

ORDINANCE NO. 2016

AN ORDINANCE AUTHORIZING AND REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES, MICRO-UTILITY TRUCKS, UTILITY VEHICLES AND SPECIAL PRUPOSE VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF MORAN, KANSAS AND PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF.

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

Section 1. Definitions. As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section.

- (a) "All-Terrain Vehicle" means any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more tires and having a seat to be straddled by its operator.
- (b) "Micro-Utility Truck" means any motorized vehicle which is not less than 48 inches in width, has an overall length of not more than 160 inches, has an empty 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.
- (c) "Utility Vehicle" means any motorized vehicle which is not less than 48 inches in width, has an overall length of not more than 135 inches, has an empty weight (including fuel and fluids) of more than 800 pounds and is equipped with four or more tires, a steering wheel, bench or bucket type seating allowing up to two people to sit side-by side and safety belts, harnesses or restraints. Said vehicle may also be equipped with a bed or cargo box for hauling materials.
- (d) "Special Purpose Vehicle" means any all-terrain vehicle, micro-utility truck and/or utility vehicle either individually or collectively.

Section 2. Operation of Special Purpose Vehicles. Special Purpose Vehicles may be operated upon the public highways, streets, roads, and alleys within the corporate limits of the City consistent with the intended use and purpose of such vehicles, subject to the conditions set forth herein. No Special Purpose Vehicle shall be operated on any federal or state highway, provided, however, that the provisions of this section shall not prohibit any Special Purpose Vehicle from crossing a state or federal highway. Special Purpose Vehicles shall be operated only between sunrise and sunset. Every person operating a Special Purpose Vehicle on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

Section 3. Valid Driver's License Required; Helmets Required; Penalty: No person shall operate a Special Purpose Vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person is at least eighteen years of age and has a valid driver's license. Helmets shall be required for all passengers under age 18. 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.

Section 4. Display Of Slow-Moving Vehicle Emblem: It shall be illegal to operate a Special Use Vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem as defined in K.S.A. 8-1717 displayed on the rear of the vehicle, or has an attached flag pole of a minimum of seven feet in height on which is affixed a fluorescent orange flag of at least 30 square inches in size.

Section 5. Insurance Required; Penalty: Every owner of a Special Purpose Vehicle shall provide liability coverage in accordance with Section 200 of the Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto. All provisions of Section 200 of the Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of a Special Purpose Vehicle.

Section 6. Registration And License; Application; Inspection; Fee:

- (a) Before operating any Special Purpose Vehicle on any public highway, street, road or alley within the corporate limits of the City, the Special Purpose Vehicle shall be registered with the City and shall display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the Special Purpose Vehicle. The license number of the Special Purpose Vehicle shall be recorded and filed in the City Police Department.
- (b) The application shall be made 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 shall be furnished at the time of application for registration.
- (c) Prior to the issuance of the registration decal, each applicant for a Special Purpose Vehicle license shall first present such vehicle to the City Police Department for an official inspection to insure that such vehicle meets all safety equipment requirements and is in safe mechanical condition.
- (d) The annual registration fee for a Special Purpose Vehicle shall be \$30.00. The full amount of the registration fee shall be required regardless of the

time of year that the application is made. Registrations issued hereunder shall be nontransferable and shall expire on December 31 of each year.

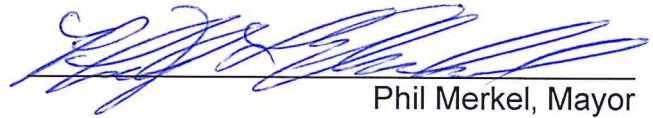
Section 7. Penalties: Unless otherwise specifically provided herein, a violation of this section shall be deemed an ordinance traffic infraction within the meaning of Section 201, of the Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect. Any violation of this section may also result in revocation of the registration and/or license issues under Section 6, above.

Section 8. Section 114.4 of the Standard Traffic Ordinances of 2009 as adopted by the City on or about November 6, 2009 is hereby repealed.

Section 9. This Ordinance shall be published one time in the official City newspaper, and shall take effect and be in force from and after such publication.

PASSED BY THE COUNCIL THIS 4TH DAY OF MAY, 2015.

APPROVED BY THE MAYOR THIS 4TH DAY OF MAY, 2015.



Phil Merkel, Mayor

ATTEST:



Lori Evans, City Clerk

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