

**ORDINANCE NO. 729**

**AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES AND MICRO UTILITY TRUCKS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF WASHINGTON; PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF SECTION 114.2 OF THE STANDARD TRAFFIC ORDINANCE AS PART OF THE CODE OF THE CITY OF WASHINGTON.**

Be it ordained by the Governing Body of the City of Washington, Kansas:

**Section 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) No work-site utility vehicle shall be operated 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.
- (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) A violation of this section 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, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

**Section 2. SAME: VALID DRIVER’S LICENSE REQUIRED; PENALTY.** No person shall 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. 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 3. SAME: INSURANCE.** Every owner of a work-site utility vehicle must provide liability insurance coverage.

**Section 4. OPERATION OF MICRO UTILITY TRUCKS; PENALTY.**

(a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(b) “Micro Utility Trucks” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 144 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.

(c) No micro utility truck shall be operated 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.

(d) Every person operating a micro utility truck 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) A violation of this section 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, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

**Section 5. 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.

**Section 6. SAME: INSURANCE.** Every owner of a micro utility truck must provide liability insurance coverage.

**Section 8. REPEALER.** Section 114.2 of the 2008 Standard Traffic Ordinance as adopted by the City in Ordinance No. 728, is hereby repealed.

**Section 9.** This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper.

Passed by the Governing Body of the City of Washington, Kansas, and approved by the Mayor, this 5<sup>th</sup> day of January, 2009.

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Harold H. Jones, Jr., Mayor

ATTEST:

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Denise M. Powell, City Clerk