

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 210100

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-268 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.

WHEREAS, Code of Ordinances 70-268, requires wheels and tires to be clean within the city, allowing an individual, who may not be aware of the condition of their wheels or tires, to be ticketed for “dirty” cars or bicycles which carry mud, dirt, sticky substances, litter or foreign matter of any kind onto streets, alleys, highways or other public places; and

WHEREAS, Code of Ordinances 70-706, allows inspection of a bicycle “at any time” upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law, yet it does not define “reasonable cause” or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law; and

WHEREAS, Code of Ordinances 70-783, commonly known as “jaywalking,” can expose individuals to unnecessary interactions with police and studies have shown jaywalking and similar laws are disproportionately enforced on communities of color (see a 2019 New York, New York study showing 90% of jaywalking tickets went to Black and Latinx individuals; and a Sacramento, California study showing Black individuals received 5 times more jaywalking tickets than White individuals); and

WHEREAS, the City Council does not believe these ordinances contribute to the safety of motorists, pedestrians, or bicyclists, nor promote the safe operation of vehicles; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing the Sections 70-268, Wheels and tires to be clean, and 70-706, Inspection of bicycles, relating to traffic and vehicles.

~~Sec. 70-268. Wheels and tires to be clean.~~

~~No person shall operate any vehicle within this city, the wheels or tires of which carry onto or deposit in any street, highway, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.~~

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~~Sec. 70-706. Inspection of bicycles.~~

~~A uniformed police officer may at any time, upon reasonable cause to believe that a bicycle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the person riding the bicycle to stop and submit the bicycle to an inspection and such test with referene thereto as may be appropriate.~~

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Section 2. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject, to read as follows:

Sec. 70-783. Crossing at points other than crosswalks.

~~(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.~~

~~(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.~~

~~(c) No persons shall purposefully or negligently walk into traffic or into a public street in a manner that puts themselves in danger of bodily harm or causes a motor vehicle accident.~~

~~(b) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.~~

~~(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movement.~~

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Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney