

CHAPTER 71: TRAFFIC ADMINISTRATION

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GENERAL PROVISIONS**§ 71.001 RECORDS OF TRAFFIC VIOLATIONS.**

(A) The Police Department shall keep a record of all violations of the traffic ordinances of the city or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

(B) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.

(C) All such records and reports shall be public records.
(Prior Code, § 305.010)

§ 71.002 POLICE DEPARTMENT TO INVESTIGATE ACCIDENTS.

It shall be the duty of the Police Department to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

(Prior Code, § 305.020)

§ 71.003 TRAFFIC ACCIDENT REPORTS.

The Police Department shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and information of the City Traffic Engineer.

(Prior Code, § 305.030)

§ 71.004 DRIVER FILES TO BE MAINTAINED.

The Police Department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, which shall be filed alphabetically under the name of the driver concerned.

(Prior Code, § 305.040)

§ 71.005 POLICE DEPARTMENT TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT.

(A) The Police Department shall annually prepare a traffic report which shall be filed with the Mayor.

(B) Such report shall contain information on traffic matters in the city as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

(2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police; and

(3) The plans and recommendations of the Police Department for future traffic safety activities.
(Prior Code, § 305.050)

§ 71.006 POLICE DEPARTMENT TO DESIGNATE METHOD OF IDENTIFYING FUNERAL PROCESSIONS.

The Police Department shall designate a type of pennant or other identifying insignia to be displayed upon, or other method to be employed to identify, the vehicles in funeral processions.
(Prior Code, § 305.060)

§ 71.007 CITY TRAFFIC ENGINEER.

(A) The office of City Traffic Engineer is established. The Mayor shall serve as City Traffic Engineer in addition to his or her other functions, and shall exercise the powers and duties with respect to traffic as provided in this Title.

(B) The City Traffic Engineer shall determine the installation and proper timing and maintenance of traffic control devices, conduct engineering analyses of traffic accidents and devise remedial measures, conduct engineering investigation of traffic conditions, plan the operation of traffic on the streets and highways of the city, and cooperate with other city officials in the development of ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of the city.
(Prior Code, § 305.070)

§ 71.008 EMERGENCY AND EXPERIMENTAL REGULATIONS.

(A) (1) The Chief of Police, by and with the approval of the City Traffic Engineer, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions.

(2) No such temporary or experimental regulation shall remain in effect for more than 90 days.

(B) The City Traffic Engineer may test traffic control devices under actual conditions of traffic.
(Prior Code, § 305.080)

DRIVER'S LICENSES**§ 71.020 DRIVING WHILE LICENSE SUSPENDED OR REVOKED.**

A person commits the offense of driving while revoked if he or she operates a motor vehicle on a highway when his or her license or driving privilege has been canceled, suspended, or revoked under the laws of this state and acts with criminal negligence with respect to knowledge of the fact that his or her driving privilege has been canceled, suspended, or revoked.

(Prior Code, § 390.010) Penalty, see § 71.999

§ 71.021 OPERATION OF MOTOR VEHICLE WITHOUT PROPER LICENSE PROHIBITED; MOTORCYCLES; SPECIAL LICENSE.

Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by § 71.023, to:

(A) Operate any vehicle upon any highway in this city unless the person has a valid license;

(B) Operate a motorcycle or motor tricycle upon any highway of this city unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motor tricycle as prescribed by the Director. The Director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motor tricycle if the actual demonstration, required by RSMo. § 302.173, is conducted on such vehicle;

(C) Authorize or knowingly permit a motorcycle or motor tricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motor tricycle or has been issued an instruction permit therefor;

(D) Operate a motor vehicle with an instruction permit or license issued to another person; or

(E) Drive a commercial motor vehicle, except when operating under an instruction permit as provided for in RSMo. § 302.720.

(Prior Code, § 390.020) Penalty, see § 71.999

§ 71.022 PROHIBITED USES OF LICENSE.

