



Legislation Details (With Text)

File #: 210182 **Version:** 1 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 3/5/2021 **In control:** Council

On agenda: 5/27/2021 **Final action:**

Title: Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new Section 70-368 relating to street and drag racing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 210182 fact sheet, 2. 210182 com, 3. Public Testimony 210182-DaRon Nutsell, 4. Public Testimony 210182-KC4SafeStreets, 5. Public Testimony 210182-Shaun Tolivar

Date	Ver.	Action By	Action	Result
10/24/2022	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
5/26/2021	1	Transportation, Infrastructure and Operations Committee	Adv and Do Pass as Cmte Sub, Debate	Pass
5/19/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
5/5/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
4/28/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
4/21/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
4/7/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
3/31/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	
3/24/2021	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	

ORDINANCE NO. 210182

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new Section 70-368 relating to street and drag racing.

WHEREAS, street racing has caused vehicle crashes, deaths and injuries to drivers, passengers, onlookers, or innocent bystanders, and property damage in Kansas City; and
 WHEREAS, street racing causes noise disturbances to residences and businesses near the street racing from racing vehicles and crowds; and
 WHEREAS, street racing can cause vandalism and litter at racing locations, including businesses where racers commonly gather; and

WHEREAS, street racing can cause a loss of commercial revenue if racing crowds obstruct or intimidate potential customers; and

WHEREAS, street racing will cause excess wear and tear to Kansas City public streets where continual racing occurs, including areas with painted street markings commonly are damaged by the burning rubber of vehicle tires; and

WHEREAS, street racing has caused damage to curbs and bus stops in Kansas City, and to areas maintained by the City, including sidewalk cutaways and grassy areas; and

WHEREAS, public streets are created and maintained by Kansas City for public use and not for individuals to engage in the sport of street racing: NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject, to read as follows:

Sec. 70-365. Racing on streets and highways.

(a) Except as provided elsewhere in this chapter, no person shall drive or otherwise engage in, aid or abet any vehicle on a street or highway in any drag race or speed competition or exhibition of speed or acceleration. No person shall, for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest or drag race upon any street or highway, in any manner obstruct a street or highway or place any barricade or obstruction upon any street or highway. However, the director may issue a

ORDINANCE NO. 210182

permit for any such race, competition, contest, test or exhibition in accordance with the terms and conditions specifically approved for such event by ordinance by the city council.

(b) Violations of this section shall result in the following:

(1) First violation: Up to a \$150.00 fine and/or up to 30 days in jail

(2) Second violation: Up to a \$300.00 fine and/or up to 60 days in jail

(3) Third and subsequent violation: Up to a \$500.00 fine and/or up to six months in jail

Sec. 70-366. Spectator or unlawful assembly at drag race or speed competition.

(a) Except as provided elsewhere in this chapter, no person shall knowingly be present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at a drag race or illegal motor vehicle speed competition.

(b) Except as provided elsewhere in this chapter, no person shall be present as a spectator, either on a public street or highway, or on private property without the consent of the owner, operator, or agent thereof, where preparations are being made for a drag race or illegal motor vehicle speed competition

(c) An individual is present at the drag race or illegal motor vehicle speed competition if that individual is within 200 feet of the location of the event, or within 200 feet of the location where preparations are being made for the event.

(d) When two or more persons assemble to witness or participate in a drag race or illegal motor vehicle speed competition such assembly is an unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense.

(e) Exemption: Nothing in this section prohibits law enforcement officers or their agents from being spectators at drag races or speed contests in the course of their official duties.

(f) Violations of this section shall result in up to a \$100.00 fine.

Section 2. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by

adding one new Section 70-368 relating to street and drag racing, to read as follows:

2

Sec. 70-368. Vehicles located later-impounded.

(a) If a vehicle involved in racing on streets and highways is identified and located later, that vehicle may be towed, impounded and kept as evidence of an earlier violation of street racing until a determination is made as part of an investigation determining whether a violation of Sec. 70-365 or Sec. 70-366 of this Code has been committed. After that determination, the vehicle shall be returned to the owner.

(b) If the owner of the vehicle claims the vehicle was loaned to another person the car shall remain in impound until the investigation is complete and a determination is made who was driving the car and whether there was a violation of Sec 70-173 or Sec. 70-179 of this Code. After that determination, the vehicle shall be returned to the owner.

(c) If the owner of the vehicle claims the vehicle was stolen, the car shall remain in impound until the stolen vehicle investigation is complete and a determination is made of who was driving the car. After that determination, the vehicle shall be returned to the owner.

Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney