



DATE: Tuesday, October 15, 2024
TO: Mayor and City Council
FROM: City Attorney
SUBJECT: 2024 Standard Traffic Ordinance (STO)

Background: Published by the League of Kansas Municipalities since 1960, the Standard Traffic Ordinance (STO) contains over 100 traffic offenses that can be adjudicated in municipal court. While many of the provisions parallel state law, the STO also contains offenses that are frequently enforced only within cities. It is designed to provide a comprehensive public offense ordinance for Kansas cities. The costs are: 1-4 copies are \$10.00 each, 5-10 copies are \$9.50 each, 11-30 copies are \$9.00 each, 31 copies and over are \$8.50 each. An electronic copy is available for a fee of approximately \$13.75 and with a signed licensing agreement. It lasts for 1 year and may be extended for an additional fee. There is also a "website edition" for \$100.00.

Bel Aire currently incorporates the STO by reference, for the purpose of regulating public offenses within the corporate limits of the City of Bel Aire, Kansas.

Discussion: There have been updates to the STO. A few examples follow.

Section 201.1. Failure to Comply with a Traffic Citation.

Section 201.1(g) was added to ensure that Section 201.1 sunsets at 11:59 p.m., on December 31, 2024. On January 1, 2025, Section 201.2 (as described below) will go into effect.

Section 201.2. Failure to Comply with a Traffic Citation.

This Section takes effect on January 1, 2025 and replaces Section 201.1. Section 201.2 largely tracks changes to Kansas statutory law implemented by the enactment of Senate Bill 500. This section is materially different from Section 201 in the following ways: Previously, an individual violated this provision if they did not appear before municipal court and pay any fines and court costs imposed in full. Now, a violation occurs when an individual does not appear in municipal court and pay their fine and court costs as ordered by the court (presumably allowing the court to impose a payment plan or grant reductions or extensions).

Municipal courts can no longer seek the suspension of an individual's license for failing to comply with the following traffic citations:

- Sec. 18. Interference with Official Traffic-Control Devices or Railroad Signs or Signals;
- Sec. 63. Pedestrians; Obedience to Traffic-Control Devices and Regulations;
- Sec. 65. Crossing at Other Than Crosswalks; Jaywalking;
- Sec. 67. Pedestrians to Use Right Half of Crosswalks;
- Sec. 68. Pedestrians on Highways;
- Sec. 69. Pedestrians Soliciting Rides or Business;

Sec. 74. Pedestrian Under Influence of Alcohol or Drugs;
Sec. 83. Stopping, Standing or Parking Outside Business or Residence Districts;
Sec. 85. Stopping, Standing or Parking Prohibited in Specified Places;
Sec. 86. Stopping or Parking on Roadways;
Sec. 107. Unattended Motor Vehicles; Ignition; Key and Brakes;
Sec. 112. Putting Glass, Etc. on Highway Prohibited;
Sec. 112.1. Littering from a Motor Vehicle;
Sec. 114. Snowmobile Operation Limited;
Sec. 114.4. Unlawful Operation of a Golf Cart;
Sec. 115. Unlawful Riding on Vehicles; Persons 14 Years of Age and Older;
Sec. 124. Riding in House Trailer or Mobile or Manufactured Home Prohibited;
Sec. 127. Effect of Regulations;
Sec. 129. Riding on Bicycles; Seats; Riders Limited;
Sec. 130. Clinging to Vehicles;
Sec. 131. Riding on Roadways and Bicycle Paths;
Sec. 132. Carrying Articles;
Sec. 133. Lamps and Other Equipment on Bicycles;
Sec. 135.1. Electric Assisted Scooters, Traffic Law Applications; and
Sec. 182.2 Unlawful Riding on Vehicles; Persons Under Age 14.

This new provision mandates that if an individual meets specific eligibility criteria, their license will be restricted as opposed to suspended. In addition, municipal courts shall: assess only a single license reinstatement fee of \$100, even if there are multiple charges, instead of \$100 for each charge; provide a form for any individual seeking to petition the court to waive fines or fees; and consider waivers and alternatives to restricting or suspending a license.

Financial Considerations: Other than the purchase of STO hard copy books and an electronic version, there will be no other costs to the City.

Legal Considerations: The City Attorney has drafted and approved the proposed ordinance. It requires a majority vote for approval.

Recommendation/Actions: It is recommended that City Council approve the proposed ordinance.

Attachments: Proposed ordinance