

Exhibit A

DIVISION 7. - UTILITY VEHICLES, RECREATIONAL OFF-HIGHWAY VEHICLES, AND GOLF CARTS

Definitions

Utility vehicle means any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred 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)

Recreational off-highway vehicle means any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails. RSMo 301.010(50)

Golf cart means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour. RSMo 304.034(3)

Utility Vehicles or Recreational Off-Highway Vehicle

- (a) No person shall operate a utility vehicle or recreational off-highway vehicle upon the streets or highways of this city, except as follows:
- 1) Vehicles owned and operated by a governmental entity for official use.
 - 2) Vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting.
 - 3) Vehicles operated by handicapped persons for short distances occasionally only on the city's secondary roads when operated between the hours of sunrise and sunset.
 - 4) Governing bodies of cities may issue special permits for utility vehicles or recreational off-highway vehicles to be used on city streets or highways within the city limits by licensed drivers, **subject to an inspection**. The fee for the annual permit shall be fifteen dollars (\$15.00). The permit shall be affixed to the left rear fender of the vehicle.
- (b) 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 but shall not be required to have passed an examination for the operation of a motorcycle.
- (c) 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.

(d) 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 Section 303.160 RSMo 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) With a passenger or rider, unless said vehicle is designed for passengers or riders; provided however, that in no event shall the operator allow more passengers than the number of seats or passenger allowance is for the utility vehicle or recreational off-road vehicle. **All passengers under the age of 16 shall wear securely fastened safety helmets.**

(e) 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 Section 307.020 RSMo (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 and a United States Forest Service qualified spark arrester.
- 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 thirty square inches and shall be day-glow in color.

State law reference(s) – RSMo 304.032; 304.033

Golf Carts

(a) No person shall operate a golf cart upon the streets of this city, except as follows:

- 1) Golf carts owned and operated by a governmental entity for official use.
- 2) Golf carts whose operators carry a special permit issued by the City pursuant to this section and affixed to the left rear fender of the vehicle. The fee for the annual permit shall be fifteen dollars (\$15.00). **Golf carts are subject to an inspection prior to receiving a permit.**

(b) A golf cart shall not be operated at any time on any state or federal highway but may be operated upon such highway in order to cross a portion of the state highway system which intersects a municipal street. No golf cart shall cross any highway at an intersection where the highway being crossed has posted speed limit of more than forty-five miles per hour.

- (c) A person operating a golf cart on a city street shall have a valid operator's driver's license.
- (d) The operator of a golf cart is required to obey all the same traffic laws as an operator of a motor vehicle and all other applicable municipal ordinances.
- (e) No person shall operate a golf cart as defined in this Article on any city street:
 - 1) **That has a posted speed limit greater than thirty-five miles per hour.**
 - 2) In excess of the posted speed limit, but under no circumstance shall the golf cart be operated in excess of twenty miles per hour.
 - 3) In any careless way so as to endanger a person or property of another.
 - 4) While under the influence of alcohol or any controlled substance.
 - 5) Without proof of financial responsibility in accordance with Section 303.160 RSMo or maintain any other insurance policy providing equivalent liability coverage for a golf cart. If stopped, the operator of the golf cart will be required to show proof of insurance coverage.
 - 6) With a passenger or rider, unless the golf cart is designed for passengers or riders; provided however, that in no event shall the operator allow more passengers than the number of seats or passenger allowance is for the golf cart.
- (f) Every golf cart operated on a city street 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 Section 307.020 RSMo (definition of "When lighted lamps are required").
 - i. The headlamp shall be mounted at the same level on each side of the front of the vehicle and the tail lamp, red in color, shall be mounted at the same level on each of the rear of the vehicle.
 - 2) A braking system maintained in good operating condition.
 - 3) 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 thirty square inches and shall be day-glow in color.

State law reference – RSMo 304.034

Penalty

- (a) Any person who knowingly violates any provision of this Article is guilty of an ordinance violation and, upon conviction thereof, shall be punished by a fine. If any person knowingly violates any provision in the presence of a peace officer possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, said officer may impound the vehicle involved. Additionally, the court may require suspension of the special permit, prohibiting operation of the vehicle within the city limits.

Exhibit B

Sec. 13-465. Safety helmets required.

Every person under twenty-six years of age who is operating or riding as a passenger on any motorcycle, motorized bicycles, and motor scooters while on public roads, streets, highways, alleys, or surfaces open to public use by custom or habit as a roadway of this city shall be required to wear on their head firmly affixed helmets that meet the requirements of the National Safety Council, the state and the city.

(Code 1976, § 13-10; Ord. No. 67-281, § 5.74, 5-1-1967)

State law reference(s)—Similar requirements, RSMo 302.020.