

**ORDINANCE NO. 3146**

**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 ABILENE, KANSAS.**

Be it Ordained by the Governing Body of the City of Abilene, Kansas:

**Section 1.** Existing Section 5-415 of the City Code of Abilene, Kansas, shall be repealed.

**Section 2.** New Section 5-415 shall be added to the Abilene City Code to state as follows:

5-415. (a) DEFINITIONS. As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(1) "Micro utility truck" means any motor vehicle as defined in the most current Standard Traffic Ordinance adopted by the city. "Micro utility truck" does not include a work-site vehicle.

(2) "Work-site utility vehicle" means any motor vehicle as defined in the most current Standard Traffic Ordinance. "Work-site utility vehicle" does not include a micro utility truck.

(3) "Special purpose vehicle" means micro utility truck and work-site utility vehicle, either individually or collectively.

(b) OPERATION OF SPECIAL PURPOSE VEHICLES ON CITY STREETS; SPECIAL CONDITIONS AND RESTRICTIONS ON OPERATION.

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

(A) 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.

(B) No micro utility truck shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway.

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

(A) No work-site utility vehicle shall be operated on any public highway, street or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(B) No work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a work-site utility vehicle from crossing a federal or state highway.

(c) SAME: VALID DRIVER'S LICENSE REQUIRED; PENALTY; DUTIES AND RESPONSIBILITIES.

(1) 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 has a valid unrestricted by age 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.

(2) 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.

(d) SAME; INSURANCE REQUIRED; PENALTY.

(1) 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.

(2) 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 special purpose vehicles.

(e) SAME; REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.

Before operating any special purpose utility vehicle 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 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. A one time registration fee for a special purpose vehicle shall be \$50.00. The license issued hereunder is not transferrable.

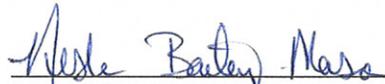
(f) PENALTY. Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2009 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

Section 3. REPEALER. Sections 114.2 and 114.5 of the 2009 Standard Traffic Ordinance, as adopted in Ordinance No.3136, and Ordinance 3141 are hereby repealed.

Section 4. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper, the Abilene Reflector-Chronicle, and shall take effect and be in force from an after said publication

PASSED by the City Commission this 26<sup>th</sup> day of October, 2009.



  
Neshia Bailey Mason  
Mayor

  
Penny Soukup  
City Clerk, CMC