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Delineated

01/07/25

PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON _____

ORDINANCE NO. _____

AN ORDINANCE CREATING CHAPTER 11.51 OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND AMENDING TRAFFIC CODE DEFINATIONS CONTAINED IN TITLE 11 PERTAINING TO THE OPERATION OF GOLF CARTS WITHIN THE CORPORATE LIMITS OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 11.04.007 of the Code of the City of Wichita is hereby amended to read as follows:

“All-terrain vehicle defined.

"All terrain vehicle" means any motorized nonhighway vehicle ~~50~~ 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less and traveling on three or more nonhighway tires and having a seat designed to be straddled by the operator. As used in this section, "nonhighway tire" means any pneumatic tire six inches or more in width, designed for use on wheels with a rim diameter of 14 inches or less."

SECTION 2. Section 11.04.117 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

“Golf Cart” defined.

“Golf Cart” means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver. Such term shall not include All Terrain Vehicles “ATV” as defined by Section 11.04.007 or K.S.A. 8-1402a, Micro Trucks as defined by Section 11.04.157 or K.S.A. 8-1494 or Work-site Utility Vehicle “UTV” as defined by Section 11.04.405 or K.S.A. 8-1493.”

SECTION 3. Section 11.04.157 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

“Micro utility truck” defined.

“Micro utility truck” means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle.”

SECTION 4. Section 11.04.405 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

“Work-site Utility Vehicle” defined.

"Work-Site Utility Vehicle" or “UTV” means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating

allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck."

SECTION 5. Section 11.51.010 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Definitions.

The following words, as used in this Chapter, have the meanings set forth below:

- (a) "Golf Cart" means a motor vehicle as defined by Section 11.04.117. Such term shall not include All Terrain Vehicles "ATV" as defined by Section 11.04.007 or K.S.A. 8-1402a, Micro Trucks as defined by Section 11.04.157 or K.S.A. 8-1494 or Work-Site Utility Vehicle "UTV" as defined by Section 11.04.405 of K.S.A. 8-1493.
- (b) "Roadway" means the portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "Roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively.
- (c) "Arterial Street" means any U.S. or state numbered route, controlled access highway or other major radial or circumferential street or highway designed as part of a major arterial system of streets or highways. Section 11.96.100 of the Code of the City of Wichita, Kansas provides a listing of arterial streets.
- (d) "Core Area" means the area of the City of Wichita bounded by: Murdock Avenue to the north including all property abutting Murdock to the North, Hydraulic Avenue to the east including all property abutting Hydraulic to the East,, U.S. Route 54 (Kellogg) to the south including all property abutting U.S. Route 54

(Kellogg) to the South,, and Seneca Street, Nims Avenue, and Stackman Drive to the West including all property abutting Seneca Street, Nims Avenue and Stackman Drive to the West.

- (e) “Slow-Moving Vehicle Emblem” has the same meaning as contained in K.S.A. 8-1717, and amendments thereto for purposes of this ordinance.”

SECTION 6. Section 11.51.020 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Golf Cart Operations Prohibited.

It shall be unlawful for any person to operate a Golf Cart:

- (a) On any state highway, federal highway, or interstate highway within the corporate limits of the City of Wichita, including but not limited to: Interstate Highway I-135, Interstate Highway I-35, Interstate Highway I-235, Kansas Highway 96, Kansas Highway 15, Kansas Highway 42, Kansas Highway 254, and Kansas Highway 54. A Golf Cart shall not be used to cross any such highway.
- (b) On any Arterial Street as described by this ordinance. A Golf Cart shall not be used to cross any arterial street.
- (c) On any street or roadway with a speed limit on such street or roadway which exceeds thirty (30) miles per hour or more.
- (d) On any roadway or street within the “Core Area” as defined by this ordinance.
- (e) On any sidewalk, jogging path, trail, or any location normally used for pedestrian traffic unless designated as a golf cart path.
- (f) On any bike trail, or any on-street bike lane or other location which is marked in a manner to designate its use by bicyclists.

- (g) On or across public or private property without permission of the owner(s)."

SECTION 7. Section 11.51.030 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Display of Slow-Moving Vehicle Emblem and Required Safety Equipment.

- (a) It shall be unlawful to operate a Golf Cart on any public roadway within the corporate limits of the city unless such vehicle displays a Slow-Moving Vehicle Emblem on the rear of the vehicle.
- (b) For the purpose of this section, a Slow-Moving Vehicle Emblem has the same meaning as contained in K.S.A. 8-1717 and amendments thereto.
- (c) The Slow-Moving Vehicle Emblem shall be mounted and displayed in compliance with K.S.A 8-1717 and amendments thereto.
- (d) It shall be unlawful for any person to operate a Golf Cart on any public roadway within the corporate limits of the city unless such vehicle is equipped with safety equipment that meets the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated and amendments thereto including but not limited to:
- (1) Stop Lamps;
- (2) Tail Lamps;
- (3) Rear Reflector;
- (4) Brakes;
- (5) One functioning rear view mirror; and
- (6) Seat belts as installed by manufacturer."

