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City of Dexter Passes Use of UTVs on Streets, Read Ordinance for Rules

JANUARY 08TH 2022 BY DEE LOFLIN

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The Dexter Board of Aldermen approved the use of UTVs on the streets of Dexter Monday, January 3, 2022 by a vote of 4-1. Alderman Tim Aslin cast the lone no vote and alderman Frank Killian was unable to attend the meeting.

“I want to clarify my no vote on the UTV ordinance. It was solely on the issue of safety based on a written statement from a group of the largest manufactures, including Polaris and Can-Am that have urged cities and counties to not allow UTVs on city streets and paved county roads,” said Aslin after the meeting. “Essentially they have stated a disproportionately high number of serious accidents and fatalities occur on paved roads versus off-road for which the vehicles were designed.”

The ordinance takes effect on February 1, 2022 and defines a UTV as any motorized vehicle manufactured and used exclusively for off-highway use, which is more than 50, but not more than 67 inches wide. The definition also says the vehicle has an unladen dry weight of 2,000 pounds or less, travels on four or six wheels and is used primarily for landscaping, lawn care or maintenance purposes.

UTVs will be allowed on city streets with the exception of One Mile Road, Brown Pilot Lane, Central Drive, Grant Street between Park Lane and Two Mile Road, nor are they allowed on state or federal highways. UTVs may cross said highways where the speed limit is 45 miles per hour or less. It should be noted that Business 60 is classified as a state highway, meaning the UTVs cannot be used on Business 60.

Below is the exact language of the Ordinance.

BILL NO ORDINANCE NO. 50i9

AN ORDINANCE AMENDING SECTION 300.010 OF THE DEXTER CITY CODE DEFINITIONS BY ADDING GOLF CARTS AND UTILITY VEHICLES; AMENDING CHAPTER 340 BY ADDING SECTION 340.105 REGARDING UTILITY VEHICLES OPERATING ON THE STREETS OF DEXTER, EXCEPTIONS AND PROHIBITED USES; PROVIDING A PENALTY FOR VIOLATION; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DEXTER, MISSOURI, AS FOLLOWS:

Section 1: The Board of Aldermen hereby amends 5300.010 of the Dexter City Code, adding golf carts and utility vehicles to Definitions:

"300.010. DEFINITIONS GOLF CART

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 (20) miles per hour.

UTILITY VEHICLE - UTV

Shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty (50) inches but not more than sixty-seven (67) inches in width, with an unladen dry weight of two thousand (2,000) pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes.

Section 2: hereafter read as follows:

5340.105 of the Code of the City of Dexter is hereby enacted and shall

A. Utility vehicles (UTVsJ) may be operated upon the public streets of the City of Dexter, excluding One Mile Road, Grant Street [between Park Lane and Two Mile Rd.), Central Drive, Brown Pilot Lane and excluding State or Federal highways, other than for purposes of crossing the same, provided utility vehicles (UTVs) may only cross highways where the speed limit is 45 mph or less. 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.

B. No person shall operate a utility vehicle (UTV), as defined in Section 300.010, upon the streets and highways of the City of Dexter, except as follows:

1. Utility vehicles (UTVs) owned and operated by a governmental entity for official use; or

2. Utility Vehicles (UTVs) operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with two (2) working brake lights visible at a distance of five hundred (500) feet, and two (2) working headlights visible at a distance of one hundred (100) feet; or

3. Utility vehicles (UTVs) operated by the owner of the vehicle who possesses a permit obtained from the City Clerk for which a fee of fifty dollars (\$50.00) is hereby established. The permit shall be renewed every year from July 1 through June 30 of the following year. Permits are individual and may not be transferred. Stickers evidencing the issuance of a permit must be affixed to the right rear fender of the utility vehicle [UTV]. A fee of five dollars [\$5.00] is hereby established for issuance of a duplicate permit.

C. Persons applying for the permit must be at least eighteen [18] years of age, hold a valid driver's license and present a copy of their current paid City and County personal property tax receipts (or waiver from the County Collector) containing the utility vehicle (UTV). A Waiver of Liability shall be provided to the City of Dexter by every utility vehicle (UTV) permit applicant in a form which is approved by the City Attorney.