It shall be unlawful for any person to:

(A) Display or to permit to be displayed, or to have in his or her possession, any license knowing the same to be fictitious or to have been canceled, suspended, revoked, disqualified, or altered;

(B) Lend to or knowingly permit the use of by another any license issued to the person so lending or permitting the use thereof;

(C) Display or to represent as one's own any license not issued to the person so displaying the same;

(D) Fail or refuse to surrender to the Clerk of any Division of the Circuit Court or the Director, any license which has been suspended, canceled, disqualified, or revoked, as provided by law;

(E) Use a false or fictitious name or give a false or fictitious address on any application for a license, or any renewal or duplicate thereof, or knowingly to make a false statement;

(F) Knowingly conceal a material fact, or otherwise commit a fraud in any such application;

(G) Authorize or consent to any motor vehicle owned by him or her or under his or her control to be driven by any person, when he or she has knowledge that such person has no legal right to do so, or for any person to drive any motor vehicle in violation of any of the provisions of RSMo. §§ 302.010 to 302.780;

(H) Employ a person to operate a motor vehicle in the transportation of persons or property, with knowledge that such person has not complied with the provisions of RSMo. §§ 302.010 to 302.780, or whose license has been revoked, suspended, canceled, or disqualified; or who fails to produce his or her license upon demand of any person or persons authorized to make such demand;

(I) Operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license; or

(J) Fail to carry his or her instruction permit, operator's or chauffeur's license while operating a vehicle, and to display instruction permit or said license upon demand of any police officer, court official, or any other duly authorized person for inspection, when demand is made therefor. Failure to exhibit his or her instruction permit or license as aforesaid shall be presumptive evidence that said person is not a duly licensed operator or chauffeur.

(Prior Code, § 390.030) Penalty, see § 71.999

§ 71.023 EXEMPTIONS FROM LICENSE LAW.

The following persons are exempt from license hereunder:

(A) Any person while operating any farm tractor or implement of husbandry temporarily operated or moved on a highway;

(B) A non-resident who is at least 16 years of age and who has in his or her immediate possession a valid license issued to him or her in his or her home state or country;

(C) A non-resident who is at least 18 years of age and who has in his or her immediate possession a valid license issued to him or her in his or her home state or country which allows such person to operate a motor vehicle in the transportation of persons or property as classified in RSMo. § 302.015; or

(D) Convicted offenders of the Department of Corrections who have not been convicted of a motor vehicle felony as follows: driving while intoxicated, failing to stop after an accident and disclosing his or her identity, or driving a motor vehicle without the owner's consent may operate state-owned trucks for the benefit of the correctional facilities, provided that such offender shall be accompanied by a correctional officer or other staff person in such truck.

(Prior Code, § 390.040)

§ 71.024 STATE VEHICLE LICENSE PLATES REQUIRED.

No person shall operate or park any motor vehicle or trailer upon any street or highway of this city, unless such motor vehicle or trailer has properly displayed a valid license plate or plates or temporary permit issued to the lawful owner of the vehicle by the state's Department of Revenue, except that any person who is a non-resident of the state may operate or park any motor vehicle or trailer upon any street or highway of this city; provided the motor vehicle or trailer has been duly registered for the current year in the state, country, or other place of which the owner is a resident; provided that at all times such motor vehicle or trailer is being operated or parked upon the streets or highways of this city, the valid license plate or plates or temporary permit is properly displayed on such vehicle or trailer.

(Prior Code, § 390.050) Penalty, see § 71.999

§ 71.025 METHOD OF DISPLAYING LICENSE PLATES.

No motor vehicle or trailer shall be operated on any highway of this city unless it shall have displayed thereon the license plate or set of license plates issued by the Director of Revenue and authorized by RSMo. § 301.140. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors, or truck-tractors licensed in excess of 12,000 pounds on the front and rear of such vehicles not less than eight nor more than 48 inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motor tricycles, and motor scooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors, or truck-tractors licensed in excess of 12,000 pounds shall be displayed on the front of such vehicles not less than eight nor more than 48 inches above the ground, with the letters and numbers thereon right side up, or if two plates are issued for the vehicle pursuant to RSMo. § 301.130(5), displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by RSMo. § 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

(Prior Code, § 390.060) Penalty, see § 71.999

§ 71.026 UNAUTHORIZED PLATES, TAGS, STICKERS, AND SIGNS.

