

SUMMARY OF PROPOSED CHANGES TO O.M.C TITLE 10

This ordinance updates the Olathe Traffic Ordinance to be in conformity with 2019 Kansas Legislative changes and incorporates additional sections from Kansas statutes. The general subjects covered by this ordinance are lighting, penalties, safety considerations, law enforcement interaction, and restrictions on various non-automobile vehicles.

1. **Section 1 (pp. 1). 10.01.006.2; Compliance with Regulations in Road Construction Zone; Flagman. (2019)** A new section requiring compliance with traffic restrictions in a construction zone and compliance with orders given by a flagman.
2. **Section 2 (pp. 1-2). 10.01.035.1; Special Speed Limitations Applicable to Certain Vehicles and Portions of Highways.** A new section requiring speed limits for vehicles towing a house trailer, requiring speed limits for vehicles equipped with solid rubber tires, and giving the City the authority to determine specific speed limits on bridges or other elevated structures constituting a part of a highway.
3. **Section 3 (pp. 2-3). 10.01.135.1; Electric-Assisted Scooters, Traffic Law Application. (2019)** A new section prohibiting the use of electric-assisted scooters on highways except for the purpose of crossing, applying bicycle traffic regulations to electric-assisted scooters, and giving the Governing Body the authority to pass future restrictions on electric-assisted scooters.
4. **Section 4 (pp 3). 10.01.160.1; Wreckers, Tow Trucks or Car Carriers; Operation of Emergency Lights; When.** A new section limiting the use of lights on wreckers, tow trucks or car carriers designated as authorized emergency vehicles to when the vehicles are stationary and providing assistance at the scene of an accident or on the side of a highway.
5. **Section 5 (pp. 3-4). 10.01.169.1; Transportation Network Lighting Device. (2019)** A new section allowing transportation network (Uber, Lyft) drivers to display a steady, non-red light from directly in front of the vehicle's center to help the customer locate the ride.
6. **Section 6 (pp. 4-5). 10.01.030.2; Preliminary Breath Test. (2019)** This section is amended to remove the assumption of consent for preliminary breath tests, add the testing of "oral fluid," remove the oral notice requirements, add requirements governing breath and oral fluid tests, and no longer classify test refusal as a traffic infraction.
7. **Section 7 (pp. 5-6). 10.01.076; Obedience to Signal Indicating Approach of Train.** This section is amended to include obedience to the approach of "other on-track equipment."
8. **Section 8 (pp. 6-8). 10.01.081; Overtaking and Passing School Bus. (2019)** This section is amended to include fines for first, second, third, and subsequent violations. This provision is not from state law, but is a recommendation of LKM.
9. **Section 9 (pp. 8-9). 10.01.114.1; Unlawful Operation of All-Terrain Vehicle or Recreational Off-highway Vehicle. (2019)** This section is amended to allow All-Terrain Vehicles and Recreational Off-highway Vehicles to cross highways and operate on highways for agricultural purposes if certain conditions are met.

ATTACHMENT B

- 10. Section 10 (pp. 10). 10.01.114.4; Unlawful Operation of a Golf Cart.** This section is amended to clarify that golf carts may not be operated on a highway or street. This section will still allow golf carts to cross highways or streets regardless of their speed limits.
- 11. Section 11 (pp. 10-11). 10.01.114.5; Unlawful Operation of a Work-Site Utility Vehicle.** This section is amended to allow Work-Site Utility Vehicles to cross highways and operate on highways for agricultural purposes if certain conditions are met.
- 12. Section 12 (pp. 11-12). 10.01.156; Lamps or Flags on Projecting Loads.** This section is amended to limit a vehicle's front and rear projecting loads.
- 13. Section 13 (pp. 12-13). 10.01.158; Lamps on Other Vehicles and Equipment.** This section is amended to require that animal-drawn vehicles be equipped with a slow-moving vehicle emblem, as described in K.S.A. 8-1717(g).
- 14. Section 14 (pp. 13-14). 10.01.169; Special Restrictions on Lamps.** This section is amended to carve out an exception for the change in Section 5.
- 15. Section 15 (pp. 14-15). 10.01.173; Brakes; Performance Requirements.** This section is amended to require each vehicle comply with additional braking systems as required by the Secretary of Transportation.
- 16. Section 16 (pp. 15-17). 10.01.181; One-Way Glass and Sun Screening Devices. (2019)**
This section amends Olathe's sun screen prohibition by exempting law enforcement vehicles that are not clearly marked, creating a new exception if four conditions are met, and allowing the citation to be dismissed if, within 60 days, a driver shows that the requirements are met or the material is removed.
- 17. Section 17 (pp. 17-19). 10.01.182.1; Safety Belts. (2019)** This section makes a violation of OMC 10.01.182.1 a traffic infraction.
- 18. Section 18 (pp. 19). 10.01.193; Driver's License in Possession.** This section is amended to add language clarifying that if a driver is in possession of a driver's license, then it must be immediately be presented to a law enforcement officer upon request.
- 19. Section 19 (pp. 20-21). 10.01.201; Penalties.** This section is amended to require any person convicted of a traffic infraction to pay a fine fixed by the court, require the court to establish a fine for violations of 10.01.181 (Section 16), and to clarify that any violation of the Olathe Traffic Ordinance will be punished by the schedule of fines or a fine described in the Olathe Traffic Ordinance.
- 20. Section 20 (pp. 21-22). 10.01.201.1; Failure to Comply with Traffic Citation. (2019)**
This section is amended to allow the municipal judge to charge a person a \$5.00 notification fee regarding the consequences of the person's failure to comply, increase the reinstatement fee to \$100.00 plus any additional fees, and include a hardship waiver for the reinstatement fee to be used at the court's discretion.
- 21. Section 21 (pp. 22-46). 10.01.001; Definitions. (2019)** Updated definitions for 2019 changes.