

Proposed UTV Ordinance:

_____ Utility Task Vehicle (UTV) Ordinance

Section __:01 : PURPOSE. Because the operation of Utility Task Vehicles (UTVs) in an uncontrolled manner endangers the public peace, health and safety of the City's inhabitants, the City adopts the following rules to regulate the operation and use of UTVs and provide penalties for the improper use of UTVs to greatly decrease the danger and to provide greater protection to the public peace, health and safety of the inhabitants of the City while UTVs are operated and used in the City.

Section __:02: DEFINITIONS. The following terms shall have the meaning ascribed to them.

Subd. 1: Utility Task Vehicle (UTV). A motorized side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds as defined by Minnesota Statute 169.045 Subd. 1 (3) or successor statute.

Subd. 2: All Terrain Vehicle (ATV). A motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 50 inches or less as defined by Minnesota Statute 84.92 Subd. 9 or successor statute.

Subd. 3: Owner. A person, other than a lienholder, having the title to a UTV, ATV, snowmobile or Recreational Vehicle and entitled to the use or possession of the vehicle.

Subd. 4: Operate. To ride in or on and control the operation of a UTV, ATV, snowmobile or Recreational Vehicle.

Subd. 4: Operator. Every person who operates or is in actual physical control of a UTV, ATV, snowmobile or Recreational Vehicle.

Subd. 5: Person. Includes an individual, partnership, corporation, the state, and its agencies and subdivision and anybody of persons, whether incorporated or not.

Subd. 6: Public Property. Any real property owned by the City including all city parks and recreation areas.

Subd. 7: Recreational Vehicle. Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes, including but not

limited to snowmobile, trail bike or other all-terrain vehicle, hovercraft , or motor vehicle licensed for highway operation that is being used for off-road recreational purposes.

Section ____:03: OPERATION. No Person shall operate a snowmobile, ATV, or other recreational vehicle within the City limits, except that a person may operate a snowmobile or other recreational vehicle upon the ditch bottom or outside of trunk, county state aid and county highway where such highways are so configured within the corporate limits. UTVs may be operated as follows:

Subd. 1: Public Roads. UTVs shall not operate on the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except the most right-hand lane, (except in passing) which is used for vehicle traffic in the same direction, other than on freeways, interstate, trunk, county state aid, or county highways.

Subd. 2: Operations Hours. UTVs may only be operated between the hours of 7am – 10pm. This time restriction co-insides with the City's regular noise ordinance.

Subd. 3: Residential Areas. UTVs may not be operated in residential area unless going to and from a residence or a gas station.

Subd 4: Restricted Roads. UTVs are not allowed to operate on Dewey St, 4th Ave, and State or County Highways, except to cross such roads.

Subd. 5: Sidewalks and Boulevards. UTVs are prohibited on sidewalks and boulevards.

Subd. 6: Private Property. UTVs are prohibited on private property without specific permission of the owner or person in control of the property.

Subd. 7: Public Property. UTVs are prohibited from operating on public property other than permitted roads and parking areas. This prohibition includes parks and recreational areas.

Subd. 8: Alcohol and Drugs. No person shall operate a UTV, ATV, snowmobile or Recreational Vehicle within the City limits while under the influence of alcohol or drugs, as defined by Minnesota Statute 169A.20 or successor statute.

Subd. 9: Speed. No person shall operate a UTV at a rate of speed greater than reasonable and proper under all surrounding circumstances. No person shall operate a UTV on public roadways at speeds greater than thirty (30) miles per hour.

Subd. 10: Recklessness. No person shall operate a UTV at any place in a careless, reckless or negligent manner or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger or be likely to endanger or cause injury or damage to any person or property.

Subd. 11: Towing. No person shall operate a UTV so as to tow any person or thing in a public street or highway.

Section ____.04: EQUIPMENT. No Person shall operate a UTV within the City unless it is equipped with the appropriate equipment required by this ordinance and state law.

Subd. 1: Lighting. All UTVs must be equipped with functioning turn signals, rear-facing brake lights, taillights, and headlights. UTVs must have the headlights and taillights on at all times.

Subd. 2: Belt Restraints. Lap and shoulder belts must worn at all times by all operators and passengers in a UTV.

Subd. 3: Helmets. Helmets must be worn at all times by all operators and passengers in a UTV.

Subd. 4: Insurance. Every UTV must have current insurance that includes coverage for operation on public roads. A valid and current insurance card must be in the UTV at all times.

Subd. 6: City's Registration Sticker. Every UTV must display a valid City Registration Sticker.

Subd. 7: License Requirement: Refer to MN State Statute.

Section ____.5: CROSSING STREETS OR HIGHWAYS. A UTV may make a direct crossing of a street or highway provided:

Subd. 1: The crossing is made at an angle of approximately ninety (90) degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.

Subd. 2: The vehicle is brought to a complete stop before crossing the shoulder or main traveled way.

Subd. 3: The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

Subd. 4: In crossing a divided street or highway, the crossing is made only at an intersection of such street or highway with another public street or highway.

Section __:6: EMERGENCIES. Notwithstanding any prohibitions in this Ordinance, a UTV may be operated on a public thoroughfare in an emergency during the period of time when, and at locations where; snow upon the roadway renders travel by automobile impractical.

Section __:7: ANIMALS. No person shall intentionally drive, chase, harass, run-over or kill any animal with a UTV.

Section __:8: TRAFFIC LAWS. City Traffic Ordinances, including but not limited to Ordinance 50, shall apply to the operation of UTVs upon streets and highways, except for those relating to required equipment and except those which by their nature have no application.

Section __:9: OPERATION BY MINORS.

Subd. 1: No person under the age of sixteen (16) shall operate a UTV in the City.

Subd. 2: No owner of a UTV shall permit the vehicle to be operated contrary to the provisions of this Ordinance or state law.

Section __:10: Penalty: Any person convicted of violation any provision of this ordinance is guilty of a petty misdemeanor and subject to penalty.

Section __:11: ADOPTION OF MINNESOTA STATUTES. Minn. Stat. §84.81 to 84:929 and the following sections of Minnesota Statutes Chapter 169 are adopted by reference and shall be applicable to UTVs.