

COMMITTEE SUBSTITUTE FOR DINANCE NO. 060118

Enacting a new section 70-402, Code of Ordinances, entitled “Approaching stationary emergency vehicles” to require motorists on certain streets to change lanes when passing by a stationary emergency vehicle or if a lane change is not possible to reduce speed as passing the emergency vehicle and to establish a minimum \$100.00 fine.

WHEREAS, Section 302.022.2, Revised Statutes of Missouri, regulates the behavior of motorists when passing stationary emergency vehicles; and

WHEREAS, to enable more efficient enforcement of this safe driving practice enactment of a municipal ordinance is required; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances – “Traffic and Vehicles” is amended by enacting a new section 70-402 entitled “Approaching stationary emergency vehicles” to read as follows:

Sec. 70-402. Approaching stationary emergency vehicles.

(a) *Duty to approach emergency vehicles with caution.* Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, the driver of every motor vehicle shall:

- (1) *Lane change.* Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or
- (2) *Reduce speed.* Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

(b) *Penalty.* Upon conviction, a person shall be punished by a fine of not less than \$100.00 and not more than \$500.00, or by imprisonment in the municipal correctional institution for a term not to exceed 180 days, or by both such fine and imprisonment.

Approved as to form and legality:

William Geary
Assistant City Attorney