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4 ORDINANCE NO. 18733

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6 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City  
7 of Topeka Code § 142-152 to amend and delete certain provisions of  
8 the current edition of the Standard Traffic Ordinance for Kansas  
9 Cities, and specifically repealing said original section.

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11 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

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13 Section 1. That City of Topeka Code § 142-152, Amendments, is hereby  
14 amended to read as follows:

15 **Amendments.**

16 The current edition of the Standard Traffic Ordinance for Kansas Cities as adopted  
17 by reference, shall be amended as follows:

18 (a) Section 1 of the standard traffic ordinance, relating to definitions, is hereby  
19 amended as follows:

20 Other competent evidence includes: (1) Alcohol concentration tests obtained from  
21 samples taken two hours or more after the operation or attempted operation of a vehicle;  
22 and (2) readings obtained from a partial alcohol concentration test on a breath testing  
23 ~~machine~~ instrument.

24 All other definitions not modified, deleted or changed shall remain in effect.

25 (b) Section 13 of the standard traffic ordinance, relating to traffic control signal  
26 legend, is hereby declared to be and is omitted and deleted.

27 (c) Section 33 of the standard traffic ordinance, relating to maximum speed limits,  
28 is hereby declared to be and is omitted and deleted.

29 (d) Section 37 of the standard traffic ordinance, relating to racing on highways;  
30 exhibition of speed, is amended to read as follows:

31 (1) No person shall drive any vehicle on any road, street, alley, public or  
32 private parking lot or highway in the city in any race, speed  
33 competition or contest, drag race or acceleration contest, test of  
34 physical endurance, ~~exhibition of speed or acceleration~~, or for the  
35 purpose of making a speed record, and no person shall in any manner  
36 participate in any such race, competition, contest, or test or exhibition.  
37 For purposes of this section, "speed competition or contest" means  
38 the operation of one or more motor vehicles to conduct a race or a  
39 time trial, including but not limited to, rapid acceleration, exceeding  
40 reasonable and prudent speeds for highways and existing traffic  
41 conditions, vying for position, or performing one or more lane changes  
42 in an attempt to gain advantage over one or more of the other racing  
43 participants.

44 (2) No person shall knowingly engage in a speed exhibition on a highway.  
45 For purposes of this section, "speed exhibition" means the operation  
46 of a motor vehicle to present a display of speed or power. "Speed  
47 exhibition" includes, but is not limited to, squealing the tires of a motor  
48 vehicle while it is stationary or in motion, rapid acceleration, rapid  
49 swerving or weaving in and out of traffic, producing smoke from tire

50 slippage, or leaving visible tire acceleration marks on the surface of  
51 the highway or ground.

52 (e) Section 50 of the standard traffic ordinance relating to right, left and U-turns at  
53 intersection: obedience to, is hereby declared to be and is omitted and deleted.

54 (f) Section 67 of the standard traffic ordinance, relating to pedestrians to use  
55 right half of crosswalks, is hereby declared to be and is omitted and deleted.

56 (g) Section 104 of the standard traffic ordinance, relating to inattentive driving, is  
57 hereby declared to be and is omitted and deleted.

58 (h) Section 119 of the standard traffic ordinance, relating to parades and  
59 processions, is hereby declared to be and is omitted and deleted.

60 (i) Section 194 of the standard traffic ordinance, relating to driving while license  
61 canceled, suspended or revoked, is hereby declared to be and is omitted and deleted.

62 (j) Section 195.1 of the standard traffic ordinance, relating to operation of a  
63 motor vehicle when a habitual violator is hereby declared to be and is omitted and deleted.

64 (k) Section 198 of the standard traffic ordinance, relating to vehicle license; illegal  
65 tag, is hereby declared to be and is omitted and deleted.

66 Section 2. That original City of Topeka Code § 142-152 is hereby specifically  
67 repealed.

68 Section 3. This ordinance shall take effect and be in force from and after its  
69 passage, approval and publication in the official city newspaper.

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71 PASSED and APPROVED by the City Council October 17, 2006.

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William W. Bunten, Mayor

76 ATTEST:

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Iris E. Walker, City Clerk