

CHAPTER XIV. TRAFFIC

SECTIONS

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ARTICLE 1. STANDARD TRAFFIC ORDINANCE [STO]

14-101. INCORPORATING “STANDARD TRAFFIC ORDINANCE.” There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Leawood, Kansas, that certain standard traffic ordinance known as the ‘Standard Traffic Ordinance for Kansas Cities,’ Edition of 2018, 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, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped ‘Official Copy as incorporated by Ordinance No. 2906C’ with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

(Code 2000)
(Ord. 1908C; 08-06-01)
(Ord. 1960C; 10-07-02)
(Ord. 2022C; 09-15-03)
(Ord. 2082C; 09-20-04)
(Ord. 2136C; 11-07-05)
(Ord. 2194C; 11-06-06)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-14-14)
(Ord. 2756C; 11-02-15)
(Ord. 2803C; 09-19-16)
(Ord. 2906C; 10-01-18)

14-102. COMMERCIAL DRIVER’S LICENSES; DIVERSION AGREEMENT NOT ALLOWED

Repealed. [See Standard Traffic Ordinance, Section 30.5]

(Ord. 2082C; 09-20-04)
(Ord. 2136C; 11-07-05)
(Ord. 2194C; 11-06-06)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)

14-102A. DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DURGS; PENALTIES
Repealed. *[See Standard Traffic Ordinance, Section 30]*

(Ord. 2499C; 07-05-11)
(Ord. 2514C; 10-17-11)
(Ord. 2549C; 07-02-12)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-102B. DRIVING COMMERCIAL MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS; PENALTIES
Repealed. *[See Standard Traffic Ordinance, Section 30.1]*

(Ord. 2499C; 07-05-11)
(Ord. 2514C; 10-17-11)
(Ord. 2549C; 07-02-12)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-102C. IGNITION INTERLOCK DEVICES; TAMPERING
Repealed. *[See Standard Traffic Ordinance, Section 30.3]*

(Ord. 2499C; 07-05-11)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-102D. CHEMICAL TEST REFUSAL
Repealed.

(Ord. 2549C; 07-02-12)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-102E. ACCIDENT INVOLVING DEATH OR PERSONAL INJURIES; PENALTIES.
Repealed

(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)

14-103. MAXIMUM SPEED LIMITS. Section 33 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, shall be amended to read as follows:

Section 33. MAXIMUM SPEED LIMITS.

- (a) Except when a special hazard exists that requires lower speed for compliance with Section 32, the limits specified in this Section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle at a speed in excess of such maximum limits, except where otherwise posted:
- (1) All vehicles 20 miles per hour in any park under the jurisdiction of this city.

- (2) Speed limits within a designated school zone will be posted 15 miles below the posted speed limit, but in no event shall those speed limits be lower than 20 miles per hour. This school zone speed limit will apply on any day school is in session, upon streets and/or parts of streets abutting school property and adjacent to school crosswalks or otherwise designated as school zones; provided that appropriate signs are erected giving notice of the effective hours of enforcement or when a flashing yellow beacon is in operation with appropriately erected signs indicating the area is a school zone. The Director of Public Works shall determine the times said school zone limits are in force.
 - (3) All vehicles 25 miles per hour in any residential district and on other streets within the City except where modified as provided hereafter in subsection (b) of this Section. The maximum speed limit established by or pursuant to this paragraph shall be of force and effect regardless of whether signs are posted giving notice thereof.
 - (4) On any separated multilane highway, as designated and posted by the secretary of transportation.
- (b) The Director of Public Works is hereby authorized and empowered to designate maximum speed limits in excess of those listed above when he or she shall find and determine that such regulation is necessary for safety purposes or to expedite traffic, to the extent any such regulation is not in conflict with any law of the City. The Director of Public Works shall place and maintain the necessary traffic control signs and devices.
 - (c) Whenever the Director of Public Works shall determine upon the basis of an engineering and traffic investigation that any speed limit herein set forth is greater or less than is reasonable or safe under the conditions found to exist, he or she shall determine a reasonable and safe speed limit consistent with applicable state and local statutes which shall be effective at all times or during daytime or nighttime or at such other times as may be determined when appropriate signs giving notice thereof are erected. It shall be unlawful for any person to drive a vehicle at a speed in excess of such declared maximum limits.