No person shall operate a motor vehicle or trailer on which there is displayed on the front or rear thereof any other plate, tag, or placard bearing any number except the plate furnished by the Director of Revenue or the placard herein authorized, and the official license tag of any municipality of this state, nor shall there be displayed on any motor vehicle or trailer a placard, sign, or tag bearing the words "license lost", "license applied for", or words of similar import, as a substitute for such number plates or such placard.

(Prior Code, § 390.070) Penalty, see § 71.999

§ 71.027 LICENSE PLATES ON VEHICLES DISPLAYED FOR SALE.

No person shall show, exhibit, display, or have in possession for the purpose of sale any motor vehicle bearing or displaying thereon any number or license plates, except those of the dealer or owner so displaying said motor vehicle; provided however, that where the motor vehicle is placed on consignment with a dealer by the owner thereof, there may be displayed a number or license plate issued to the owner thereof.

(Prior Code, § 390.080) Penalty, see § 71.999

§ 71.028 CERTIFICATE OF OWNERSHIP REQUIRED FOR REGISTERED VEHICLE.

It shall be unlawful for any person to operate in this city a motor vehicle or trailer required to be registered as provided by law, unless a certificate of ownership has been issued.

(Prior Code, § 390.090) Penalty, see § 71.999

§ 71.029 TRANSFER OF CERTIFICATE OF OWNERSHIP UPON SALE OF VEHICLE.

It shall be unlawful for any person to buy or sell in this city any motor vehicle or trailer registered under the laws of this state unless at the time of delivery thereof there shall pass between the parties a certificate of ownership with an assignment thereof as provided in RSMo. § 301.210, as amended, and the sale of any motor vehicle or trailer registered under the laws of this state, without the assignment of such certificate of ownership, shall be fraudulent and void.

(Prior Code, § 390.100) Penalty, see § 71.999

§ 71.030 REMOVAL OF PLATES ON TRANSFER OF VEHICLE; USE BY PURCHASER.

Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach

the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than 30 days. As used in this section, the term **TRADE-IN MOTOR VEHICLE OR TRAILER** shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

(Prior Code, § 390.110) Penalty, see § 71.999

§ 71.031 SALE BY DEALER.

Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of 30 days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by RSMo. § 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of \$10.50, to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within 30 days.

(Ord. 302, passed 7-6-2000)

§ 71.032 FALSE INFORMATION BY DEALER.

No dealer shall advise any purchaser of a motor vehicle or trailer that such purchaser may drive such a motor vehicle or trailer without compliance with the foregoing license requirements.

(Prior Code, § 390.130) Penalty, see § 71.999

INSURANCE

§ 71.045 FINANCIAL RESPONSIBILITY REQUIRED.

(A) No owner of a motor vehicle registered in this state or required to be registered in this state shall operate the vehicle, or authorize any other person to operate the vehicle register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, upon the streets or the alleys of this city, unless the owner maintains the financial responsibility as required in this section which conforms to the requirements of the laws of this state. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle.

(B) For purposes of this section, the term **FINANCIAL RESPONSIBILITY** shall mean the ability to respond in damages for liability on account of accidents occurring after the effective date of proof of said financial responsibility, arising out of the ownership, maintenance, or use of a motor vehicle, in the

amount of \$25,000 because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of \$50,000 because of bodily injury to or death of two or more persons in any one accident, and in the amount of \$10,000 because of injury to or destruction of property of others in any one accident.

(C) Proof of financial responsibility may be shown by any of the following:

(1) An insurance identification card issued by a motor vehicle insurer or by the state's Director of Revenue for self-insurance. A motor vehicle liability insurance policy, a motor vehicle liability insurance binder, or receipt which contains the name and address of the insurer, the name and address of the named insured, the policy number, the effective dates of the policy and a description by year and make of the vehicle, or at least five digits of the vehicle identification number or the word "Fleet" if the insurance policy covers five or more motor vehicles shall be satisfactory evidence of insurance in lieu of an insurance identification card;

(2) A certificate of the State Treasurer of a cash or security deposit according to RSMo. § 303.240; or

(3) A surety bond according to RSMo. § 303.230.

