

**AN ORDINANCE OF THE CITY OF CLINTON REGULATING THE USAGE OF ALL TERRAIN VEHICLES, MINI-TRUCKS, LOW SPEED ELECTRICAL VEHICLES, UTILITY VEHICLES, GOLF CARTS, MINI-BIKES, TRAIL BIKES, GO-KARTS, POWER LAWN MOWERS, AND MAINTENANCE UTILITY VEHICLES ON THE STREETS OR HIGHWAYS OF THE CITY OF CLINTON; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY.**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON OKLAHOMA:

**SECTION 1.**

WHEREAS, the City Council of the City of Clinton, Oklahoma has determined it necessary to regulate the usage of all-terrain vehicles, mini-trucks, low speed electrical vehicles, utility vehicles, golf carts, mini-bikes, trail bikes, go-karts, power lawn mowers, and maintenance utility vehicles on the streets or highways of the City of Clinton; and

THEREFORE, a new section shall be added to the Clinton City Code \_\_\_\_\_ to read as follows:

**Operation of Utility Vehicles, Golf carts, Etc.**

**A. Definitions:**

1. "All-terrain vehicle (ATV)" means a vehicle powered by an internal combustion engine manufactured and used exclusively for off-highway use traveling on four or more low-pressure tires, and having a seat designed to be straddled by the operator and handlebars for steering;
2. "Mini-truck" means a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of one thousand cubic centimeters (1,000 cu cm) or less, which is sixty-seven (67) inches or less in width, with an unladen dry weight of three thousand four hundred (3,400) pounds or less, traveling on four or more tires, having a top speed of approximately fifty-five (55) miles per hour, equipped with a bed or compartment for hauling, and having an enclosed passenger cab;
3. "Low-speed electrical vehicle" means any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the

National Highway Traffic Safety Administration standards for low-speed vehicles in > 49  
C.F.R. 571.500;

4. "Utility vehicle" means a vehicle powered by an internal combustion engine, manufactured and used exclusively for off-highway use, equipped with seating for two or more people and a steering wheel, traveling on four or more wheels;

5. "Golf Cart" means any four-wheeled internal combustible or electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour designed primary for the operation on a recreational golf course which is not registered with the State of Oklahoma.

6. "Maintenance Utility vehicle" means a vehicle powered by either an internal combustion engine or electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour utilized for transportation of city employees or equipment during routine maintenance of City owned property or facilities.

#### **B. Special Provisions, Utility Vehicles, Golf Carts, Etc.**

1. Notwithstanding the definitions of the terms "motor vehicle" and "motorcycle," contained in the motor vehicle license and registration act, Title 47 O.S. 1975, Section 562, motor-driven cycles, known and commonly referred to as "mini-bikes," "trail bikes", all terrain vehicles (ATV) and other similar trade names, shall not be permitted to be operated on the streets or highways of the City of Clinton.

2. The provisions of this section shall also apply to those motor-driven or operated vehicles known as "go-karts" and power lawn mowers and other motor vehicles which are manufactured principally for use off the streets and highways. However, this shall not prohibit occasional necessary movement of such golf carts, go-karts, power lawn mowers and other vehicles on streets, and shall not prohibit the use of mini-bikes and trail bikes used by participants in parades.

3. Nothing in this section shall be interpreted as prohibiting farm vehicles from using the streets or highways.

4. Golf carts and Utility terrain vehicles (UTV), side by side four wheelers and small vehicles commonly known as mini-trucks are prohibited from operating on Federal and State highways and city streets within the limits of the City of Clinton except as follows:

- a. When the UTV or golf cart is operated by a person sixteen (16) years of age or older and possesses a valid operator license during the daylight hours only. Daylight hours are determined to be one half hour after sunrise and one half hour before sunset as listed by the National Oceanic & Atmospheric Administration.

- b. UTV and golf carts may operate on a Federal or State highway only if making a perpendicular (90 degree) crossing of a Federal or State highway located within the limits of the City of Clinton.
  - c. Every person operating an UTV or golf cart upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this section and except as to those provisions of laws and ordinances which by their nature can have no application.
  - d. All such golf carts and UTV while operating in the limits of the City of Clinton shall have a Slow Moving Vehicle emblem which shall be affixed to the rear portion of the afore mentioned vehicle. Golf carts and UTV shall be equipped with a lap safety belt for each occupant of the golf cart or UTV. Passengers under the age of six (6) years old are restricted from riding upon such golf cart or UTV; unless the driver of the golf cart or UTV is twenty-one (21) years of age or older.
  - e. All such golf carts and UTV while operating in the limits of the City of Clinton shall be restricted from operating on a street or highway with a posted speed limit greater than 35 MPH and shall not be driven at a speed greater than 25 MPH.
  - f. No Golf Cart or UTV may be operated on City Streets during periods of rain, snow, or other inclement weather.
5. City owned Maintenance Utility Vehicle(s) maybe operated anywhere within the city limits of the City of Clinton while performing authorized city functions. Operation of the Maintenance Utility Vehicle on any street or highway with speed limits posted greater than thirty-five (35) MPH must be authorized by the City Manager or his/her designee:
- a. Permitted only while performing specific task.
  - b. Required to be done during normal business hours (daytime only).
  - c. The restriction of use will be determined by the City Manager or his/her designee.
6. All golf cart or UTV vehicles operated on any city street of the City of Clinton will be required to:
- a. Register the golf cart or UTV with the Police Department,
  - b. Purchase a city permit for such operation at a rate established by Resolution of the City Council. (The permit will be valid for a period of twelve (12) months from the date of purchase.)
  - c. Carry liability insurance issued through a licensed insurance company.
7. Violation of this section shall be punished in accordance with 1-4-1 of the Clinton City Code and may include the revocation, suspension, cancellation or denial of registration under the provisions of this ordinance and code provision, upon conviction by the municipal court.

**SECTION 2:** All Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance

are hereby repealed and replaced.

**SECTION 3.** If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter, or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance.

PASSED, APPROVED and ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2015.

\_\_\_\_\_  
MAYOR

{SEAL}

\_\_\_\_\_  
CITY CLERK

PASSED, APPROVED and ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
CITY ATTORNEY