- (d) The Governing Body may, at any time, request review of any given speed limit by the Director of Public Works and the Governing Body may, after due investigation and review, direct that a new speed limit be determined and posted.

(Ord.1800C; 5-17-99)
(Code 2000)
(Ord. 1908C; 08-06-01)
(Ord. 1960C; 10-07-02)
(Ord. 2022C; 09-15-03)
(Ord. 2082C; 09-20-04)
(Ord. 2136C; 11-07-05)
(Ord. 2194C; 11-06-06)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord.2567C; 09-04-12)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)
(Ord. 2803C; 09-19-16)
(Ord. 2906C; 10-01-18)

14-104. PEDESTRIANS ON HIGHWAYS. Section 68 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, shall be amended to read as follows:

Sec. 68. Pedestrians on Highways.

- (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk, jog or run along or upon an adjacent roadway.
- (b) Where a sidewalk is not available, any pedestrian walking, jogging or running along or upon a highway shall walk, jog or run only on a shoulder, as far as practicable from the edge of the roadway.
- (c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking, jogging or running along or upon a highway shall walk, jog or run as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk, jog or run only on the left side of the roadway.

- (d) Except as otherwise provided in this ordinance, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

(Ord. 1800C; 5-17-99)

(Code 2000)

(Ord. 1908C; 08-06-01)

(Ord. 1960C; 10-07-02)

(Ord. 2022C; 09-15-03)

(Ord. 2082C; 09-20-04)

(Ord. 2136C; 11-07-05)

(Ord. 2194C; 11-06-06)

(Ord. 2305C; 02-04-08)

(Ord. 2350C; 10-06-08)

(Ord. 2419C; 11-02-09)

(Ord. 2462C; 09-20-10)

(Ord. 2514C; 10-17-11)

(Ord. 2577C; 10-01-12)

(Ord. 2640C; 10-21-13)

(Ord. 2691C; 10-06-14)

(Ord. 2756C; 11-02-15)

(Ord. 2803C; 09-19-16)

(Ord. 2906C; 10-01-18)

14-105.

UNLAWFUL OPERATION OF ALL-TERRAIN VEHICLE

Section 114.1 of the Standard Traffic Ordinance entitled Unlawful Operation of All-Terrain Vehicle, as incorporated in Section 14-101 of this Article, is hereby deleted and omitted. *[See Section 11-108 of the Code of the City of Leawood, 2000.]2000.]*

(Ord. 2305C; 02-04-08)

(Ord. 2350C; 10-06-08)

(Ord. 2419C; 11-02-09)

(Ord. 2462C; 09-20-10)

(Ord. 2514C; 10-17-11)

(Ord. 2577C; 10-01-12)

(Ord. 2640C; 10-21-13)

(Ord. 2691C; 10-06-14)

(Ord. 2756C; 11-02-15)

(Ord. 2803C; 09-19-16)

(Ord. 2906C; 10-01-18)

14-106. UNLAWFUL OPERATION OF A GOLF CART. Section 114.4 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, shall be amended to read as follows:

Sec. 114.4. Unlawful Operation of a Golf Cart.

It shall be unlawful for any person to operate a golf cart on any interstate highway, federal highway, state highway or any other public highway or street within the corporate limits of the City of Leawood unless such golf cart is operating during the hours between sunrise and sunset and is crossing a highway or street for the purpose of continuing on a marked golf cart path.

(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)
(Ord. 2803C; 09-19-16)
(Ord. 2906C; 10-01-18)

14-107. UNLAWFUL OPERATION OF A WORK-SITE UTILITY VEHICLE. Section 114.5 of the Standard Traffic Ordinance, as incorporated in Section 14-101 of this Article, shall be amended to read as follows:

Sec. 114.5. Unlawful Operation of a Work-Site Utility Vehicle.

- (a) It shall be unlawful for any person to operate a work-site utility vehicle:
- (1) On any interstate highway, federal highway, or state highway; or
 - (2) Within the corporate limits of the City of Leawood, provided, however, that this prohibition shall not apply to an unmodified utility vehicle with seating for two people and containing a bed or flatbed and operating on private property or to City owned and operated maintenance vehicles.
- (b) No work-site utility vehicle shall be operated on any public highway, street, or road between sunset and sunrise unless equipped with lights as required by law for motorcycles.

