

## Eyota - Traffic Code

### § 72.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

#### ***ALL-TERRAIN VEHICLE OR VEHICLE.***

(1) A motorized vehicle with:

- (a) Not less than three, but not more than six low pressure or non-pneumatic tires;
- (b) A total dry weight of 2,000 pounds or less; and
- (c) A total width from outside of tire rim to outside of tire rim that is 65 inches or less.

(2) ***ALL-TERRAIN VEHICLE*** does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

(3) Classes of all-terrain vehicles.

(a) ***CLASS 1 ALL-TERRAIN VEHICLE.*** An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less.

(b) ***CLASS 2 ALL-TERRAIN VEHICLE.*** An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

***UTILITY TASK VEHICLE OR VEHICLE.*** Utility task vehicle or vehicle means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

(Ord. 135, passed 9-12-2013; Ord. 140, passed 11-24-2014)

### § 72.02 AUTHORIZED USE.

(A) Pursuant to the authority granted by M.S. § 169.045, as it may be amended from time to time, use of all-terrain or utility task vehicles are permitted within the city under the conditions set forth below.

(B) Only persons who have a valid permit issued by the city shall operate all-terrain or utility task vehicles within the city on streets and alleys only.

## **Eyota - Traffic Code**

(C) All-terrain and utility task vehicles are not authorized within the city on pedestrian paths, on bike trails, on sidewalks, or in parks, unless specifically permitted in the city.  
(Ord. 135, passed 9-12-2013) Penalty, see § 72.99

### **§ 72.03 RESTRICTED USES.**

(A) All-terrain vehicle Class 1, may cross Center Avenue or on 5th Street SW, but may not drive on said roads within the city.

(B) All Class 2 all-terrain vehicles and utility task vehicle may drive on all city streets with in the city limits, including Center Avenue and 5th Street (SW), but must ride to the most right-hand side of the road.  
(Ord. 135, passed 9-12-2013) Penalty, see § 72.99

### **§ 72.04 GENERAL PERMIT REQUIREMENTS.**

(A) Vehicles shall have standard mufflers which are properly attached to the vehicles and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe, or similar device on a vehicle. The apparatus shall not be audible for a distance more than 500 feet from the place or places where such devices or apparatus will be located.

(B) Vehicles shall have brakes adequate to control the movement of and to stop and hold the vehicle under any condition of operation.

(C) Vehicles shall have at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness and under normal atmospheric conditions, when the vehicle is operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times of reduced visibility. Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming vehicle operator. The vehicle shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(D) Each permit must be renewed every two years.

(E) Speed limit for all vehicles is set at 15 mph in the city limits.

(F) Each person desiring a permit for the operation of a vehicle must submit an application to City Hall with an application fee, show proof of insurance, and a current Department of Natural Resources (DNR) registration, if applicable.

(G) A permit may be revoked at any time if it is shown that the permit holder cannot safely operate the vehicle on the designated roadway or if the permit holder has had a driver's license revoked or suspended and is currently under revocation or suspension.

## **Eyota - Traffic Code**

(H) Vehicle operators who are minors and who wish to operate vehicles within the city limits are subject to the following conditions in addition to those required for adult operators.

(1) No minor under 16 years of age shall be permitted to operate a vehicle in the city.

(2) All minors at least 16 years of age but less than 18 years of age may operate a vehicle subject to the restrictions set forth above if the minor possesses a valid driver's license and wears a safety helmet approved by the Commissioner of Public Safety.

(3) Effective January 1, 2006, anyone born after July 1, 1987 and is 16 or older, must complete an independent study course component of vehicle safety training before operating a vehicle on public lands.

(I) Every person operating a permitted vehicle has all the rights and duties applicable to the driver of any other vehicle, except when those provisions cannot reasonably be applied to all-terrain or utility task vehicles.

(J) If the vehicle is equipped with seat belts, the seat belts must be worn while operating the vehicle on the city streets.  
(Ord. 135, passed 9-12-2013; Ord. 140, passed 11-24-2014) Penalty, see § 72.99

### **§ 72.05 PERMIT REQUIREMENTS FOR THE HANDICAPPED.**

(A) The general permit requirements as specified in § 72.03 must be met.

(B) Each application shall be accompanied by a doctor's certificate dated not more than 30 days prior to the application date certifying that the individual is capable of safely operating a vehicle.

(C) This requirement shall be deemed satisfied if the applicant has been issued a motor vehicle permit for a handicapped person.

(D) Permits issued under handicapped requirements authorize the driver to go into city parks and use on park paths only as a direct means of access to facilities or functions, not for recreational type travel.  
(Ord. 135, passed 9-12-2013)

### **§ 72.06 EXCEPTIONS.**

(A) *For lawn and snow removal equipment.* Provided the vehicle also complies with all other regulations above herein, and has a DNR "public use" registration tag (if applicable) on a vehicle otherwise defined as an all-terrain or utility task vehicle, shall be allowed to travel on city streets and alleys (but not highways, except to cross), provided, it is equipped with lawn-mowing or snow removal attachments, and is being used only for either of those purposes between 5:00 a.m. and 10:00 p.m.

## **Eyota - Traffic Code**

(B) *For permitted city maintenance.* Provided the vehicle also complies with all other regulations above herein, and has a DNR “public use” registration tag (if applicable), a vehicle otherwise defined as an all-terrain or utility task vehicle, shall be allowed to travel in city parks and on city paths and trails, provided, it has been permitted for city maintenance, and is being used only for those purposes.

(C) *For permitted emergency vehicle.* Provided the vehicle also complies with all other regulations above herein, and has a DNR “public use” registration tag (if applicable), a vehicle otherwise defined as an all-terrain or utility task vehicle, shall be allowed to travel in city parks and on city paths and trails, provided, it has been permitted for emergency vehicle, and is being used only for those purposes.

(Ord. 135, passed 9-12-2013)

### **§ 72.07 CITY LIABILITY.**

Nothing in this section shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a vehicle by a permit holder, or from the city’s failure to revoke a permit.

(Ord. 135, passed 9-12-2013)

### **§ 72.08 ENFORCEMENT.**

(A) *Issuance of citations.*

(1) The city may authorize any police officer or any other authorized representative of the law to issue a citation to any person, firm, or entity for any alleged violations of this subchapter and any other ordinance or statute which provides the basis for prosecution of violations of this subchapter.

(2) Nothing within this subchapter shall be construed to limit the authority of police officers to enforce any provisions of this subchapter or related statutes or ordinances. The police officer, or other official of the city, is authorized to issue a citation to any person, firm, or entity for any alleged violation of this subchapter as often as each day the violation persists.

(B) *Revoking permits.* The city may revoke a permit at any time if it is shown that the permit holder:

(1) Cannot safely operate the vehicle on the designated roadway;

(2) Has had a driver’s license revoked or suspended and is currently under revocation or suspension;

(3) Cannot provide proof of current insurance coverage; or

(4) Has had repeat offenses while driving an all-terrain or utility task vehicle.

(Ord. 135, passed 9-12-2013) Penalty, see § 72.99