

## **MAPLETON CITY'S ADOPTION OF AN ATV ORDINANCE CLARIFICATION OF STREET LEGAL ATVs**

At the Mapleton City Council meeting on February 15, 2011, the Council adopted Section 10.04.015 of the Mapleton City Municipal Code – Street Legal All Terrain Vehicles. This can be easily misunderstood and again, easily misinterpreted. In order to clarify exactly what the ordinance allows, the following information outlines exactly what OHV (Off Highway Vehicles, also known as ATV's [All Terrain Vehicles]) can be LEGALLY operated on the street within Mapleton City corporate limits.

The ordinance allows both Type I ATVs (All Terrain Vehicles which are motor propelled Off Highway Vehicles designed with a seat to be straddled by the operator) and Type II ATVs (All Terrain Vehicles which are motor propelled Off Highway Vehicles designed to have side by side seating {also known as "side by sides"}) to be legally driven on the streets of Mapleton **IF** they meet **ALL** the "street legal" section of the State Statute.

To be a "street legal ATV", either Type I or Type II, the following must be met:

1. The operator must meet the same requirements as a motorcycle in that:
  - a. The vehicle must be driven so as to follow all traffic rules;
  - b. The operator must be at least 16 years of age **AND** possess a valid Driver's License;
  - c. The vehicle must be legally registered **AND** possess a State issued license plate;
  - d. The owner must pay fees in lieu of property taxes;
  - e. The vehicle must pass vehicle emissions inspection.
2. The vehicle must meet the following requirements as a motor vehicle, in that:
  - a. The vehicle must be covered by motor vehicle insurance **AND** proof thereof must be carried in/on the vehicle;
  - b. The vehicle must pass a safety inspection.
3. To be a "street legal ATV" the following equipment is required:
  - a. Headlamps;
  - b. One or more tail lamp;
  - c. Light illuminating the license plate;
  - d. Red reflectors to the rear;
  - e. Stop lamps on the rear;
  - f. Amber electric turn signals front and rear;
  - g. A breaking system, other than a parking brake;
  - h. A horn or other warning device;
  - i. A muffler and emissions control system;
  - j. Rear view mirrors on both sides of the vehicle;
  - k. A windshield, or eye protection for the driver;
  - l. An illuminated speedometer;
  - m. A footrest and handhold for each passenger; and,
  - n. For "side by side" vehicles, a seatbelt for each occupant.

4. The operator of a “Street legal ATV” may not exceed the posted speed limit or a maximum speed of 45 MPH.

**ONLY ATVs WHICH MEET ALL OF THESE REQUIREMENTS ARE “STREET LEGAL ATV”s AND ARE ALLOWED ON THE STREETS OF MAPLETON.**

Any ATV which is operated on a public street is subject to being stopped by our police officers. To verify if the ATV is “street legal” the officer will immediately consider three *initial* criteria:

1. Is the operator of the ATV at least 16 years age and possess (and present to the officer) a valid Driver’s License?
2. Can the operator of the ATV produce a State of Utah vehicle registration for this vehicle which identifies it as a “Street Legal ATV” and is a corresponding State of Utah license plate attached to the vehicle? (Do not confuse this with the personal property tax sticker which should be attached to all ATVs. The requirement is an official State of Utah license plate.)
3. Can the operator produce current proof of motor vehicle insurance for this vehicle (ATV)?

If the answer to any of these *initial* questions is “no”, this is NOT a “street legal ATV”, is not allowed on the public streets and subjects the operator/driver to being issued a citation and subjects the vehicle to the possibility of being impounded by the officer, per Utah Code Annotated 41-22-10.3.

Our neighboring cities Springville and Spanish Fork have a similar Street Legal ATV ordinance.

Should you have questions concerning the status of “street legal ATV’s” which can be legally operated on the streets of Mapleton City, please telephone the Police Department during Office Business Hours (M-F 8:30am to 5:00pm) at 801-491-8048 and ask to speak to a supervisor.