

---

**AN ORDINANCE ADOPTING SECTION 340.260 OPERATION OF UTILITY VEHICLES (UTVs) CODES OF THE CITY OF DE SOTO, MISSOURI**

---

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE SOTO, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 340.260 Operation of Utility Vehicles (UTVs) shall be enacted and be read as follows:

- A. No person shall operate a utility vehicle, as defined in Section 300.010 of this Chapter, upon the streets or highways within the City, 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 the owner of the vehicle who possesses a valid permit obtained from the City Clerk as set forth in this Section.
- B. No person shall operate a utility vehicle within any stream or river in the City, 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 in this City at such road crossings as are customary or part of the highway system.
- C. Licenses, Insurance, Flag and Sticker are required for the lawful operation of a utility vehicle within the City of DeSoto:
1. While operating a utility vehicle on a City street, alley or public road, the operator shall be required to have a valid permit issued from the City and a Full Class F Missouri Driver License, or its equivalent issued by another State, in his or her possession;
  2. Operators of all utility vehicles shall exhibit upon the demand of any Police Officer a valid insurance identification card displaying current liability insurance coverage for said utility vehicle similar to the requirements set forth for the

operation of motor vehicles by Section 303.024 of the Revised Statutes of the State of Missouri;


3. No person shall operate a utility vehicle in excess of the posted speed limit.
  4. Any person operating a utility vehicle on the public roads, streets or alleys of the City shall be subject to all of the duties applicable to a driver of a motor vehicle imposed by law or ordinance, including those laws pertaining to the possession and use of drugs or alcoholic beverages and operating a motor vehicle under the influence thereof;
  5. All utility vehicles shall have a safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle, and an equilateral triangular emblem constructed of substantial material with fluorescent yellow-orange finish and a reflective, red border at least one (1) inch in width mounted on the rear of the utility vehicle;
  6. All utility vehicles shall be equipped with functioning turn indicators and a seat belt for each passenger;
  7. All utility vehicles operated within City limits must have brakes in good working order, reliable steering, safe tires, a functioning muffler and a United States Forest Service qualified spark arrester;
  8. No operator of a utility vehicle shall carry a passenger, except for a utility vehicle in which the seat of such vehicle is designed to carry more than one (1) person and is equipped with a safety belt for each rider.
- D. No persons shall operate a utility vehicle:
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.
- E. Utility vehicles operating on public streets, roads or alleys within the City shall be registered with the City Clerk. The City Clerk shall only issue permits to properly registered motor vehicles as set forth in this ordinance.
1. Each application for registration shall include the following:
    - a. Identifying information for the utility vehicle, including the make, model, color and Vehicle Identification Number;
    - b. The name and address of each owner of the utility vehicle;
    - c. A copy of proof of financial responsibility such as a Certificate of Insurance consistent with the requirements of Chapter 303 of the Revised Statutes of the State of Missouri.

2. A proof of registration issued by the City in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City. The proof of registration shall be kept in the utility vehicle at all times of operation and the current registration sticker shall be conspicuously displayed on the rear, driver's side exterior of the utility vehicle;
3. The City shall charge a one-time registration fee for each utility vehicle as follows:
  - a. Fifteen dollars (\$15.00) for each one-year utility vehicle registration;
  - b. Ten dollars (\$10.00) as a processing fee for each utility vehicle registration.
4. The registration for each utility vehicle shall be valid and permanent for the entire ownership of that specific vehicle. The registrations are vehicle specific, although there may be additional vehicles registered within the same household. UTV stickers are non-transferable.
5. All utility vehicles must meet the following requirements and the registrant must sign and certify that such requirements have been met and that the utility vehicle is 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.

**Section 2.** This ordinance shall be in full force and effect from and after the date of its passage. Registrations will be available beginning April 1<sup>st</sup>, 2021.

**Section 3.** This ordinance shall be codified.

READ BY TITLE ONLY TWO TIMES, COPIES OF THE PROPOSED ORDINANCE HAVING BEEN MADE AVAILABLE FOR PUBLIC INSPECTION AT THE PLACE OF THE MEETING PRIOR TO THE TIME THE BILL WAS UNDER CONSIDERATION BY THE CITY COUNCIL AND PASSED BY THE CITY COUNCIL OF THE CITY OF DE SOTO, MISSOURI, THIS 15<sup>th</sup> DAY OF MARCH, 2021.

  
Mayor

ATTEST:



A handwritten signature in black ink, appearing to read "C. M. Hush", written over a horizontal line.

City Clerk