

CHAPTER 75**ALL-TERRAIN VEHICLES, SNOWMOBILES AND OFF-ROAD UTILITY VEHICLES**

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75.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles, snowmobiles, and off-road utility vehicles within the city.

75.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "All-terrain vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, that is limited in engine displacement to less than one thousand (1000) cubic centimeters and in total dry weight to less than one thousand (1000) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control. Two-wheeled, off-road motorcycles as defined in Section 321I.1 of the Code of Iowa shall also be considered an all-terrain vehicle.
(Code of Iowa, Sec. 321I.1[1])
2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.
(Code of Iowa, Sect. 321G.1[18])
3. "Off-road utility vehicle" or "UTV" means a vehicle with not less than four and not more than eight non-highway tires or rubberized tracks that have a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control.

"Off-road utility vehicle" include the following vehicles:

- a. Type 1 is defined as an off-road utility vehicle with a total dry weight of one thousand two hundred pounds (1200) or less with a width of 50 inches or less.
- b. Type 2 is defined as an off-road utility vehicle, other than a Type 1 off-road utility vehicle, with a total dry weight of two thousand (2,000) pounds or less and width of 65 inches or less.
- c. Type 3 is defined as an off-road utility vehicle with a total dry weight of more than two thousand (2000) pounds or a width of more than 65 inches, or both.

(Code of Iowa, Sec. 321I.1[17])

75.03 GENERAL REGULATIONS. No person shall operate an ATV, snowmobile, or UTV within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment, and manner of operation.

75.04 PLACES OF OPERATION. The operators of ATVs, snowmobiles and UTVs shall comply with the following restrictions as to where ATVs and snowmobiles may be operated within the City:

1. Streets. ATVs and snowmobiles, shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

Code of Iowa, Sec. 321G.9[4a]

2. Properly equipped UTVs may be operated upon any city roadway with a speed limit of 35 miles per hour or less. Roadways are defined as the portion of a highway improved, designed, or ordinarily used for vehicular traffic. UTVs shall *ONLY* be driven on State two (2) lane highways over the most direct and accessible route to and from an all-terrain vehicle park or trail, to the nearest County (secondary) road, or an authorized city street or your residence.
3. Exceptions. ATVs, snowmobiles, and UTVs may be operated on prohibited streets only under the following circumstances.

- a. Emergencies. ATVs, snowmobiles, and UTVs may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4])

- b. Direct Crossing. ATVs, snowmobiles, and UTVs may make a direct crossing of a prohibited street provided:
 - i. The crossing is made at an angle of approximately ninety degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
 - ii. The ATV, snowmobile, or UTV is brought to a complete stop before crossing the street;
 - iii. The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and
 - iv. In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9{2})

4. Railroad Right-of-way. ATVs, snowmobiles, and UTVs shall not be operated on an operating railroad right-of-way. An ATV, snowmobile, or UTV may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13[8])

5. Trails. ATVs and UTVs shall not be operated on snowmobile trails and snowmobiles shall not be operated on ATV or UTV trails except where so designated.

(Code of Iowa, Sec. 321G.9[4f and g])

6. Parks and Other City Land. ATVs, snowmobiles and UTVs shall not be operated in any park, on any trail, on any playground, or upon any other City-owned property without the express

permission of the City, with exception of the city roadways permitted by Section 75.04 above. Additionally, UTVs being lawfully operated, may utilize city owned driveways, lanes, and parking lots. Snowmobiles shall not be operated on any City land without a snow cover of at least three (3) inches.

7. Sidewalk or Parking. ATVs, snowmobiles, and UTVs shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the “the parking” except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.
8. Public Ice. ATVs, snowmobiles, and UTVs may not be operated upon any frozen creeks, streams, ponds, or lakes within City limits. ATVs, snowmobiles and UTVs may not be operated in any creek, stream, or river or in any portion of the creek bed, stream bed, or riverbed within City limits.

75.05 REQUIREMENTS FOR UTVS. Operators of UTVs must adhere to the following equipment requirements and restrictions while operating UTVs within the City limits.

