

Bill # 7-01-06

Ord 166

ALL TERRAIN VEHICLES

City Of Lancaster

AN ORDINANCE OF THE CITY OF LANCASTER, MISSOURI, ALLOWING THE OPERATION OF UNLICENSED "ALL TERRAIN VEHICLES" AND GOLF CARTS UPON THE STREETS AND ALLIES OF THE CITY OF LANCASTER WITH THE EXCEPTION OF HIGHWAY 136 .

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LANCASTER, MISSOURI, AS FOLLOWS, TO-WIT:

Definitions as used in this ordinance. ATV, ATC, four-wheeler and all terrain vehicle shall mean any motorized vehicle manufactured exclusively for off-highway use that is 50 inches or less in width, with an unladen dry weight of 600 pounds or less, traveling on three, four or more low-pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control. However, nothing in this ordinance shall provide for the use of these vehicles on highway 136.

Golf cart-any vehicle specifically designed to be driven on grass golf courses and titled as a golf cart.

Ordinance applicability. Except as otherwise provided herein, all ordinances of the city relating to the use and operation of motor vehicles are hereby made applicable to ATVs and golf carts; provided, however, that those ordinances related to licensing shall not apply to ATVs, unless and until the state preempts said regulation.

Violation; penalties. The violation of any of the provisions of this article shall be punishable as a misdemeanor with a fine not less than \$50.00 and not to exceed \$500.00.

EQUIPMENT

ATV equipment regulations. No person shall operate an all terrain vehicle upon the streets and alleys of the city, unless said vehicle is equipped with headlights, taillights, brake lights, horns and other safety equipment of the same size, quantity or quality as is required by the laws and regulations of the state and its administrative agencies for two-wheeled motorcycles. No ATV shall be equipped with any muffler or pipes designed to make the ATV louder than any original factory equipment.

License and flag required. A person operating an all terrain vehicle or golf cart on a street or highway pursuant to an exception covered in this ordinance shall have a valid operator's or chauffeur's license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than 30 miles per hour. When operated on a street or highway, an all terrain vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle.

The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow in color.

ATV/GOLF CART OPERATION

License required. No person shall operate an all terrain vehicle upon the streets and alleys of the city, unless the operator thereof has a valid operator's, chauffeur's or motorcycle operator's license issued by the State of Missouri or other state.

Permit required. All terrain vehicles or golf cart operators shall carry a special permit issued by this city. The city clerk shall prepare an application form for the special permit and charge a fee of \$10 for each permit.

Helmets required. No person shall operate or ride on an all terrain vehicle upon the streets and alleys of the city without wearing a motorcycle safety helmet of the same quality and specifications required for the operator or rider of a motorcycle by the State of Missouri or its administrative agencies.

Passengers. No person shall operate an all terrain vehicle or golf cart with a passenger or rider, unless said vehicle is designed for passengers.

Time of Operation. No person shall operate an all terrain vehicle or golf cart before sunrise or after sunset.

Insurance required. No person shall operate upon the city streets and alleys an all terrain vehicle, unless said person has liability insurance coverage in such amounts and under such terms that shall comply with the provisions of Sections 303.010 through 303.044, Revised Statutes of the State of Missouri, 1978, as amended, which said coverage, terms and requirements shall also cover and apply to said individual's operation of an all terrain vehicle.

Age limit. No person under the age of 16 shall operate an all terrain vehicle or golf cart upon the streets and alleys of the city.

Private property. No person shall operate an all terrain vehicle or golf cart on private property without the consent of the owner or lessor thereof. Any person operating an all terrain vehicle or golf cart upon lands of another shall stop and identify himself upon the request of the landowner or representative thereof and, if requested to do so, shall promptly remove the all terrain vehicle or golf cart from the premises.

Careless driving, under the influence, helmet required. No person shall operate an all terrain vehicle or golf cart:

1. In any careless way so as to endanger the person or property of another;
2. While under the influence of alcohol or any controlled substance; or
3. Without a securely fastened safety helmet on the head of an individual who operates an all terrain vehicle unless the individual is at least 18 years of age.

ATV/GOLF CART OWNERS

License required. No owner of an all terrain vehicle, or person having control of same, shall allow or permit said vehicle to be operated by any person, unless that person has a valid operator's, chauffeur's or motorcycle operator's license issued by the State of Missouri or some other state.

Insurance required. No owner or person having control of an all terrain vehicle shall allow or permit the use of said vehicle, unless said owner or person has liability insurance coverage in such amounts and under such terms that shall comply with the provisions of Sections 303.010 through 303.044, Revised Statutes of the State of Missouri, 1978, as amended, which said coverage, terms and requirements shall also cover and apply to said all terrain vehicle.

PASSED THIS 10th DAY OF ~~JUNE~~, 2006

July

Approved:

Linda Bruner

Linda Bruner, Mayor

Attest:

Lisa Small

Lisa Small, City Clerk