each regulation and its respective economic impact statement may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at ksoutdoors.com, or by calling (785) 296-2281.

Gerald Lauber, Chairman



115-8-13a. Electric-assisted bicycles. (a) For the purposes of this regulation, the term “electric-assisted bicycle” shall have the meaning specified in K.S.A. 8-1489, and amendments thereto.

(b) A motor vehicle pass shall not be required to operate an electric-assisted bicycle in any state park. (Authorized by and implementing K.S.A. 2018 Supp. 32-807 and 32-901; effective P-_____.)

APPROVED
MAY 21 2019

DIVISION OF THE BUDGET

APPROVED
MAY 23 2019

DEPT. OF ADMINISTRATION

APPROVED
MAY 29 2019

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Proposed

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

KDWPT
Agency

Christopher J Tymeson
Agency Contact

785-296-1032
Contact Phone Number

K.A.R. 115-8-13a
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

This new permanent regulation allows the use of electric-assisted bicycles in state parks and exempts them from motor vehicle permit requirements.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

This is not a federal mandate. Oklahoma, Nebraska, Missouri and Colorado all have varying regulations dealing with motor vehicle use in state parks.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed version of the regulation will not restrict business activities and growth. It may create a new market for a newer type of bicycle.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The proposed version of the regulation could have a collateral positive economic impact on bicycle dealers, grocery stores, hotels and motels, service stations, etc.

C. Businesses that would be directly affected by the proposed rule and regulation;

None.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The proposed regulation will allow for a potentially new marketable product to be sold and used in Kansas.

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E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no negative costs and impacts on businesses associated with this proposal.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs associated with the proposal.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no implementation or compliance costs associated with the proposal.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

There are no implementation or compliance costs associated with the proposed changes.

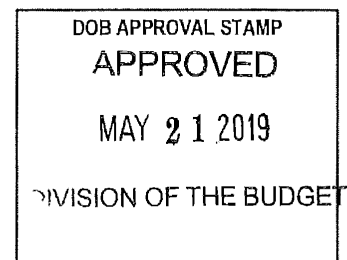
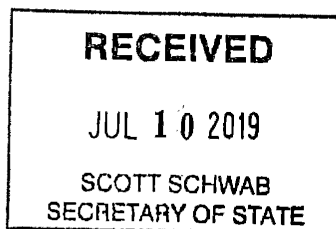
Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

The agency held public hearings on this regulation on January 17, 2019 in Lawrence, where 4 members of the public signed the attendance roster, on March 28, 2019 in Topeka, where 5 members of the public signed the attendance roster and will hold a meeting on June 13, 2019 in Salina.

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Not applicable.



- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Not applicable.

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