SECTION 8. Section 11.51.040 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Registration Fee, Application and Penalty.

- (a) Before operating any Golf Cart on any public roadway within the corporate limits of the city, the Golf Cart shall be registered with the City Treasurer’s Office and a registration emblem obtained and placed on the Golf Cart. The registration fee shall be seventy-five dollars (\$75.00) per year. The term of such registration shall be from April 1st to March 31st. The full amount of the registration fee shall be required regardless of the time of year that the application is made for the registration.
- (b) Application for registration shall be made by the owner or the owner’s agent. The application shall be made upon forms provided by the City. Each application shall contain the name of the owner, the owner’s residence address or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of liability insurance with coverage limits equaling those required by the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto, shall be furnished at the time of application for the registration. The application shall be signed by the owner or the agent of the owner of the Golf Cart. A registration shall be revoked or denied if the application contains false information, or the registration was issued based on false information contained in the application.
- (c) The registration issued is not transferrable. In the event of sale or other transfer of ownership of any Golf Cart licensed under this section, the existing

registration and the right to use the numbered emblem shall expire, and the registration shall be removed by the owner. It is unlawful for any person other than the person to whom the registration was originally issued to have the same in their possession.

- (d) The emblem shall be attached to the rear of the Golf Cart in such a manner to be clearly visible.
- (e) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such emblem during the time in which the vehicle is operative.
- (f) It is unlawful for any person to display, cause or permit to be displayed or have in their possession, any registration, receipt or emblem knowing the same to be fictitious or to have been canceled, revoked, suspended or altered.
- (g) It shall be unlawful for any person to carry or display an emblem upon any Golf Cart not issued for such vehicle.
- (h) It shall be unlawful for any person to operate a Golf Cart on any street or roadway within the corporate limits of the City unless such vehicle displays a valid registration emblem issued by the City of Wichita.

A violation of this section shall be punishable by a fine of not more than one hundred dollars (\$100.00) and forfeiture of any expired or fictitious emblem.”

SECTION 9. Section 11.51.050 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Valid Driver’s License Required Age Restriction.

- (a) No person shall operate a Golf Cart on any street or roadway within the corporate limits of the City unless such person has a valid driver's license, and the operator is eighteen (18) years of age or older.
- (b) No person shall knowingly allow the operation of a Golf Cart by an individual under 18 years of age or an individual without a valid driver's license on any street or roadway within the corporate limits of the City."

SECTION 10. Section 11.51.060 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Insurance Required.

Every owner, driver or operator of a Golf Cart operated upon the public highways, streets, roads and alleys within the corporate limits of the City of Wichita, Kansas, shall provide liability coverage in accordance with Section 11.13.010 of the Code of the City of Wichita, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto, upon request to a law enforcement officer."

SECTION 11. Section 11.51.070 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

"Golf Cart Operation Requirements.

It shall be unlawful for any operator of a Golf Cart to operate a Golf Cart on a city street:

- (a) Outside of the hours of 30 minutes after sunrise and 30 minutes before sunset;
- (b) Fail to operate a Golf Cart to the extreme right of the roadway;
- (c) Fail to yield to all vehicular, bicycle and pedestrian traffic;
- (d) Fail to comply with the provisions of Chapter 11 of the Code of the City of Wichita. Persons operating a Golf Cart on streets, roads, alleys or any roadway

are subject to all the duties applicable to the driver of a vehicle by the traffic provisions of Title 11 applicable to the driver of a vehicle, except as to special regulations in this Chapter except as to those provisions of law and ordinances which by their nature are inapplicable to such persons.

- (e) Utilize the Golf Cart as a taxi or bus or for the commercial carrying of passengers or the hauling of freight.”

SECTION 12. Section 11.51.080 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Exclusions.

- (a) The provisions of this Chapter are not applicable to the operation of any Golf Cart, ATV, Micro-Utility Truck or Work-Site Utility Vehicle or “UTV” by governmental entities in the course of any authorized duties.
- (b) The provisions of this Chapter are not applicable to the operation of Golf Carts, ATV, Micro-Utility Truck or Work-Site Utility Vehicle “UTV” which are being operated on a closed street, alley or roadway as part of a licensed community event authorized by Section 3.11.205 of the Code of the City of Wichita.
- (c) The provisions of this Chapter are not applicable to the operation of Golf Carts utilized solely on personal property, including public and private golf courses, which are not operated on the streets of the City of Wichita.”

SECTION 13. Section 11.51.090 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Penalty.

Unless otherwise specified, violation of this Chapter is punishable by a fine of not more than five hundred dollars (\$500).”

SECTION 14. The original of Section 11.04.007 is hereby repealed.

SECTION 15. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this _____ day of _____, 2025.

Lily Wu, Mayor

ATTEST:

Shinita Rice, Deputy City Clerk

Approved as to Form:

Jennifer Magaña
City Attorney and Director of Law