



Scottsbluff Police Department

All Terrain Vehicles

Rules Pertaining to the use of All Terrain Vehicles (ATV) in the City of Scottsbluff.



Operator

- Operator must be 21 years of age or older
- Operator must possess a valid Class O Operators License
- Operator must show proof of Insurance (for ATV)
- Operator must wear an approved helmet
- Operator must not exceed 30 mph maximum and obey lower speeds where required

Vehicle

- Vehicle must be 50" or less in width
- Vehicle must have a dry weight of less than 900 lbs.
- Must have a seat that is straddled by the operator
- Must have four or more low-pressure tires
- ATV must be equipped with a flag that extends 6' above the ground and attached to the rear of the vehicle. Triangle not less than 30" square
- ATV must be equipped with a headlight and taillight, headlight must be on while in operation
- No passengers allowed / OPERATOR ONLY
- Permit must be displayed in a conspicuous place on the ATV
- Trailers not allowed – cargo must be secured on vehicle
- Must have a functioning brake system
- Must have an adequate exhaust system and spark arrester

TO OBTAIN PERMIT

Those interested in operating an ATV in the city of Scottsbluff must first obtain a permit from the Police Department. The permit fee is \$25.00 and can be purchased from 7:00 a.m. to 4:00 p.m. on business days.



**2525 Circle Drive
Scottsbluff, NE 69361
(308) 630-6261**



§22-7-5. ALL-TERRAIN VEHICLES

1. For the purposes of this section, All-Terrain Vehicle means any motorized off-highway vehicle which is (a) fifty inches (50") or less in width, (b) has a dry weight of nine hundred pounds (900 lbs.) or less, (c) travels on four (4) or more low-pressure tires, (d) is designed for operator use with no passengers or is specifically designed by the original manufacturer for the operator and one (1) passenger, (e) has a seat or saddle designed to be straddled by the operator, and (f) has handlebars or any other steering assembly for steering control.

Street or Highway means the entire width between the boundary limits of any street, road, avenue, boulevard or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

2. An All-Terrain Vehicle may be operated on streets and highways, other than a controlled-access highway with more than two (2) marked traffic lanes, within the corporate limits of the City of Scottsbluff, Only if the operator and the vehicle comply with the provisions of this Ordinance.

3. It is unlawful to operate a three-wheeled All-Terrain Vehicle within the city limits of the City of Scottsbluff.

4. An All-Terrain Vehicle shall not be operated at a speed in excess of thirty miles per hour (30 mph) and shall observe posted speed limits if lower than thirty miles per hour.

5. When operating an All-Terrain Vehicle, the headlight of the vehicle shall be on. Whenever an All-Terrain Vehicle is operated within the city, there shall be no trailer attached to the All-Terrain Vehicle, and all cargo must be securely attached to the vehicle in such a manner that the cargo remains secured without any assistance of the operator.

6. Every All-Terrain Vehicle shall be equipped with a bicycle safety flag with extends not less than six feet (6') above the ground attached to the rear of the vehicle. The safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color. Every All-Terrain Vehicle shall also be equipped with (a) a brake system maintained in good operating condition; (b) an adequate muffler system in good

working condition; and (c) a United States Forrest Service Qualified Spark Arrester.

7. No person shall:

- a. Equip the exhaust system of an All-Terrain Vehicle with a cutout, bypass or similar device;
- b. Operate an All-Terrain Vehicle with an exhaust system so modified; or
- c. Operate an All-Terrain Vehicle with the spark arrester removed or modified, except for use in a closed-course competition event.

8. Any Person operating an All-Terrain Vehicle shall be twenty-one (21) YEARS OF AGE AND HAVE A VALID Class O operators License as provided for in Neb. Rev. Stat. §60-4,126. No passengers shall be allowed on any All-terrain Vehicles while operated in the city under this section. The operator of any All-Terrain Vehicle must wear a helmet in compliance with Neb. Rev. Stat. §60-6,278 through §60-6,282.

9. Any person operating an All-Terrain Vehicle shall have liability insurance coverage for the All-Terrain Vehicle while operating the All-Terrain Vehicle within the City of Scottsbluff. The person operating the All-Terrain Vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five (5) days of such request. It shall be unlawful for any person to operate any All-Terrain Vehicle within the City of Scottsbluff until the owner has demonstrated proof of insurance to the Scottsbluff Police Department and obtained an insurance decal for the current year. The Scottsbluff Police Department will issue a decal for the current year that must be affixed to the All-Terrain Vehicle in a conspicuous place. The City of Scottsbluff will charge a fee of twenty-five dollars (\$25.00) for the issuance of the permit.

10. All-Terrain Vehicles may be operated on streets and highways without complying with paragraphs 3. Through 9. Of this Ordinance while in parades which have been authorized by the State of Nebraska, any department, board, commission or political subdivision of the State of Nebraska.

11. An All-Terrain Vehicle shall not be operated on any controlled-access highway with more than two (2) marked traffic lanes, and the

crossing of any controlled access highway with more than two (2) marked traffic lanes shall not be permitted. The crossing of any of these streets or avenues shall be permitted by an All-Terrain Vehicle if:

- a. The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street or avenue and at a place where no obstruction prevents a quick and safe crossing;
- b. The vehicle is brought to a complete stop before crossing the shoulder or the roadway of the street or avenue;
- c. The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;
- d. The crossing is made only at an intersection of such street or avenue with another street or avenue; and
- e. Both the headlight and taillight of the vehicle are on when crossing is made.

12. If an accident results in the death of any person which requires a treatment of the person by a physician, the operator of each All-Terrain Vehicle involved in the accident shall give notice in the accident in the same manner as provided by Neb. Rev. Stat. §60-699.

13. Any person who violates any provision of this Ordinance shall be punished as provided in §6-7-1 of the Scottsbluff Municipal Code, unless otherwise provided for in this ordinance. In addition to any penalties for violation hereof, the Scottsbluff Police Department may impound any All-Terrain Vehicle when operated in violation of Nebraska law or city ordinance, in the same situation as any violation in connection with a motor vehicle.

Section 2. All Ordinances and parts of Ordinances passed and approved prior to passage, approval and publication of this Ordinance in conflict herewith are now repealed.

Section 3. This Ordinance and shall take effect and be in full force from and after its passage, approval and publication as provided by law.