

ORDINANCE NO. 14-205

A CHARTER ORDINANCE exempting the City of Meriden, Kansas, from the provisions of K.S.A. 8-15,100, and superceding STO § 114.1, with respect to the regulation of the operation of all-terrain vehicles.

WHEREAS, the City of Meriden, Kansas, is authorized to exercise the powers, functions and duties of a city of the third class, including home-rule powers in the manner and subject to the limitations provided by Article 12, Section 5 of the Constitution of the State of Kansas; and

WHEREAS, K.S.A. 8-15,100 was adopted in 1996 as part of an enactment, Chapter 220 of the Session Laws, that contained statutes that were non-uniform.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MERIDEN, KANSAS:

SECTION 1. The City of Meriden, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and does exempt itself and make inapplicable to it K.S.A. 9-15,100, which applies to this city, but is part of the enactment commonly known as the Uniform Act Regulating Traffic On Highways, as enacted in Chapter 220 of the Session Laws of 1996, which enactment applies to this city but does not apply uniformly to all cities.

SECTION 2. The City of Meriden, Kansas, has adopted the Standard Traffic Ordinance ("STO") for Kansas Cities, published by the League of Kansas Municipalities. Said STO in § 114.1 regulates the operation of all-terrain vehicles within the City of Meriden, Kansas.

SECTION 3. The following is hereby substituted for the provisions of K.S.A. 8-15,100 and STO § 114.1:

- (a) Except as provided in the following subsections, it shall be unlawful for any person to operate an all-terrain vehicle within the corporate limits of Meriden, Kansas.
- (b) All operators of all-terrain vehicles shall:
- (1) Be 16 years of age or more.
- (c) Wear eye protective devices required of motorcycle operators.
- (d) Be responsible for continuously maintaining a policy of liability insurance covering the all-terrain they are operating. Said operators shall display, upon demand, evidence of the policy of liability insurance covering the all-terrain vehicle to a law enforcement officer. The law enforcement officer shall issue a citation to any person who fails to display evidence of the policy of liability insurance upon such demand. Upon the production in court of evidence of a policy of liability insurance, any citation issued shall be dismissed.
- (e) Be responsible for maintaining operable brake lights and turn signals on the all-terrain vehicle they are operating.
- (f) Be responsible for maintaining exhaust mechanisms applicable to motorcycles.
- (g) Be responsible for their passengers under the age of 16 wearing a helmet which complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.