

ORDINANCE NO. 11-806

AN ORDINANCE AMENDING SECTION 114.2 OF THE STANDARD TRAFFIC ORDINANCE, 38TH EDITION, ADOPTED BY THE CITY OF SOUTH HUTCHINSON, KANSAS BY REFERENCE BY ORDINANCE NO 10-792 ON THE 7TH DAY OF SEPTEMBER, 2010; PROVIDING FOR THE OPERATION OF MICRO UTILITY TRUCKS IN THE CITY OF SOUTH HUTCHINSON, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. That Section 114.2 of the Standard Traffic Ordinance, 38th Edition, adopted by reference by the City Council for the City of South Hutchinson, Kansas is hereby amended to read as follows:

Section 114.2 (1) OPERATION OF MICRO UTILITY TRUCKS. (a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate city limits of the city.

(b) No micro utility truck shall be operated on any public highway, street, road or alley unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto. No micro utility truck shall be operated on any interstate highway, federal highway, state highway or on Main Street and Blanchard Street west of Main Street in the City, provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway or Main Street or Blanchard Street in the City. Further, no such vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise.

(c) Every person operating a micro utility truck on the public highways, streets, roads and alleys of the city shall be subjected to all of the duties applicable to a driver of a vehicle imposed by law.

(d) No person under the age of 18 years shall operate a micro-utility truck upon the public highways, streets, roads and alleys within the corporate limits of the city.

(2) SAME; VALID DRIVER'S LICENSE REQUIRED; PENALTY. No person shall operate a micro utility truck on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(3) SAME; DEFINITION. "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 160 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.

(4) SAME; PENALTY. Unless specifically provided herein, a violation of this ordinance shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2010 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

(5) SAME; INSURANCE REQUIRED; PENALTY. (a) Every owner of a micro utility truck shall provide liability coverage in accordance with Section 200 of the 2010 Standard Traffic Ordinance, and amendments thereto; and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of Section 200 of the 2010 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of micro utility trucks.

(6) SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; PENALTY. Before operating any micro utility truck on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be registered with the police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made to the City Clerk upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable.) Proof of insurance, as required in Section 5 shall be furnished at the time of application for registration. The annual registration fee for a micro utility truck shall be \$50.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder shall be non-transferable. The City shall be exempt from payment of the registration fee.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and publication once in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS THIS 20th DAY OF JUNE, 2011.


Weldon Cook, Mayor

ATTEST:


Denise McCue, City Clerk