

**AGENDA ITEM**  
October 18, 2022

Subject: Recreational off highway vehicles and Utility Vehicles on city streets

Department: Administration

**Manager Notes:**

**A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI AMENDING  
CHAPTER 19 OF THE CODE, OF THE CITY OF NEVADA, MISSOURI.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:**

**SECTION 1.** CHAPTER 19 OF THE CODE OF THE CITY OF NEVADA, MISSOURI IS  
HEREBY AMENDED BY ADDING ARTICLE XV THERETO AS FOLLOWS:

**ARTICLE XV.- UTILITY VEHICLES, RECREATIONAL OFF HIGHWAY VEHICLES,  
GOLF CARTS**

**SEC. 19-203.- DEFINITIONS**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. Recreational off-highway vehicle (RoHV) means any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches but no more than 80 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of 3,500 pounds or less, traveling on four or more non highway tires and which may have access to ATV trails. RSMo 301.010(50).
- b. Utility vehicle (UTV) means any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches but no more than 80 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of 3,500 pounds or less, traveling on no less than four wheels, to be used primarily for landscaping, lawn care, or maintenance purposes. RSMo 301.010(71).

**SEC. 19-204.- UTILITY VEHICLES OR RECREATIONAL OFF-HIGHWAY VEHICLES**

- a. A person operating a utility vehicle or recreational off-highway vehicle on a city street or highway shall have a valid operator's or chauffeur's driver's license.
- b. The operator of a utility vehicle or recreational off-highway vehicle is required to obey all the same traffic laws as an operator of a motor vehicle and all other applicable municipal ordinances.
- c. No person shall operate a utility vehicle or recreational off-highway vehicle as defined in this article on any city street or highway:
  - 1. In excess of the posted speed limit.
  - 2. In any careless way so as to endanger the person or property of another.
  - 3. While under the influence of alcohol or any controlled substance.
  - 4. Without proof of financial responsibility in accordance with RSMo 303.160 or maintain any other insurance policy providing equivalent liability

coverage for a utility vehicle. If stopped, the operator of the vehicle will be required to show proof of insurance coverage.

5. No person shall operate a UTV on a street or highway unless they are at least eighteen (18) years of age
- d. Every utility vehicle or recreational off-highway vehicle operated on a city street or highway within the city shall have the following equipment:
1. A lighted headlamp and tail lamp which shall be in operation at any time from one-half hour after sunset to one-half hour before sunrise or as otherwise specified in RSMo 307.020 (definition of "when lighted lamps are required").
  2. A braking system maintained in good operating condition.
  3. An adequate muffler system in good working condition.
  4. A safety belt or harness for driver and occupant(s).
  5. A recreational off-highway vehicle (only) 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 with an area of not less than 30 square inches and shall be day-glow in color.

#### **SEC 19-205- UTILITY VEHICLE AND RECREATIONAL OFF HIGHWAY VEHICLE REGISTRATION**

- a. RoHV and UTV vehicles operating on public streets under the jurisdiction of the City of Nevada shall be inspected and registered with the Nevada Police Department.
- b. The Chief of Police, or their authorized designee, shall hereby be designated as the City Official with the authority to issue special use permits for RoHv and UTVs within the City and a fifteen (\$15.00) fee shall be collected by the official upon issuance of the permit. No permit shall be issued until the fee is paid. The permit shall be valid for one (1) year.
- c. Each application for registration shall include:
  - i. Basic identifying information for the vehicle (make, model, color and such other identifying information as the City of Nevada deems advisable);
  - ii. The name and address of the owner of the vehicle;
  - iii. A copy of proof of financial responsibility;
  - iv. A proof of registration issued by the City of Nevada in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City of Nevada. The proof of registration shall be kept in the vehicle at all times of operation on a public street, and the current registration sticker shall be conspicuously displayed on the exterior of the vehicle.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Nevada, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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GEORGE C. KNOX, MAYOR

(seal)

ATTEST:

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CYNTHIA DYE, INTERIM CITY CLERK

**BILL NO. 2022-079**

**ORDINANCE NO. \_\_\_\_\_**