

AN ORDINANCE repealing section 39-9 of the Joplin City Code and enacting in lieu thereof a new section 39-9 Unlawful riding in and operation of vehicles, regulating the riding of passengers in automobiles and trucks.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI as follows:

Section 1. That Section 39-9 Unlawful riding in and operating of vehicles be repealed and a new section 39-9 Unlawful riding in and operation of vehicles., be enacted in lieu thereof as follows:

- a. "Section 39-9 Unlawful riding in and operation of vehicles.
 - (a) No person shall ride in or operate any motor vehicle, unless all portions of such person's body are entirely within that portion of the vehicle designed for the carrying of passengers or merchandise, or as otherwise permitted by this chapter; provided, however, that this section does not apply to any person whose employment makes it necessary to ride otherwise.
 - (b) No person shall operate any truck as defined in section 301.010 RSMo, with a licensed gross weight of less than twelve thousand pounds on any highway, street, road or alley within the corporate limits of the city when any person under eighteen years of age is riding in the unenclosed bed of such truck. No person under eighteen years of age shall ride in the unenclosed bed of such truck when the truck is in operation. Any person violating this section shall be punished upon conviction thereof as provided by section 1-5 of the Joplin City Code. Except that the provisions of this subsection shall not apply to:
 - (1) An employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck;
 - (2) Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck;
 - (3) Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan, or exhibition which is authorized by law;
 - (4) Any person riding in the unenclosed bed of a truck if such truck has

installed a means of preventing such person from being discharged or such person is secured to the truck in a manner which will prevent the person from being thrown, falling or jumping from the truck;

- (5) Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of participating in a special event and it is necessary that the person ride in such unenclosed bed due to a lack of available seating. "Special event", for the purposes of this section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed;
- (6) Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purpose of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity; or
- (7) Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in such truck. For the purposes of this subdivision the term 'family' shall mean any persons related within the first degree of consanguinity."

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 18th
day of August, 1997.



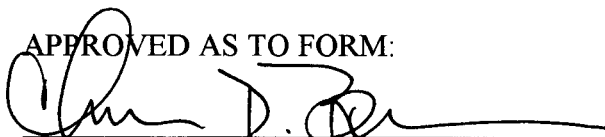
MAYOR

ATTEST:


Acting CITY CLERK

EFFECTIVE 20 DAYS FROM DATE

APPROVED AS TO FORM:


CITY ATTORNEY