1. Operators of UTVs within City limits must be 18 years of age or older and possess a valid driver’s license.
2. A person shall not operate a UTV within the City limits unless the operator has proof of insurance complying with that required of an operator of a motor vehicle pursuant to applicable provisions of the Iowa Code, Rules and Regulations, including but not limited to Iowa Code Sections 321.20B and 321A.21.
3. Owners of UTVs, operated within City limits, shall register their UTV with the Iowa Department of Natural Resources and proof of such registration shall be provided, upon request, to any peace officer requesting it. Out-of-state UTV operators must provide appropriate proof of registration from their home state upon request by any peace officer.
4. UTVs may only be operated on the roadways between the hours of 7 a.m. to 10 p.m.
5. Operators of UTVs must adhere to noise restrictions set forth under Robins Code Chapter 52.
6. UTVs must display lighted headlamps and tail lamps, at all times, while the vehicle is operated on city streets or highways.
7. Operators of UTVs must adhere to all traffic and parking laws, codes, rules, and regulations, applicable to other motor vehicles, unless directed otherwise by this ordinance.
8. UTVs must be equipped:
 - a. Operational turn signal lamps with a manually operated switch controlled by the driver.
 - b. Operational speedometer, calibrated in miles per hour, which is fully illuminated when the head lamp(s) are activated.
 - c. Operational horn with a switch controlled by the driver.
 - d. Two operational head lamps and tail lamps must be affixed to each side on the front and back of the UTV. Tail lamps shall be red and include a stop lamp actuated by pressing the brake pedal. The use of lightbars, spotlights, or decorative lights is not permitted while the UTV is being operated on city streets or highways.
 - e. Rear facing mirror providing the operator with a clear view of the rear.
 - f. Operational muffler, in good working order, which complies with the standards and procedures required by Iowa Code 321I.12 and Robins City Ordinance Chapter 52.
9. All occupants except as noted below, must wear safety belts or safety harnesses, which meet the definition of a safety belt or safety harness set forth by Iowa Code 321.445, while the UTV is in motion.

- a. Children under 1 year old and weighing less than 20 pound must be secured in a rear-facing child restraint system while the UTV is motion.
 - b. Children, ages 1-6 years, must be secured in a child restraint system (safety seat or booster seat) while the UTV is in motion.
 - i. A child restraint system is a specially designed seating system, including a belt positioning seat or booster seat which meets federal motor vehicle safety standards. The child restraint system must be used in accordance with the manufacturer's instructions, the child must be secured in the child restraint, and the child restraint must be properly secured to the UTV.
 - c. No animals will be transported in the cargo portion or bed of a UTV unless they are contained within an enclosure secured to the UTV.
10. UTV doors or nets must be closed during operation if so equipped.
 11. The number of passengers in a UTV shall not exceed the number of factory-installed seats in the UTV.
 12. No open containers of alcohol allowed while the UTV is being operated.
 13. Drivers may not operate a UTV under the influence of intoxicating liquor or narcotics as prescribed under Iowa Code 321J.
 14. No UTV will be operated in a careless or reckless manner so as to; endanger any person; cause injury or damage to person or property; create unnecessary skidding or sliding; or cause a wheel or wheels to lose traction or contact with the ground.

75.06 NEGLIGENCE. The owner and operator of an ATV, snowmobile, or UTV shall be liable for any injury or damage occasioned by the negligent operation of the ATV, snowmobile, or UTV.

(Code of Iowa, Sec 321G.18)

75.07 ACCIDENT REPORTS. Whenever an ATV, snowmobile, or UTV is involved in an accident resulting in injury or death to anyone, or property damage amounting to one-thousand five hundred dollars (\$1,500), either the operator or someone acting on their behalf shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours in accordance with State Law.

(Code of Iowa, Sec. 321G.10)

75.08 EXEMPTIONS. ATVs, snowmobiles, and UTVs owned by a government agency or subdivision thereof, and used in an official capacity, and UTVs used exclusively to conduct agricultural purposes in accordance with Iowa Code Section 321.234A (1)(a) are exempt from registration and the requirements of this ordinance.

75.09 SCHEDULED OFFENSES AND FINES. The following scheduled fines are fixed for violations of the designated sections of this chapter.

1. For Violations of Chapter 75.04 (places of operation) sections (2), (6), (7), (8):
 - a. First offense \$250
 - b. Second offense committed within one calendar year \$500
 - c. Third and subsequent offenses committed within one calendar year \$1,000
2. For Violation of Chapter 75.05 (requirements for UTVs) sections (4), (9), (10), (11), and (14):
 - a. First offense \$250
 - b. Second offense committed within one calendar year \$500
 - c. Third and subsequent offenses committed within one calendar year \$1,000
3. For Violation of Chapter 75.05 (requirements for UTVs section (5):
 - a. Fines shall be in the amount set by Section 52.05 of this Code of Ordinances.