

# Memorandum

## City of Lawrence

### City Attorney's Office

TO: David L. Corliss, City Manager  
FROM: Maria Kaminska  
DATE: August 12, 2014  
CC: Toni Wheeler, City Attorney  
RE: 2014 STO

#### **Background**

Each year, the City of Lawrence adopts the most recent version of the Standard Traffic Ordinance (STO) prepared by the League of Kansas Municipalities. The STO is a model traffic code based upon Kansas state law, and its adoption allows for the prosecution of most traffic violations in our municipal court. New editions are required annually in order to respond to the changes made to the traffic laws each legislative session. Ordinance 9028 adopts the 2014 version.

#### **Amendments**

This year's edition makes amendments to the provisions listed below. Many of the changes update statutory references, or make slight modifications to the section language. The notable, substantive changes are summarized after the Section number.

- Section 1 (Definitions):
- Section 11 (Manual and Specifications for Traffic Control Devices)
- Section 13.1 (Traffic Control Signal and Preemption Devices)
- Section 23 (Accident Involving Death or Personal Injuries; Penalties) The amendment adds a provision requiring drivers involved in an accident to now also comply with provisions in another section of the STO for removing a vehicle from the roadway after an accident.
- Section 24 (Accident Involving Damage to Vehicle or Other Property) (deleted)
- Section 25 (Duty to Give Information and Render Aid) The amendment provides a person ten (10) days to show financial security (proof of insurance) that was valid at the time the citation was issued to avoid a conviction for failure to have proof of insurance. This is down from 20 days.
- Section 27 (Duty to Report Accidents) (deleted)

- Section 30 (Driving Under the Influence of Intoxicating Liquor or Drugs; Penalties) This amendment updates a statutory provision that is referenced in the STO.
- Section 30.1 (Driving Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs; Penalties) This amendment makes the same change that is made in Section 30.
- Section 30.3 (Ignition Interlock Devices; Tampering) This amendment provides that if a person violates the provisions related to tampering with an ignition interlock device, a first violation will extend the interlock restriction period on the person's driving period an additional 90 days; upon a second or subsequent conviction, the interlock device period and driving restrictions will be restarted (and extended) to the original period the person received.
- Section 31 (Fleeing or Attempting to Elude a Police Officer) The amendment clarifies an internal reference to a subsection for flee and elude, and clarifies how to determine whether it is a first, second, or third conviction.
- Section 41 (When Passing on the Right is Permitted)
- Section 43 (Further Limitations on Driving on Left of Center of Roadway)
- Section 54 (Turning Movements and Required Signals)
- Section 62 (Highway Construction and Maintenance)
- Section 85 (Stopping, Standing or Parking Prohibited in Specified Places)
- Section 106 (Transportation of Alcoholic Beverages) A person cannot transport containers of alcoholic beverages in vehicles traveling on a street or highway, with certain exceptions. The amendment adds a new exception for cars that do not have a trunk. In that case, the alcohol must be behind the last upright seat or in an area not normally occupied by the driver or passengers.
- Section 111 (Crossing Fire Hose) A driver cannot drive a vehicle over a fire hose laid on any street. The amendment clarifies that the prohibition includes private roads as well.
- Section 124 (Riding in House Trailer or Mobile or Manufactured Home Prohibited) It is unlawful to occupy a house trailer while it is being moved on a public street or highway. The amendment makes it also unlawful to occupy a "manufactured home" and "mobile home" while it is moved on a public street or highway.
- Section 133 (Lamps or Other Equipment on Bicycles)

- Section 154 (Visibility of Reflectors, Clearance Lamps, and Marker Lamps) – This section requires certain equipment to be visible from certain distances. The amendment adds identification lamps to be visible from a certain distance.
- Section 170 (School Buses) This change requires any school bus put into service after July 1, 2007, to have a white flashing strobe light mounted on the roof of the bus.
- Section 171 (Lighting Equipment and Warning Devices on Church Buses and Day Care Program Buses)
- Section 174 (Horns and Warning Devices) The amendment prohibits whistles from being used in a motor vehicle as a warning against other motor vehicles. Security alarm whistles are still permissible, however.
- Section 182 (Child Passenger Safety Restraining System) The change amends the definition of a passenger car to not include a trailer or vehicle constructed either on a truck chassis registered for a gross weight of more than 12,000 pounds or a farm truck registered for a gross weight of more than 16,000 pounds.
- Section 193 (Driver's License) As amended, a person can *operate* a motor vehicle without a driver's license, but a person cannot *drive* a motor vehicle without a driver's license.
- Section 194 (Driving While License Canceled, Suspended or Revoked; Penalty)
- Section 200 (Motor Vehicle Liability Insurance)
- Section 201 (Penalties)

All changes will be reviewed with the police department.

**Action Requested:**

Adopt on first reading, Ordinance No. 9028, "2014 Standard Traffic Ordinance, Edition 2014."