

BILL NO. 23-T

ORDINANCE NO. 2023-20

**AN ORDINANCE ESTABLISHING CERTAIN PROVISIONS AND REQUIREMENTS FOR THE OPERATION OF VARIOUS LOW SPEED VEHICLES ON PUBLIC STREETS AND HIGHWAYS IN THE VILLAGE OF SUNRISE BEACH, MISSOURI**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SUNRISE BEACH, MISSOURI, AS FOLLOWS:

Section One: Definitions

*ALL-TERRAIN VEHICLE* means any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four, or more nonhighway tires, with either:

(a) A seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement; (State Law Reference § 301.010).

*GOLF CART* means 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 miles per hour. (State Law Reference § 304.034)

*LOW-SPEED VEHICLE* means a small three (3) or four (4) wheel motor vehicle with a gross vehicle weighting of less than three thousand (3,000) pounds and with a maximum speed capability of twenty-five (25) miles per hour and otherwise meets the requirements of Section 304.029, RSMO, and the requirements of CFR 49, Sections 571.500 and 571.3. (State Law Reference § 304.029).

*UTILITY VEHICLE (UTV)*: Any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches, but no more than 80 inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of 3,500 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes. (Section 301.010 RSMo)

*RECREATIONAL OFF-HIGHWAY VEHICLE*: any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails. (State Law Reference § 304.033).

*TAILLAMPS, BRAKE LAMPS*: At least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear and have the means of varying the brightness of the light for a duration of not more than five seconds upon application of the vehicle's brakes.

*HEADLAMPS*: Two front facing lamps on the front of the vehicle which shall emit a white light

visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at 500 feet.

*HIGHWAYS* means roads maintained by the State of Missouri or Camden County, including but not limited to Highway 5, TT and Route F.

*TURN SIGNAL*: A flashing light on a vehicle to show that it is about to change lanes or turn.

*SLOW MOVING VEHICLE IDENTIFIER*: An emblem in conformity with RsMO 307.127, or a bicycle safety flag which extends not less than seven feet above ground, attached to the rear of the vehicle. The safety flag shall be triangular in shape with an area not less than thirty square inches and be dayglo in color.

*STREETS OF THE CITY* means those streets maintained by the City.

Section Two: No person shall operate nor allow another to operate an all-terrain vehicle, golf cart, low-speed vehicle, UTV or recreational off-highway vehicle, as those terms are defined in this Ordinance, upon the streets or highways of this City except as follows:

- A. All-terrain vehicles, golf carts, low-speed vehicles, UTVs or recreational off-highway vehicles owned and operated by a governmental entity for official use; or
- B. All-terrain vehicles, golf carts, low-speed vehicles, UTVs or recreational off-highway 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; or
- C. All-terrain vehicles, golf carts, low-speed vehicles, UTVs or recreational off-highway 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; or
- D. A person may operate a UTV or recreational off-highway vehicle on the city streets of the City of Sunrise Beach, subject to the following provisions:
  1. The vehicle must be in good working order, is equipped with and uses the following:
    - a) 700 cc engine or greater
    - b) Properly working brakes
    - c) Rearview mirror
    - d) Headlamps shall be used during operation.
    - e) Turn Signals to the front and rear of the vehicle and Running/Brake Lights in accordance with RsMO 304.019.
    - f) Fully operational horn.
    - g) Shall display a slow moving vehicle identifier.
    - h) Vehicle must be able to safely travel and maintain a speed no less than thirty-five miles per hour.
    - i) Must be equipped with a factory roll bar, roll cage or cab.
    - j) Factory provided seatbelt or approved safety harness.
    - k) Have a minimum of 3/32 of an inch tire tread depth.



2. The operator must have a valid operator's or chauffeur's license.
3. The vehicle shall be insured with automobile liability insurance with coverage no less than that required for automobiles operating on State highways.
4. Each driver and passenger shall be secured in a seatbelt. Children shall be secured in a properly adjusted and fastened restraint under section RsMO 307.179.
5. No driver shall allow a person to ride on or outside of the vehicle.
6. The operator must follow all applicable traffic laws and ordinances.

E. A person may operate a recreational off-highway vehicle on the city streets AND highways in the City of Sunrise Beach, subject to the following provisions:

1. The vehicle must be in good working order, is equipped with and uses the following:
  - a) 900 cc engine or greater
  - b) Properly working brakes
  - c) Rearview mirror
  - d) Headlamps shall be used during operation.
  - e) Turn Signals to the front and rear of the vehicle and Running/Brake Lights in accordance with RsMO 304.019.
  - f) Fully operational horn.
  - g) Shall display a slow-moving vehicle identifier.
  - h) Vehicle must be able to safely travel and maintain a speed no less than fifty miles per hour.
  - i) Must be equipped with a structurally sound factory roll bar, roll cage or cab.
  - j) Factory or government issued Vehicle Identification Number.
  - k) Have a minimum of 3/32 of an inch tire tread depth.
  - l) Factory provided seatbelt or approved safety harness.
2. The operator must have a valid operator's or chauffeur's license.
3. Must have windshield that does not obstruct the drivers view the driver must wear safety glasses.
4. The vehicle shall be insured with automobile liability insurance with coverage no less than that required for automobiles operating on State highways.
5. The operator must follow all applicable traffic laws and ordinances.
6. Each driver and passenger shall be secured in a seatbelt. Children shall be secured in a properly adjusted and fastened restraint under section RsMO 307.179.
7. No driver shall allow a person to ride on or outside of the vehicle.

### Section Three: Additional provisions.

A. No persons shall operate a utility vehicle, golf cart, low-speed vehicle, or recreational off-highway vehicle:

1. On the shoulder of any roadway or right of way, within Village limits, maintained by Missouri Department of Transportation, Camden County Road and Bridge or the Village of Sunrise Beach.
2. No person shall operate an all-terrain vehicle, golf cart, low-speed vehicle, UTV or recreational off-highway vehicle within any stream or river in this City, except that vehicles may be operated within waterways which flow within the boundaries of land which a vehicle operator owns, or for agricultural purposes within the boundaries of land which a vehicle operator owns or has permission to be upon, or for the purpose

of fording such stream or river of this State at such road crossings as are customary or part of the highway system.

3. In any careless way so as to endanger the person or property of another.

B. A violation of this Ordinance may be enforced with a monetary fine of \$50.50 plus court costs and the vehicle may be towed at the owners expense.

Section Four: This ordinance shall be in full force and effect from and after the date of its passage and approval.

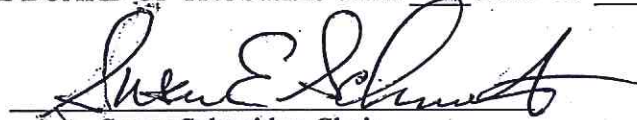
Section Five: The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

PASSED BY THE BOARD OF TRUSTEES THIS 13 DAY OF November, 2023.

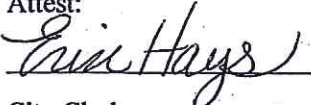
First Reading Date: November 13, 2023  
Second Reading Date: November 13, 2023

Roll Call Vote: Yeas: Greg Gooden, Steve Carter, Steve Buntz, Michael George, Susan Schneider  
Nays: Ø

APPROVED BY THE BOARD OF TRUSTEES THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

  
Susan Schneider, Chair

Attest:



City Clerk