ORDINANCE NO. 18973

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., creating City of Topeka Code § 142-195 regarding the operation of work-site utility vehicles on the streets within the corporate limits of the City of Topeka.

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

Section 1. That City of Topeka Code § 142-195, Reserved, is hereby created by the addition of the following language:

Work-site utility vehicles.

1. Operation of Work-site utility vehicles; Penalty.

(a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(b) “Work-site utility vehicle” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials.

(c) It shall be unlawful to operate any work-site utility vehicle on any public highway, street, road or alley unless such vehicle shall comply with the equipment requirements under the provisions of article 17, chapter 8 of the Kansas Statutes Annotated. However, work site utility vehicles complying with the provisions of article 17, chapter 8, need not be registered pursuant to article
1. chapter 8 of the Kansas Statutes Annotated to operate on the public highways, streets, roads and alleys within the corporate limits of the city.

   (d) Every person operating a work-site utility 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.

   (e) It shall be unlawful for any person to operate a work-site utility vehicle in any manner which violates the provisions in this section. A violation of this section shall be deemed an ordinance traffic infraction.

2. Same: Valid Driver’s license required; Penalty. It shall be unlawful for any person to operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver’s license.

Section 2. 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 October 9, 2007.

    CITY OF TOPEKA, KANSAS

    __________________________________________
    William W. Bunten, Mayor

    ATTEST:

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    Brenda Younger, City Clerk