(D) Proof of financial responsibility shall be carried at all times in the insured motor vehicle or by the operator of the motor vehicle if the proof of financial responsibility is effective as to the operator rather than to the vehicle. The operator of an insured motor vehicle shall exhibit the insurance identification card on the demand of any peace officer, commercial vehicle enforcement officer, or commercial vehicle inspector who lawfully stops such operator or investigates an accident while that officer or inspector is engaged in the performance of the officer's or inspector's duties.

(Ord. 303, passed 8-1-2000) Penalty, see § 71.999

§ 71.046 CONVICTION FOR FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY OR COURT-ORDERED SUPERVISION, COURT TO FORWARD TO REVENUE, FAILURE TO APPEAR IN COURT; PROCEDURE.

(A) Whenever a court convicts a person of a violation of RSMo. § 303.025, or enters an order of court-ordered supervision, the Clerk of the court shall within ten days forward a report of the conviction or order of supervision to the Director of Revenue in a form prescribed by the Department of Revenue. In any case where the person charged with the violation fails to appear in court, the procedures provided in RSMo. § 302.341 shall apply. For the purposes of this section, the term **COURT-ORDERED SUPERVISION** is used to indicate where a court of record may, upon a plea or finding of guilt, defer further proceedings of a sentence, and enter an order for supervision of the defendant, if the defendant is charged with a violation in which case no points shall be assessed.

(B) The Department of Revenue shall keep records of such reports; however, reports of court-ordered supervision shall not be released to any outside source, except the affected operator and those

entities provided for in RSMo. § 32.091(4), and shall be used only to inform the director and the courts that such operator has previously been assigned court supervision.
(Ord. 303, passed 8-1-2000)

§ 71.047 DISPLAY OF FALSE EVIDENCE OF INSURANCE, PENALTY, CONFISCATION OF FALSE EVIDENCE, MISDEMEANOR.

No person shall display evidence of insurance to a law enforcement officer knowing there is no valid liability insurance in effect on the motor vehicle as required pursuant to this subchapter, or knowing the evidence of insurance is illegally altered, counterfeit, or otherwise invalid as evidence of insurance. If the law enforcement officer issues a citation to a motor vehicle operator for displaying invalid evidence of insurance, the officer shall confiscate the evidence for presentation in court.
(Ord. 303, passed 8-1-2000) Penalty, see § 71.999

§ 71.048 ALTERATION, PRODUCTION, OR SALE OF INVALID INSURANCE CARD, MISDEMEANOR.

No person shall alter an invalid insurance card to make it appear valid. No person knowingly shall make, sell, or otherwise make available an invalid or counterfeit insurance card.
(Ord. 303, passed 8-1-2000) Penalty, see § 71.999

PEDESTRIANS' RIGHTS AND DUTIES

§ 71.060 PEDESTRIANS SUBJECT TO TRAFFIC CONTROL DEVICES.

Pedestrians shall be subject to traffic control signals as heretofore declared in §§ 73.01 to 73.11, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter.
(Prior Code, § 345.010)

§ 71.061 PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALKS.

(A) When traffic control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(C) Division (A) above shall not apply under the conditions stated in § 71.064(B).

(D) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(Prior Code, § 345.020) Penalty, see § 71.999

§ 71.062 PEDESTRIANS TO USE RIGHT-HALF OF CROSSWALKS.

Pedestrians shall move, whenever practicable, upon the right-half of crosswalks.

(Prior Code, § 345.030)

§ 71.063 CROSSING AT RIGHT ANGLES.

No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

(Prior Code, § 345.040) Penalty, see § 71.999

§ 71.064 WHEN PEDESTRIAN SHALL YIELD.

