

FCO 2007-XX

AN ORDINANCE REGULATING FOUR WHEEL DRIVE OFF ROAD VEHICLES

WHEREAS, Ind. Code 14-16-1-22 permits any county, city, or town to pass an ordinance regulating the operation of off road vehicles if the ordinance meets the requirements of that chapter, and does not impose a fee for a license or specify the equipment to be carried on the vehicle;

WHEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF FLOYD COUNTY:

I. Definitions

For the purpose of this ordinance, an "off road vehicle" is a vehicle, commonly referred to as a "three wheeler" or "four wheeler", capable of cross country travel without a road or trail, over land, water, snow, ice, marsh, swampland, or other natural terrain. An "off road vehicle" does not include a snowmobile.

II. Vehicles authorized

That the Commissioners of Floyd County hereby ratify and confirm the provisions of Ind. Code 14-16-1 for the use of three and four wheeled vehicles in Floyd County, and pursuant to the authority granted therein hereby authorize the use of three and four wheeled off road vehicles, other than snowmobiles, on county roads and highways outside the corporate limits of incorporated cities and towns, subject to the limitations contained herein.

III. Insurance required

The vehicles and drivers authorized by this ordinance shall have liability coverage as required by state law. The coverage required must contain endorsements providing coverage for off road use of a vehicle.

IV. License required

The drivers of such a vehicle must have a motor vehicle operator's license as otherwise provided for by state law.

V. Only agricultural uses authorized

An off road vehicle operated on county roads and highways shall be used only as a means of transportation in

connection with agricultural activities; provided, however, that the vehicle may be operated by the farmer personally or by a non-farmer in connection with agricultural activity.

VI. Operating restrictions

(A). An off road vehicle travelling on county roads and highways must have lights burning at all times. Off road vehicles travelling on county roads and highways must travel in a single file on the right side of the road, and maintain a minimum of one hundred feet between vehicles, and observe the restrictions codified at Ind. Code 14-16-1-8, 14-16-1-9, 14-16-1-9.5, 14-16-1-11, and 14-16-1-11.5 or its successor statutes.

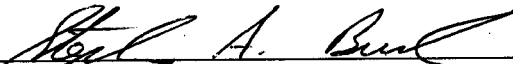
(B) Off road vehicles may only be operated during daylight hours, between local dawn and local dusk. They may only be operated outside this time period in the event of an emergency.

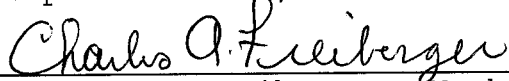
VII Penalty

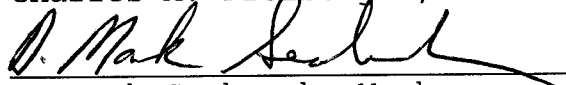
Any violation of this ordinance is subject to a fine not to exceed five hundred dollars (\$500.00).

SO ORDAINED this 7th day of November, 2007.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD


Stephen A. Bush, President


Charles A. Freiberger, Member


D. Mark Seabrook, Member

Attest:


Teresa A. Plaiss, Auditor