

**To:** House Committee on Federal and State Affairs  
**From:** Spencer Duncan, Government Affairs Director  
**Date:** February 13, 2024  
**RE:** HB 2783 – Prohibiting Restrictions on Vehicles Sales by Energy Source  
*In Opposition – Verbal Testimony*

HB 2783 is legislation for a non-existent problem that pushes aside Constitutional Home Rule and the desire of Kansans to have local governments make these determinations. The League, and cities of Kansas, respectfully ask you to support Constitutional Home Rule and vote NO on HB 2783.

Sixty-four years ago, Kansas voters approved Constitutional Home Rule powers allowing cities to conduct their affairs to reflect the direct will of residents. The Constitutional directive to you is clear: citizens want local governments to make these decisions for their communities. HB 2783 contradicts the Constitutional right of local self-governance by removing any ability for local consideration of whether the regulation of these vehicles is appropriate for a municipality.

HB 2783 ignores Article 12, Section 5 of the Kansas Constitution. This is clear in Article 12, Section 5(d), where it states, “*Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.*”

Prohibiting cities from regulating motor vehicle sales can be problematic for other reasons:

- Cities often have unique needs and challenges that may not be adequately addressed by state or federal regulations. Removing the ability of cities to regulate motor vehicle sales of any kind enables them to tailor regulations to specific circumstances, such as traffic congestion or health and safety.
- Local regulations on motor vehicle sales can address public health and safety concerns. These regulations protect residents from accidents and injuries.
- Cities use zoning and land use regulations to shape development and support local businesses. Removing the ability of cities to regulate motor vehicle sales based on singular factors hinders the ability to promote economic development strategies that align with a city’s goals and priorities.
- While this bill is attempting to be specific based on energy sources, it sets precedent for limiting other regulations cities may be able to enact now and in the future.

Prohibiting cities from regulating motor vehicles based on energy source limits their ability to address local needs. Cities can react more quickly when there is a public safety concern, whereas the Legislature cannot step in efficiently when immediate issues arise.

Please support Constitutional Home Rule and vote NO on HB 2783. I am always available to provide more information and answer any questions.

**Spencer Duncan**

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