(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) The foregoing rules in this section have no application under the conditions stated in § 71.065 when pedestrians are prohibited from crossing at certain designated places.

(Prior Code, § 345.050)

§ 71.065 PROHIBITED CROSSING.

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

(B) No pedestrian shall cross a roadway other than in a crosswalk in any business district.

(C) No pedestrian shall cross a roadway other than in a crosswalk upon any street designated by ordinance.

(D) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(Prior Code, § 345.060) Penalty, see § 71.999

§ 71.066 PEDESTRIANS WALKING ALONG ROADWAYS.

(A) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

(Prior Code, § 345.070) Penalty, see § 71.999

§ 71.067 DRIVERS TO EXERCISE HIGHEST DEGREE OF CARE.

Notwithstanding the foregoing provisions of this Title, every driver of a vehicle shall exercise the highest degree of care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

(Prior Code, § 345.080)

BICYCLES AND MOTORIZED BICYCLES

§ 71.080 BICYCLE AND MOTORIZED BICYCLE, DEFINED.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BICYCLE. Every vehicle propelled, solely by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices.

MOTORIZED BICYCLE. Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than 50 cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than

30 mph on level ground. A **MOTORIZED BICYCLE** shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.
(Prior Code, § 385.010)

§ 71.081 BRAKES REQUIRED.

Every bicycle and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within 25 feet from a speed of ten mph on dry, level, clean pavement.
(Prior Code, § 385.020)

§ 71.082 LIGHTS AND REFLECTORS, WHEN REQUIRED; STANDARDS TO BE MET.

Every bicycle and motorized bicycle when in use on a street or highway during the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with the following:

(A) A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at 500 feet;

(B) A rear-facing red reflector, at least two square inches in reflective surface area, or a rear-facing red lamp on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 600 feet;

(C) Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes, or lower leg visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at 200 feet; and

(D) Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at 300 feet. The provisions of this division (D) shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.
(Prior Code, § 385.030)

§ 71.083 RIGHTS AND DUTIES OF BICYCLE AND MOTORIZED BICYCLE RIDERS.

Every person riding a bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by

RSMo. Chapter 304 and this Title, except as to special regulations in this chapter, and except as to those provisions of RSMo. Chapter 304, and this Title, which by their nature can have no application.
(Prior Code, § 385.040)

§ 71.084 RIDING TO RIGHT, REQUIRED FOR BICYCLES AND MOTORIZED BICYCLES, MANDATORY USE OF BICYCLE PATH BY BICYCLES.

Every person operating a bicycle or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

(Prior Code, § 385.050)

§ 71.085 MOTORIZED BICYCLES; LICENSE REQUIRED.

(A) No person shall operate a motorized bicycle on any highways, streets, or roads in this city unless the person has a valid license to operate a motor vehicle.

(B) No motorized bicycle may be operated on any public thoroughfare located within this city which has been designated as part of the federal interstate highway system.

(Prior Code, § 385.070) Penalty, see § 71.999

§ 71.086 EQUIPMENT REQUIRED.

No person shall operate a motorized bicycle on any highways, streets, or roads in this city unless it is equipped in accordance with the minimum requirements for construction and equipment of MOPEDS, Regulation VESC-17, approved July, 1977, as promulgated by the Vehicle Equipment Safety Commission.

(Prior Code, § 385.080) Penalty, see § 71.999

GOLF CARTS AND MOTORIZED WHEEL CHAIRS

§ 71.100 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GOLF CARTS. A motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 mph.

MOTORIZED WHEELCHAIR. A motorized vehicle with three or four wheels that is not designed to be operated at a speed of more than 15 mph, its purpose to include, but is not limited to, the use for transportation of a single person that is unable to ambulate great distances without the assistance of such wheelchair.

STREET. The entire right-of-way in between the curb boundary lines and shoulder of public property, any part thereof is open to the use of public for purposes of pedestrian bicycle or vehicular travel, including parking.
(Ord. 392, passed 9-2-2009)

§ 71.101 OPERATION ON CITY STREETS.

