ORDINANCE NO. 18355

AN ORDINANCE introduced by Councilmember John Alcala, regarding the unlawful use of a Jake brake, amending Topeka City Code § 142-194 and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That City of Topeka Code § 142-194, Reserved, is hereby amended by the addition of the following language:

Unlawful use of a Jake brake.

a. It shall be unlawful for the driver of any motor vehicle to use or cause to be used or operated any compression release engine braking system without such motor vehicle being equipped with a muffler in accordance with Standard Traffic Ordinance No. 175, and amendments thereto.

b. As used in this section, compression release engine braking system means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

Section 2. That original City of Topeka Code § 142-194 is hereby specifically repealed.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council DECEMBER 7, 2004.

ATTEST:

James A. McClintock, Mayor

Iris E. Walker, City Clerk

VYORD/JAKEBRAKE
11/09/04

APPROVED AS TO FORM AND LEGALITY DATE 11/9/04
TO BE CODIFIED L NOT TO BE CODIFIED