D. No person shall operate a utility vehicle (UTV) within any stream or river in the City of Dexter, except within waterways which flow entirely within the boundaries of real property owned or leased by the operator, or upon which the operator has written permission to operate such vehicle. No utility vehicle [UTV] shall be operated off-road on any City of Dexter owned property.

E. No person shall operate a utility vehicle (UTV):

L. [in any careless way as to endanger the person or property of another;

2. While under the influence of alcohol or any controlled substance;

3. In a manner which disturbs the public peace

F. Licenses, insurance, speed limit, and equipment required for issuance of a utility vehicle (UTV) permit:

1. While operating a utility vehicle (UTV) on a city street or alley, the operator shall be required to have a valid permit and full Class F Missouri Drivers License or its equivalent issued by another State in his/her possession, unless excepted under the laws of the State of Missouri.

2. Operators of all utility vehicles (UTVs) shall exhibit upon the demand of any Police Officer, while that officer is engaged in the performance of his or her duties, a valid insurance identification card displaying current liability insurance coverage for said vehicle, as required by §303.024, RSMo.

3. No person shall operate a utility vehicle [UTV] in excess of the posted speed limit, or thirty (30) miles per hour, whichever is less.

4. Every person operating a utility vehicle (UTV) on the public streets in the City of Dexter shall be subject to all of the duties applicable to a driver of a motor vehicle imposed by law, specifically including those laws pertaining to the possession and use of drugs and alcoholic beverages and operating a motor vehicle under the influence thereof.

5. All utility vehicles (UTVs) shall have a safety triangle in a shape not less than thirty (30) square inches 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.

6. All utility vehicles (UTVs) shall be equipped with functioning turn indicators and a seat belt for each passenger.

7. Utility vehicles (UTVs) operated within city limits must have brakes in good working order, reliable steering, safe tires and a functioning muffler.

8. The operation of utility vehicles (UTVs) is limited to the period between the hours of sunrise and sunset unless the vehicle is equipped with two (2) working brake lights visible at a distance of five hundred (500) feet, and two (2) working headlights visible at a distance of one hundred (100) feet.

9. No operator of a utility vehicle (UTV) shall carry a passenger, except for a utility vehicle [UTV] in which the seat of such vehicle is designed to carry more than one (1) person and is equipped with a seat belt for each passenger.

G. Unless they are equipped to do so, there can be no passengers riding in these vehicles. If so equipped, the following shall apply:

1. Children less than four [4] years old less than forty (40) pounds must be in an appropriate child safety seat in accordance with §307.179, RSMo.
 2. Children ages four (4) through seven (7) years who weight 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 in accordance with §307.179, RSMo.
 3. Children eight (8) years and older or weighing at least eighty (80) pounds, or at least four feet nine inches (4'9") tall are required to be secured by a seat belt or buckled into an appropriate booster seat in accordance with §307.179, RSMo.
 4. The utility vehicle (UTV) shall not be operated with more occupants than the number for which it was designed.
- H. The obtaining of the permit described herein is limited to the operation of a vehicle on the streets and alleys maintained by the City of Dexter and does not apply nor give immunity or defense to any such operation upon highways or roads maintained by any other governmental entity.
- I. The operation of go-karts, golf carts and All-Terrain vehicles (ATVs) is prohibited on streets and highways in the City of Dexter.

Section 3: Any person who is convicted of violation of this Ordinance shall be subject to the penalties set forth in §100.220.

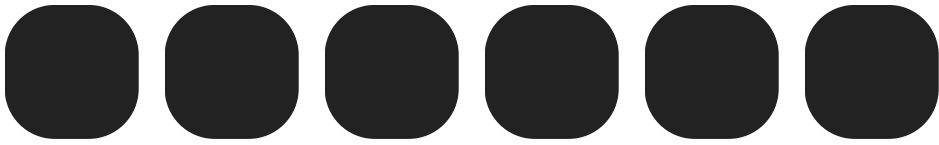
Section 4: This Ordinance shall be in full force and effect from February 1, 2022 Read twice, passed and approved this 3rd day of January, 2022.

Photo was from the December Alderman Meeting.

LAST UPDATED ON JANUARY 08TH 2022 BY DEE LOFLIN

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