(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)
(Ord. 2803C; 09-19-16)
(Ord. 2906C; 10-01-18)

14-108. USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED. Section 136 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, shall be amended to read as follows:

- (a) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall:
 - (1) go upon any roadway except while crossing a street at a crosswalk and except upon streets set aside as play streets.
 - (2) operate such a device on any public tennis court.
 - (3) operate such a device on any private parking area or lot where signs are posted giving notice of such prohibition. This prohibition shall not be applicable unless the following signage is clearly and properly posted at all entrances to said private parking lot or area, to wit:

<p>NOTICE</p> <p>Pursuant to the Code of the City of Leawood, Kansas, no roller skates, coaster, roller blades, skateboard, toy vehicle or similar device may be operated in this parking lot or area. Conviction will result in a \$25 fine.</p>
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- (b) Whenever any person is operating such a device upon a useable path or sidewalk, such person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.
- (c) Any person found guilty of a violation of this section shall be fined \$25.

(Ord. 1800C; 5-17-99)
(Code 2000)
(Ord. 1908C; 08-06-01)
(Ord. 1960C; 10-07-02)
(Ord. 2022C; 09-15-03)
(Ord. 2082C; 09-20-04)
(Ord. 2136C; 11-07-05)
(Ord. 2194C; 11-06-06)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2398C; 07-06-09)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)
(Ord. 2803C; 09-19-16)
(Ord. 2906C; 10-01-18)

14-108A. DEFINITION - Repealed

(Ord. 2691C; 10-06-14)
(Ord. 2756C; 11-02-15)

14-109.

COMPRESSION RELEASE ENGINE BRAKING SYSTEM.

It shall be unlawful for the driver of any motor vehicle to use or cause to be used or operated any compression release engine braking system; provided, however, that such brakes may be used in an emergency situation exists where the use of engine braking mechanical exhaust device is necessary for the protection of persons or property.

(Ord. 2175C; 07-17-06)
(Ord. 2305C: 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)
(Ord. 2691C; 10-06-14)

14-109A.

SEAT BELTS.

Repealed - . [See *Standard Traffic Ordinance, Section 182.1; K.S.A. 8-2503-2504, and K.S.A. 12-4120.*]

(Ord. 2450C; 06-21-10)
(Ord. 2462C; 09-20-10)
(Ord. 2487C; 05-02-11)
(Ord. 2514C; 10-17-11)
(Ord. 2847C; 06-19-17)
(Ord. 2906C; 10-01-18)

14-110.

LITTERING FROM MOTOR VEHICLE.

No person shall throw, place or drop litter or allow litter to be thrown, placed or dropped from a motor vehicle onto or upon any highway, road or street. The driver of the motor vehicle may be cited for any litter thrown, placed or dropped from the motor vehicle, unless any other person in the motor vehicle admits to or is identified as having committed the act.

For purposes of this Article, "litter" is defined as rubbish, refuse, waste material, garbage, trash or debris of whatever kind or description and includes improperly discarded paper, metal, plastic or glass.

(Ord. 2136C; 11-07-05)
(Ord. 2305C: 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-111. TRAFFIC REGULATIONS ON PRIVATE PROPERTY. Whenever the person in possession or control of any private property used by the public for purposes of vehicular traffic by permission of the owner, shall cause to be posted at each entrance thereto a permanently lettered clearly legible sign with the following legend:

"TRAFFIC REGULATIONS OF THE CITY OF LEAWOOD ENFORCED ON THIS PROPERTY. SPEED LIMIT 15 M.P.H." (or as posted.)

Then such private property shall thereafter be deemed to be under the traffic regulations of the city as provided by law.

(Ord. 1800C; 05-17-99)
(Code 2000)
(Ord. 1908C; 08-06-01)
(Ord. 2136C; 11-07-05)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-112. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

- (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.
- (b) All traffic infractions which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

(Ord. 1800C; 5-17-99)
(Code 2000)
(Ord. 1908C; 08-06-01)
(Ord. 2136C; 11-07-05)
(Ord. 2305C; 02-04-08)
(Ord. 2350C; 10-06-08)
(Ord. 2419C; 11-02-09)
(Ord. 2462C; 09-20-10)
(Ord. 2514C; 10-17-11)
(Ord. 2577C; 10-01-12)
(Ord. 2640C; 10-21-13)

14-112A. DRIVING ON ROADWAYS LANED FOR TRAFFIC. Section 46 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, is amended to read as follows:

Sec. 46. Driving on Roadways Laned for Traffic.

Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

- (a) A vehicle shall be driven entirely within a single lane and shall not be moved from such lane until the driver has first complied with the requirements of Section 54.
- (b) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn or whether such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.
- (c) Official traffic-control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device.
- (d) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the direction of every such device.

(Ord. 2756C; 11-02-15)

(Ord. 2803C; 09-19-16)

(Ord. 2906C; 10-10-18)

14-112B. CONSTRUCTION ZONES. Section 204 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, is amended to read as follows:

Sec. 204. Fines Doubled in Road Construction Zones.

Fines listed in the schedule of fines, as established by the municipal court judge, shall be doubled if a person is convicted of an ordinance traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249 and amendments thereto, committed within any road construction zone.

(Ord. 2756C; 11-02-15)

(Ord. 2803C; 09-19-16)

(Ord. 2906C; 10-01-18)

14-112C. RIDING ON ROADWAYS AND BICYCLE PATHS. Section 131 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 131. Riding on Roadways and Bicycle Paths.

- (a) Every person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near to the right side of the roadway as practicable, except under any of the following situations when:

- (1) Overtaking and passing another bicycle or vehicle proceeding in the same direction;
 - (2) Preparing for a left turn at an intersection or into a private road or driveway; or
 - (3) Reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving bicycles, bicycles, pedestrians, animals, surface hazards or narrow width lanes that make it unsafe to continue along the right-hand edge of the roadway.
- (b) Any person operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near to the left side of the roadway as practicable.
 - (c) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.
 - (d) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
 - (e) For purposes of this section, "narrow width lane" means a lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane. "Usable path for bicycles" shall mean paths or parts of roadways set aside for the exclusive use of bicycles.

(Ord. 2906C; 10-01-18)

14-112D. DRIVING UPON SIDEWALKS. Section 116 of the Standard Traffic Ordinance incorporated in Section 14-101 of this article shall be amended to read as follows:

Sec. 116. Driving Upon Sidewalks.

No person shall drive any vehicle or motor scooter upon a sidewalk, sidewalk area, or trail in the City, except upon a permanent or duly authorized temporary driveway.

(Ord. 2906C; 10-01-18)

14-113. PENALTY FOR SCHEDULE FINES. Section 201 of the Standard Traffic Ordinance, incorporated in Section 14-101 of this Article, shall be amended to read as follows:

Sec. 201 Penalties

- (a) It is unlawful for any person to violate any of the provisions of this ordinance.
- (b) The judge of the municipal court shall in the manner prescribed by K.S.A. 12-4305 and amendments thereto establish a schedule of fines for violation of any section of this ordinance classified as an ordinance traffic infraction by K.S.A. 8-2118 and amendments thereto. Such fines shall be imposed upon a voluntary entry of appearance and upon a plea of guilty or no contest to a complaint alleging such violation and payment of the fine and any court costs.
- (c) The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10 nor more than \$1,000. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$1,000.

- (d) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided by this ordinance or by the schedule of fines established by the judge of the municipal court shall be punished for a first conviction thereof by a fine of not more than \$1000 or by imprisonment for not more than six months or by both such fine and imprisonment; and for a second or subsequent conviction within two years after the first conviction such person shall be punished by a fine of not more than \$2,500 or by imprisonment for not more than one year or by both such fine and imprisonment.

(Ord. 1800C; 5-17-99)

(Code 2000)

(Ord. 1908C; 08-06-01)

(Ord. 2136C; 11-07-05)

(Ord. 2305C; 02-04-08)

(Ord. 2350C; 10-06-08)

(Ord. 2419C; 11-02-09)

(Ord. 2462C; 09-20-10)

(Ord. 2514C; 10-17-11)

(Ord. 2577C; 10-01-12)

(Ord. 2640C; 10-21-13)

(Ord. 2691C; 10-06-14)

(Ord. 2756C; 11-02-15)

(Ord. 2803C; 09-19-16)

(Ord. 2906C; 10-01-18)