

Chapter 10.60 – All-Terrain Vehicles And Motorbikes ¹

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10.60.010 Definitions.

- A. "All-Terrain Vehicle" or "ATV" is that type of vehicle defined in in Idaho Code §49-1 02 as follows: "All-terrain vehicle' or 'ATV' means any recreation vehicle with three (3) or more tires, weighing under eight hundred fifty (850) pounds, forty-eight (48) inches or less in width, having a wheelbase of sixty-one (61) inches or less, traveling on low-pressure tires of ten (1 0) psi or less."
- B. "Motorbike" means any self-propelled two (2) wheeled motorcycle or motor-driven cycle, excluding tractor, designed for or capable of traveling off developed roadways and highways and also referred to as trailbikes, enduro bikes, trials bikes, motocross bikes, dirt bikes, or dual purpose motorcycles.
- C. "Operator" means every person who is in actual physical control of an ATV or motorbike, upon any street, highway, or private property open to public use.
- D. "Passenger" means any person on an ATV or motorbike who is not the operator.
- E. "Staging Area" means any area where ATV s and motorbikes may be transferred to and from their transport conveyances, and where the transport conveyances may remain while the ATV s or motorbikes are being used.

10.60.020 ATV and Motorbike Operation.

The operator of any ATV or motorbike within the city limits of the City of Arco must have a valid Driver's License in accordance with Idaho Code, §49-301, including a motorcycle endorsement for operation of a motorbike. Any operator or passenger under the age of eighteen (18) years, must wear an approved safety helmet as defined in Idaho Code, §49-666. All operators and passengers shall operate or ride upon an A TV or motorbike in accordance with all registration, licensing, safety, noise control, pollution control and all other federal, state, and city laws and ordinances pertaining to ATV s and motorbikes.

10.60.030 Prohibited Activities.

Operators of ATVs or motorbikes are prohibited from engaging in the following activities while operating an ATV or motorbike:

- A. Operating or traveling along or on any U.S. Highway except at designated locations pursuant to Idaho Code §49-426(4).
- B. Operating or traveling along or on any sidewalk except for snow removal.
- C. Towing any device carrying a passenger.
- D. Pushing any device carrying a passenger.
- E. Standing while operating an ATV_ or motorbike or carrying a passenger who is standing while operating an ATV or motorbike.
- F. Operating or traveling an ATV or motorbike parallel or side-by-side to another ATV or motorbike.
- G. Operating an ATV or motorbike over fifteen (15) miles per hour.
- H. Operating or riding on an ATV or motorbike without a separate manufacturer designed seat for the operator and each passenger on the ATV or motorbike.
- I. Operating an ATV or motorbike under sixteen (16) years of age, unless accompanied and supervised by an adult.

10.60.040 Operating Areas.

ATVs and motorbikes may be operated in the various areas within the city limits of the City of Arco as described below:

- A. Unrestricted Access: ATVs and motorbikes equipped and licensed the same as automobiles may be operated on all city streets and alleys, except on any U.S. Highway, in accordance with traffic laws as defined in existing city ordinances and the Idaho statutes. Crossing a U.S. Highway is permitted at designated locations pursuant to Idaho Code §49-426(4).
- B. Restricted Access: Streets designated as restricted access may be used by ATVs and motorbikes equipped and registered for Off-Highway operation when proceeding directly to and from off-highway destinations, using the shortest routes possible, so long as such use is in accordance with traffic laws as defined in existing city ordinances and the Idaho statutes. Crossing a U.S. Highway is permitted at designated locations pursuant to Idaho Code §49-426(4).
- C. Conditional Access: Residents, guests of residents, and visitors may drive ATVs and motorbikes equipped and registered for Off-Highway operation on any streets or alleys in the city, except on any U.S. Highway, using the shortest routes from their residences or temporary dwelling places to gain access to Restricted Access routes in accordance with traffic laws as defined in existing city ordinances and the Idaho statutes. Crossing a U.S. Highway is permitted at designated locations pursuant to Idaho Code §49-426(4).

- D. Functional Access: ATVs operated for agricultural or snow removal purposes proceeding from storage or staging areas may use any city streets or alleys, except a U.S. Highway, when necessary for the performance of the function.
- E. Exceptions: ATVs and motorbikes may participate in special events such as parades and or special activities as determined by the Mayor, the City Council, or a designated agent of the Mayor or City Council.
- F. The City Council of Arco will designate and may, from time-to-time, amend Operating Areas within the City by resolution.

10.60.050 Equipment Requirements.

ATVs and motorbikes must have the following operable equipment listed below when operated in the areas of the City of Arco:

- A. For Unrestricted Access Routes: ATVs and motorbikes must meet the requirements of Idaho Code, §49-402 including, but not necessarily limited to, valid registration as a motor vehicle, current license plate, valid liability insurance with proof, brake light, a working headlight, a working taillight, horn that is audible for 200 feet, muffler and spark arrestor, and a mirror capable of showing the roadway for at least 200 feet behind the vehicle.
- B. For Restricted Access, Conditional Access and Functional Access Routes: ATVs and motorbikes must meet the equipment requirements for Off-Highway operation as defined in Idaho Code, §67-7122, which includes, but is not necessarily limited to, a valid registration sticker as well as a muffler and spark arrestor.

10.60.060 Staging Areas.

ATVs and motorbikes may be staged at the following locations:

- A. The parking area which is south of Bottolfsen Park along Park Road.
- B. Any other areas designated, from time-to-time, by resolution of the City Council of Arco.

10.60.070 Signs.

Signs shall be placed along all Restricted Access Routes designating them as ATV and motorbike routes. Such signs shall conform to applicable city ordinances and the applicable portions of the Idaho Department of Transportation Department Manual of Uniform Traffic Control Devices.

10.60.080 Hours of Operation.

ATV s and motorbikes may be operated within the city limits of the City of Arco only between the hours of seven o'clock (7:00) a.m. and ten o'clock (10:00) p.m.

10.60.090 Violation–Penalty.

Any operator violating any of the provisions of this chapter shall be guilty of an infraction, punishable as defined in Idaho Code, §§67-7113 and/or 67-7129. Also, any owner violating any of the provisions of this chapter may be responsible for any injuries or damages sustained by a person as a result of the owner's violation of this ordinance.

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(1) Ordinance 2006-A, 2006