

## ORDINANCE No. 682

### AN ORDINANCE REVOKING ORDINANCE NO. 668 & AUTHORIZING THE OPERATION OF SPECIAL PURPOSE VEHICLES WITHIN THE CORPORATE CITY LIMITS

Be It Ordained by The Governing Body of The City of Hanover, Kansas:

1. SECTION 1. Operation of Special Purpose Vehicles on City Streets, It shall be lawful for any person holding a valid driver's license to drive or operate a special purpose vehicle, as defined herein, upon the public highways, streets, roads, and alleys within the corporate limits Of the City of Hanover, Kansas. Every person operating a special purpose vehicle on a public highway, street, road and alley of the city shall be subject to all of the duties and requirements applicable to a driver of a motor vehicle imposed by law and imposed by the Standard Traffic Ordinance. Every special purpose vehicle shall meet the registration requirements provided herein,
2. SECTION 2. 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,
  - a. "Special purpose vehicle" means all-terrain vehicle, golf cart, micro utility truck and work-site utility vehicle, either individually or collectively.
  - b. "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 nonhighway tire% and having a seat to be straddled by the operator. As used in this subsection, "nonhighway tire" means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.
  - c. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver,
  - d. "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length including the bumper, of not more than 160 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.
  - e. "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.
3. SECTION 3. Mandatory Minimum Requirements and Conditions. In no event shall a person riding in or upon a special purpose vehicle, as defined herein, attach himself, herself or the special purpose vehicle to any other vehicle on a roadway. Further, any special purpose vehicles, as defined herein, carrying a passenger shall be equipped with a seat and footrests for such passenger,

4. SECTION 4. Registration and Insurance Requirements and Waiver. (A) Before operating any special purposed vehicle on any public highway, street, road or alley within the corporate limits of the city, such vehicle the owner shall: (1) Provide proof of ownership, (2) Provide proof of insurance. Upon providing said proof, the City Clerk shall issue a valid registration sticker, which: (1) Must be displayed on the vehicle in plain sight on the rear (right side) of the vehicle. (B) Every owner of a special purpose vehicle shall maintain liability coverage in accordance with Section 200 of the 2010 Standard Traffic Ordinance (along with any amendments thereto) and the Kansas Automobile Injury Reparations Act, KSA 40-3101, et. seq. (along with any amendments thereto). (C) Payment for the registration sticker of a special purpose vehicle in the amount of \$20.00 shall be made prior to receiving a said registration sticker. The registration fee may be set hereafter by a resolution duly passed by the governing body. Renewal of said registration must be made annually at the city clerk's office prior to January 1 of each year. If registration is obtained on or after October 1, the registration shall be prorated to an amount equal to one-half of the annual registration fee and shall be required to be renewed on or before January 1 of each year as provided herein. Registrations are not transferable. (D) The registration fee may be waived for any charity, educational, religious or non-profit entity upon request to the Governing Body. Proof of ownership and insurance are still required for any such entity.
5. SECTION 5. Additional Requirements. It shall be unlawful: (a) to display, cause or permit to be displayed or to have in possession or use or attempt to use, any registration knowing the same to be fictitious or to have been cancelled, revoked, suspended or altered; (b) to lend to or knowingly permit the use by one not entitled thereto, any registration issued to the person so lending or permitting the use thereof (c) to operate on any public highway, street, road, and alley between sunset and sunrise unless equipped with lights and signals as required for motorcycles, and (d) to travel at a speed greater than reasonable and prudent for the type of special purpose vehicle.
6. SECTION 6. Penalties. Unless otherwise provided by law, a violation of any provisions set out herein 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, Standard Traffic Ordinance, as amended, or such other similar provision as the city may then have in effect. No person charged with driving a special purpose vehicle without a driver's license or without a valid registration shall be convicted if such person produces in court a driver's license or registration issued to such person or vehicle that was valid at the time of the arrest,
7. SECTION I. Repeal: All ordinances or parts of ordinances in conflict herewith are hereby repealed,
8. SECTION 8. Effective date: This ordinance shall take effect and be in force after its publication in the official newspaper of the City of Hanover, Kansas.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR ON this 23<sup>rd</sup> day of December, 2019.

  
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Brad Heiman, Mayor

((SEAL))

Attest:

  
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Katlin Bruna, City Clerk