

Citizens complain about cops stopping scooters

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he has been researching the question at the request of City Manager Ron Pickman.

"In a nutshell, they have to be street legal," Warren said. "They have to be registered to be on the street."

"The man who sold me one said that did not have to be registered or be street legal," said Mary Harkins.

Warren said the state has a different rule for those.

Mary Humrich said she bought one because she is disabled, and it allowed her to get around town.

She was told that she could prob-

ably ride hers if it is considered an electric wheelchair.

"I don't think it is fair," Humrich said. "I don't want to ride if all the other people can't."

Shelly Gausman asked why it was taking so long for the city to do something since the attorney general had issued an opinion in August 2001 that the scooters were not legal on state roads and highways.

Mayor Rick Billinger said it was because the city had received several complaints about young kids riding the scooters in the past few weeks.

A young girl who has a scooter said she did not feel the city was

being fair.

"They don't go very fast," she said. "What about the bikes and skateboards?"

Gary McClung said he did not see the city police enforcing the ordinance about bikes and skateboard not riding on the sidewalk on Main.

"Why didn't we bring this up three years ago?" Cooper asked.

Pickman said the city had been receiving complaints and that last Wednesday the police chief, county sheriff, and a state trooper met with the county attorney to discuss the situation and decide what to do.

The group agreed to enforce the state law, but that they would not

give anyone a ticket on the first stop, just a warning.

One parent in the audience complained about how the police were telling the kids not to be riding on the streets, claiming that some kids were taken to the police station.

Pickman said the policy is to take the kids home and notify their parents.

"Is there any way we can ignore the state law?" one parent asked.

"We can't do that," Pickman said.

"Can there be a happy medium?" Curt Humrich asked. "Can the city pass an ordinance to allow these to be ridden?" "I don't feel it is fair to penalize everybody."

Some gas scooters may be legal if registered

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said. "I talked to Ray Wills , who said that with the certificate of origin, they can be legally registered."

However, Duell agrees that the electric scooters do not have the certificate of origin, and those are not considered legal to operate on city streets or highways.

The warnings in the operation manual that comes with the electric scooters says "This product does not conform to Motor Vehicle Safety Standards and is not intended for operation on public streets, roads or highways.

"This product should NOT be used by minors without adult supervision. Intended for riders 14 and up."

City Police Chief Ray Smee said law enforcement agencies had been receiving complaints and decided to meet with the county attorney last week to decide what to do.

"We looked at the state law, and

decided it must be enforced as it is written," Smee said. "We have told our officers that when they stop a scooter, they are to explain that unless it is registered, it is not legal to be on the streets.

"Some of the scooters have the warning, 'Not for use on roads and highways' on the tires."

Monday night, someone asked Warren if the city could do a safety program and pass an ordinance allowing those over 10 who had passed the course to ride a scooter on city streets.

After meeting with City Manager Ron Pickman and Smee on Tuesday afternoon, he said the city could do that, but that if a sheriff's deputy or a state trooper stopped someone, they could get a ticket which would be filed in district court.

"The city cannot pass a law that is more lenient than the state's," Warren said. "The city can be more restrictive than the state, but I don't see a way to allow the scooters on

our streets."

At the meeting Monday, Warren and Pickman told the audience the way to change the law was to talk to their state representatives and senators and get the Legislature to amend it.

Pickman said there was supposed to be a law passed this year on scooters, but somehow it got lost in the school finance issue and other problems the Legislature was dealing with.

Research of the state web site revealed there was a bill, but to make the ban more inclusive. It would have made motorized skateboards (and scooters) "illegal to operate on any street, road or highway in the state" was passed out of the House on Feb. 23 with a vote of 106 Yeas, 17 Nays. It was sent to the Senate and referred to the Transportation Committee, where a hearing was scheduled for March 16. It died there.

Those testifying in favor of the

bill before the House Committee on Transportation included Lt. John Eichkorn or the Kansas Highway Patrol. No one testified against it.



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