



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

November 13, 1986

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751

ATTORNEY GENERAL OPINION NO. 86- 159

The Honorable Robert D. Miller
State Representative, 110th District
P.O. Box 106
Russell, Kansas 67665

Re: Automobiles and Other Vehicles -- Drivers' Licenses
-- License Required to Operate a Motorized Bicycle

Synopsis: K.S.A. 8-235(d) provides that a motorized bicycle may be operated upon a highway of this state by 1) all drivers who have a valid driver's license of any class or classes; or 2) persons who are at least fourteen years of age, and who have passed the written and visual examinations required for obtaining a class C driver's license. This second category of persons will be given a class C license which clearly indicates such license is valid only for the operation of motorized bicycles. Cited herein: K.S.A. 8-234b; 8-235.

* * *

Dear Representative Miller:

As State Representative for the 110th District, you request our opinion on a question concerning K.S.A. 8-235(d). This statute deals with lawful operation of a motorized bicycle on Kansas highways. Specifically, you question what type of driver's license is required for the operation of a moped.

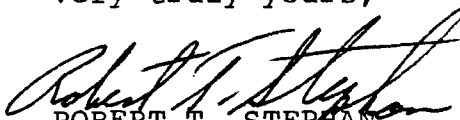
K.S.A. 8-235(d) creates two classes of people who can legally operate a motorized bicycle on the highways of Kansas. First, a person is allowed to operate a motorized bicycle when "[s]uch person has a valid driver's license which entitles

the licensee to drive a motor vehicle in any class or classes." (Emphasis added.) This means that a "class D" motorcycle license, as defined in K.S.A. 8-234(b)(a)(4), is not required for the operation of a motorized bicycle, if the person in question has another otherwise valid operator's license.

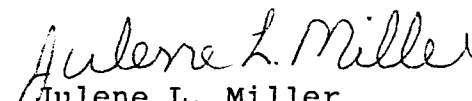
In addition, people who are "at least fourteen (14) years of age and [have] passed the written and visual examinations required for obtaining a class C license" may attain "restricted" status as a driver, allowing such persons several different, limited driving privileges. One such privilege is the right to operate a motorized bicycle. This right is clearly granted in K.S.A. 8-235(d).

In conclusion, Kansas law allows persons aged fourteen and over to operate a motorized bicycle upon completion of the written and visual examinations required for a class C driver's license in a restricted status, or upon attaining a valid driver's license of any class.

Very truly yours,



ROBERT T. STEPHAN
ATTORNEY GENERAL OF KANSAS



Julene L. Miller
Deputy Attorney General