(A) Golf carts shall be operated on the shoulder of the right-of-way or, in the absence of an improved shoulder, on the right-hand most portion of the right-of-way and in the same direction as traffic on the right-of-way lane or side then being traveled upon.

(B) Motorized wheelchairs shall be operated on any sidewalk, path, or walkway designed by use for pedestrians or, in the absence of a sidewalk, may, be operated on the shoulder of the right-of-way or in the absence of an improved shoulder on the right hand most portion of the right-of-way and in the same direction as traffic on the right-of-way lane or side being traveled upon.

(C) Every physical disabled person operating a motorized wheelchair shall have all the rights and duties applicable to pedestrians that are contained in the city code except those provisions which by their nature have no application.

(D) Every non-physically disabled person operating a golf cart upon city roadways shall adhere to all rules of the road application to motorized vehicles set forth in the city code and state law except those provisions which by their nature have no application.

(E) A golf cart may be operated on a street by persons who are at least 16 years of age and possess a valid driver's license.

(F) Golf carts shall not be operated on a street in a negligent manner. For the purposes of this section, **TO OPERATE IN A NEGLIGENT MANNER** is defined as the operation of a golf cart in such a manner as to endanger any person or property, or to obstruct, hinder, or impede the lawful course of travel of any other vehicle or the lawful use by the pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.

(G) Neither golf carts nor motorized wheelchairs shall be operated by a person under the influence of alcohol or any controlled substance not prescribed by a physician.

(H) A golf cart or motorized vehicle shall not be operated at any time on a state or federal highway except for the purpose of operating upon such highway in order to cross a portion of the state highway system or federal highway system which intersects a municipal street.

(I) No golf cart or motorized wheelchair shall cross any state or federal highway at an intersection where the highway being crossed has a posted speed of more than 45 mph.

(J) Golf carts operated on city streets shall be equipped with adequate brakes and shall meet any other safety requirements imposed by this subchapter.

(K) Golf carts are not subject to the registration provisions of RSMo. Chapter 301.

(L) Golf carts and motorized wheelchairs shall not be operated on a street during one-half hour after sunset to one half hour before sunrise unless the golf cart or motorized wheelchair has a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of the vehicle. A lamp emitting a red light visible on the rear may be used in addition to the red reflector. A light emitting flashing taillight visible from the rear may also be used in addition to the red rear reflector.

(M) Owners of golf carts who wish to operate their golf cart upon city streets under the terms of this subchapter must register said vehicle yearly through the Chief of Police at the cost of \$15 per year. The Chief of Police will inspect the golf cart to assure it is in compliance with this subchapter.

(N) Any operator of a golf cart on the city streets of the city must be able to produce the annual permit upon request of the Chief of Police.

(O) Any golf cart operated on a city street of the city is subject to being stopped by the Chief of Police to verify its legal operation on city streets.
(Ord. 392, passed 9-2-2009)

§ 71.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person who violates any provisions of § 71.045 shall be guilty of an ordinance violation and shall, upon conviction thereof, be punished by a fine of not less than \$10 nor more than \$300 for each and every violation.

(C) Any person convicted of violating § 71.047 is guilty of a misdemeanor.

(D) Any person who violates § 71.048 is guilty of a misdemeanor.

(E) Any person 17 years of age or older who violates any provision of §§ 71.080 to 71.086 is guilty of an infraction and, upon conviction thereof, shall be punished by a fine of not less than \$5 nor more than \$25. If any person under 17 years of age violates any provision of this chapter, in the presence of a peace officer possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, said officer may impound the bicycle or motorized bicycle involved for a period not to exceed five days upon issuance of a receipt to the child riding it or to its owner.

(F) It shall be unlawful to operate a motorized wheelchair or golf cart in violation of §§ 71.100 and 71.101. Operation of a golf cart by a person who is 16 years of age or younger who is not a licensed driver shall result in an ordinance violation being issued to the owner of the golf cart in addition to the underage operator being referred to the County Juvenile Court.

(Prior Code, § 385.060)

(Ord. 303, passed 8-1-2000; Ord. 392, passed 9-2-2009)