

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6165 AND SHALL AMEND CHAPTER 340 "MISCELLANEOUS DRIVING RULES" OF THE SIKESTON MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

NOW THEREFORE: Be It Ordained by the Council of the City of Sikeston as follows:

SECTION I: This Ordinance shall be codified in the Municipal Code of the City of Sikeston, Missouri.

SECTION II: Chapter 340, Section 340.110 is amended to read as follows:

Chapter 340, Section 340.110. 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 340.111 and 340.113.

- 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. (RSMo. §304.032, 2013)

Section III. Section 340.111 is hereby established and shall read as follows:

Chapter 340, Section 340.111. Operation of Utility Vehicles on Public City Streets; When Permitted; Exemptions

- A. A utility vehicle may be operated upon the public City streets of Sikeston, 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 RSMo. Sections 307.350 to 307.402 for purposes of titling and registration.

D. Every operator of a utility vehicle shall maintain financial responsibility on such utility vehicle as required by RSMo. Chapter 303 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 RSMo. Chapter 302 and be 18 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:

- Children less than 4 years old or less than 40 pounds must be in an appropriate child safety seat. (RSMo 307.179)
- Children ages 4 through 7 who weigh at least 40 pounds must be in an appropriate child safety seat or booster seat unless they are 80 pounds or 4'9" tall. (RSMo 307.179)
- Children 8 and over or weighing at least 80 pounds or at least 4'9" tall are required to be secured by a safety belt or buckled into an appropriate booster seat. (RSMo 307.179).

All passengers, under the age of 18, must wear an approved Department of Transportation helmet while riding.

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 Sikeston.

SECTION IV: Section 340.112 is hereby established and shall read as follows:

Section 340.112. Application for and Proof of Registration of Utility Vehicles

A. Utility vehicles operating on public streets under the jurisdiction of the City of Sikeston shall be registered with the City Clerk for the City of Sikeston.

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 Sikeston in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City of Sikeston. 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.

- a. Registration and operation of utility vehicles in the City of Sikeston shall be restricted to residents of the City of Sikeston.
- b. Registrations must be renewed annually.

3. The City of Sikeston may charge registration fees as follows:

- a. Fifteen dollars (\$15) for each one-year utility vehicle registration plus a \$10 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 340.113 1-5.

SECTION V: Section 340.113 is hereby established and shall read as follows:

Section 340.113. 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, 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 red on each side as far to the rear as practicable, and one red 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 year and may be subject to applicable criminal charges.

SECTION VI: General Repealer Section. Any other ordinance or parts thereof inconsistent herewith, are hereby repealed.

SECTION VII: Severability. Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VIII: Record of Passage

- A. Bill Number 6165 was introduced and read the first time this 2nd day of December 2019.
- B. Bill Number 6165 was read the second time the 6th day of January 2020.
- C. Bill Number 6165 was read the third time the 27th day of January 2020, was discussed and voted upon as follows:
 - Burch, _____, Sparks, _____, Evans, _____, Settles _____,
 - Self, _____, Williams _____, Merideth _____,
 - thereby being _____, becoming Ordinance 6165.
- D. Ordinance 6165 shall be in full force and effect from and after February 26, 2020.

Steven Burch, Mayor

Approved As To Form
Tabatha Thurman, City Counselor

Seal/Attest:

Carroll Couch, City Clerk