

ORDINANCE NO. 922

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF MEADE, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," 50th EDITION, 2023, PROVIDING CERTAIN PENALTIES AND AMENDING ARTICLE 1, OF CHAPTER 16 OF THE CODE OF THE CITY OF MEADE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MEADE:

SECTION 1. Article 1.1 of Chapter 16 of the Code of the City of Meade, Kansas is hereby amended to read as follows:

16-1.1.1 **STO INCORPORATED.** There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Meade, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," 50th Edition 2023, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed in the City code.

16-1.1.2 **MODIFICATIONS.**

16-1.1.2.1 The following sections shall be omitted from the Standard Traffic Ordinance:

- (i) 114.2 – Unlawful Operation of a Micro Utility Truck;
- (ii) 114.4 – Unlawful Operation of a Golf Cart; and
- (iii) 114.5 – Unlawful Operation of a Work-site Utility Vehicle

16-1.1.2.2 Court costs shall not be ordered for any traffic infraction contained in Section 85.

16.1.2.3. Section 126.2 is hereby amended to read as follows:

(a) Except as provided in subsection (b), no person shall operate a motor vehicle on a public road or highway while listening or talking on a wireless communication device, unless the wireless communication device is specifically designed and configured to allow hands-free listening and talking and is used in that manner while driving.

(b) The provisions of subsection (a) shall not apply to:

(1) A law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officer's or emergency service personnel's employment.

(2) A driver in a motor vehicle stopped off the regular traveled portion of the roadway.

(3) A driver talking or listening to a law enforcement agency, health care provider, fire department, or other emergency services agency, for emergency purposes.

(4) A person who is relaying information between transit or for-hire operator and the operator's dispatcher, in which the device is permanently affixed to the motor vehicle; and,

(5) A driver who uses a digital two-way radio device that transmits radio communication transmitted by a station operating on an authorized frequency within the citizen's or family radio service bands in accordance with rules of the Federal Communications Commission; or

(6) A driver who uses an amateur radio and who holds a valid amateur radio operator license, or any other similar license related to such use, issued by the Federal Communications Commission.

(c) For the purposes of subsection (a), "hands-free" use shall mean listening or talking on a wireless communication device that has an internal feature or function, or is equipped with a temporary or permanent attachment or addition, that allows listening or talking without the use of either hand, except to activate or deactivate that function of the wireless communication device.

(d) There shall be a rebuttable presumption that any person who is driving a motor vehicle and holding a wireless communication device to, or in the immediate proximity of, his or her ear is listening or talking on such device in violation of subsection (a). Immediate proximity shall mean that distance that permits the person to listen or talk on such device but shall not require physical contact with the person's ear.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its summary of publication in the Official City Newspaper.

ADOPTED AND APPROVED THIS 14th DAY OF AUGUST 2023.

JD HEGWOOD, Mayor

ATTEST:

JANET GLEASON, City Clerk