

AN ORDINANCE AMENDING THE CITY OF POPLAR BLUFF, MISSOURI CODE OF CITY ORDINANCES, SECTION 340 RELATING TO THE OPERATION OF UTILITY VEHICLES IN THE CITY OF POPLAR BLUFF

WHEREAS, the City of Poplar Bluff desires to amend its Code of Ordinances, Section 340 relating to the operation of utility vehicles in the City of Poplar Bluff; and,

WHEREAS, the City Council of the City of Poplar Bluff, Missouri, deems it to be in the best interests of the City and its citizens to adopt changes to said Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POPLAR BLUFF, MISSOURI, AS FOLLOWS:

Section 1. The Poplar Bluff Code of Ordinances, Section 340 is hereby amended by adding three new sections as shown in **Exhibit “A”**, which is attached hereto and incorporated by specific reference.

Section 2. The Mayor of the City of Poplar Bluff is hereby authorized and directed to execute any documentation necessary to effectuate the terms of this ordinance.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they do conflict.

Section 4. This ordinance shall be in force and take effect from and after the date of its passage and approval.

READ TWO TIMES AND PASSED BY THE CITY COUNCIL OF THE CITY OF POPLAR BLUFF, MISSOURI, THIS 6TH DAY OF NOVEMBER 2023.

APPROVED:


MAYOR

ATTEST:

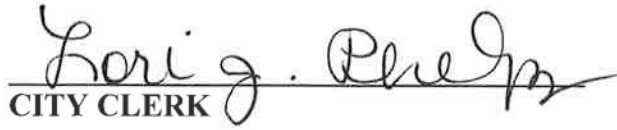

CITY CLERK

EXHIBIT "A":

Section 340.280 Utility Vehicles, Operation On Highway and in Streams or Rivers Prohibited — Exceptions — Passengers Prohibited — Violations, Penalty.

- A. No person shall operate a utility vehicle, as defined in Section **300.010** of this Title, upon the highways of this City or State, except as follows:
 - 1. Utility vehicles owned and operated by a governmental entity for official use;
 - 2. Utility 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. Utility vehicles operated by handicapped persons for short distances occasionally only on the State's secondary roads when operated between the hours of sunrise and sunset.
 - 4. Utility vehicles shall be permitted by the City and operated in accordance with Sections **340.280**, **340.281**, **340.282** and **340.283**.
- B. No person shall operate a utility vehicle within any stream or river in this City or State, except that utility vehicles may be operated within waterways which flow within the boundaries of land which a utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a utility vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this City or State at such road crossings as are customary or part of the highway system. All Law Enforcement Officials shall enforce the provisions of this Subsection within the geographic area of their jurisdiction.
- C. A person operating a utility vehicle on a highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle under Subsection **(A)(3)** of this Section 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 forty-five (45) miles per hour.
- D. No persons shall operate a utility vehicle:
 - 1. In any careless way so as to endanger the person or property of another; or
 - 2. While under the influence of alcohol or any controlled substance.
- E. A violation of this Section shall be an ordinance violation.

Section 340.281 Operation Of Utility Vehicles On Public City Streets; When Permitted; Exemptions.

- A. A utility vehicle may be operated upon the public City streets of Poplar Bluff, but not State or Federal highways, other than for purposes of crossing the same. Every person operating a utility vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other motor vehicle except as to the special regulations in this Chapter and except as to those provisions which by their nature can have no application.

- B. The operator of a utility vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A utility vehicle may be operated on all public City streets with posted speeds of forty-five (45) miles per hour or less. The provisions of this Subsection shall not prohibit a utility vehicle from crossing a street or highway with a posted speed limit of up to forty-five (45) miles per hour at an intersection.
- C. Utility vehicles shall be exempt from the requirements of Sections 307.350 to 307.402, RSMo., for purposes of titling and registration.
- D. Every operator of a utility vehicle shall maintain financial responsibility on such utility vehicle as required by Chapter 303, RSMo., if the utility vehicle is to be operated upon public streets.
- E. Each person operating a utility vehicle on public streets shall possess a valid driver's license issued pursuant to Chapter 302, RSMo., and be twenty-one (21) years of age or older.
- F. Unless they are equipped to do so, there can be no passengers riding on these vehicles. If they are equipped, the following shall apply:
 - 1. Children less than four (4) years old or less than forty (40) pounds must be in an appropriate child safety seat. (See Section 307.179, RSMo.)
 - 2. Children ages four (4) through seven (7) who weigh at least forty (40) pounds must be in an appropriate child safety seat or booster seat unless they are eighty (80) pounds or four feet nine inches (4'9") tall. (See Section 307.179, RSMo.)
 - 3. Children eight (8) and over or weighing at least eighty (80) pounds or at least four feet nine inches (4'9") tall are required to be secured by a safety belt or buckled into an appropriate booster seat. (See Section 307.179, RSMo.)
 - 4. All passengers, under the age of eighteen (18), must wear an approved Department of Transportation helmet while riding.
 - 5. The utility vehicle shall not be operated with more occupants than the number for which it was designed.
- G. Each vehicle must have seatbelts in good working condition. The number of passengers on the utility vehicle shall not exceed the number of operating seatbelts.
- H. The operation of Go Carts, Golf Carts, and All Terrain Vehicles/ATVs is prohibited on City streets and highways in the City of Poplar Bluff.

Section 340.282 Application For And Proof Of Registration Of Utility Vehicles.

- A. Utility vehicles operating on public streets under the jurisdiction of the City of Poplar Bluff shall be registered with the City Clerk for the City of Poplar Bluff.
 - 1. Each application for registration shall include:

- a. Basic identifying information for the utility vehicle (make, model, color and such other identifying information as the City Clerk deems advisable);
 - b. The name and address of the owner of the utility vehicle;
 - c. A copy of proof of financial responsibility via Certificate of Insurance.
2. A proof of registration issued by the City of Poplar Bluff in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City of Poplar Bluff. The proof of registration shall be kept in the utility vehicle at all times of operation on a public street, and the current registration sticker shall be conspicuously displayed on the rear exterior of the utility vehicle. Registrations must be renewed annually.
3. The City of Poplar Bluff may charge registration fees as follows:
 - a. Fifteen dollars (\$15.00) for each one-year utility vehicle registration plus a ten-dollar (\$10.00) processing fee. An optional two-year registration may be purchased for thirty dollars (\$30.00) plus a twenty dollar (\$20.00) processing fee.
 4. The utility vehicles must meet the following requirements and the registrant must sign and certify that such requirements have been met and are fully functional and operational:
 - a. The brakes are operational;
 - b. The parking brake (if equipped) is operational;
 - c. The steering column is operational;
 - d. The utility vehicle has not less than four (4) wheels;
 - e. There is not less than two thirty-seconds ($2/32$) inch of tread depth remaining on each tire, there are no visible tire threads or cords showing and there is no visible rubber separation;
 - f. All items listed in Section **340.280(A)(1-5)**.

Section 340.283 Equipment Required On Utility Vehicles.

- A. UTVs operated on public streets shall be manufactured and equipped in accordance with the requirements of Missouri Revised Statutes Chapter 304, Section 304.029, RSMo., and, in any case, will minimally be equipped with the following:
 1. Turn Signals;
 2. Headlamps;
 3. Tail lamps;
 4. Stop lamps;

5. Reflex reflectors: one (1) red "slow moving equipment emblem" on the rear; and
 6. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- B. Anyone found violating these requirements will have their permit revoked for one (1) year and may be subject to applicable criminal charges.