

ORDINANCE NO. 060618

Amending Chapter 70, Code of Ordinances, by repealing Section 70-270, Financial responsibility required; proof of financial responsibility, and enacting in lieu thereof a new section of like number and subject matter.

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 Section 70-270, Financial responsibility required; proof of financial responsibility, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

**Sec. 70-270. Financial responsibility required; proof of financial responsibility.**

(a) No person shall operate a motor vehicle registered in this state, required to be registered in this state, registered in another state, or required to be registered in another state, whether owned by such operator or by another, upon the streets, alleys or highways of this city, unless such operator, or the owner of the vehicle, maintains financial responsibility which covers the operation of that vehicle by such operator.

(b) No person shall operate a motor vehicle registered in this state, required to be registered in this state, registered in another state, or required to be registered in another state, whether owned by such operator or by another, upon the streets, alleys or highways of this city, unless such operator exhibits proof of financial responsibility upon demand of a police officer, which proof covers the operation of that vehicle by such operator.

(c) For purposes of this section, the term "financial responsibility" means the ability to respond in damages for liability occurring after the effective date of proof of such financial responsibility, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of \$25,000.00 because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, in the amount of \$50,000.00 because of bodily injury to or death of two or more persons in any one accident, and in the amount of \$10,000.00 because of injury to or destruction of property of others in any one accident.

(d) 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 director of revenue of the state for self-insurance, as provided by R.S.Mo 303.024. A motor vehicle 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

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vehicles, shall be satisfactory evidence of insurance in lieu of an insurance identification card.

- (2) A certificate of the state treasurer of a cash deposit as provided by R.S.Mo 303.240.
- (3) A surety bond filed with the director of revenue of the state as provided by R.S.Mo 303.230.

(e) 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 the motor vehicle shall exhibit the proof of financial responsibility on the demand of any police officer who lawfully stops such operator while that officer is engaged in the performance of the duties of his office.

(f) Failure of any person who operates a motor vehicle on the streets, alleys or highways of this city to exhibit proof of financial responsibility on the demand of any police officer who lawfully stops such person shall be prima facie evidence that such person, or that the owner of the vehicle, does not maintain financial responsibility as required by this section. It shall be an absolute affirmative defense to a violation charged under subsection (a) of this section that the operator of a motor vehicle, or the owner of the vehicle, did maintain financial responsibility which covered operation of the vehicle by such operator on the date of the violation. It shall be a mitigating circumstance to a violation charged under subsection (a) of this section that the operator, subsequent to the date of the offense and prior to a trial or guilty plea, obtained and maintained financial responsibility which covers operation of motor vehicles by such operator.

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Approved as to form and legality:

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Beth Murano  
Assistant City Attorney