

ORDINANCE NO. 1993- 6

AN ORDINANCE OF MARTIN COUNTY, STATE OF INDIANA,
PROVIDING FOR
THE OPERATION OF OFF-ROAD VEHICLES

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY
OF MARTIN, STATE OF INDIANA:

SECTION 1. For the purposes of this Ordinance:

(a) "Off-road vehicle" has the meaning set out in I.C.
14-1-3-1(f);

(b) "Highway" means the entire width between the
boundary lines of every way publicly maintained when any part
thereof is open to the use of the public for purposes of
vehicular travel;

(c) "County highway" means any highway in Martin
County which is not a highway or an extension of a highway in the
Indiana state highway system and which is not within the
corporate boundaries of any city or town;

(d) "Operator" has the meaning set out in
I.C. 14-1-3-1(a);

(e) "Operate" means to ride in or on and to be in
actual physical control of the operation of an off-road vehicle
on a county highway.

(f) "Law enforcement officer" has the meaning set out
in I.C. 14-1-5-1.

SECTION 2. The Superintendent of the Martin County Highway
Department shall designate the county highways which are suitable
for and shall be open to use by off-road vehicles.

SECTION 3. An off-road vehicle operated on a county highway
shall be registered as provided under I.C. 14-1-3-2.

SECTION 4. Any person operating an off-road vehicle on a
county highway shall have liability insurance specifically for
such off-road vehicle in accordance with the minimum insurance

required for the operation of other motor vehicles on public highways.

SECTION 5. Any operator of an off-road vehicle shall carry in his or her possession the registration and certificate of insurance for the off-road vehicle being operated.

SECTION 6. A registered off-road vehicle shall be marked with identification numbers as provided for under I.C. 14-1-3-5.

SECTION 7. No person shall operate an off-road vehicle on a county highway without a valid motor vehicle driver's license as provided for under I.C. 14-1-3-11(c).

SECTION 8. Any law enforcement officer may prohibit operation of an off-road vehicle on a county highway during emergencies.

SECTION 9. An off-road vehicle operated on a county highway shall be equipped with lighting and brakes as provided under I.C. 14-1-3-12.

SECTION 10. A person who operates an off-road vehicle in violation of this Ordinance shall be subject to imposition of the same judgment prescribed for a Class C Infraction as set out in I.C. 34-4-32-4, unless such violation is otherwise designated by a State statute or a rule or regulation promulgated by a State agency or department.

SECTION 11. All law enforcement officers in this state shall have the power and it shall be their duty to enforce the provisions of this Ordinance unless otherwise prevented by State statutes regarding the enforcement of State laws.

SECTION 12. All ordinances or parts of Ordinances in conflict herewith are repealed.

SECTION 13. If any section, paragraph, sentence, clause or phrase in this Ordinance is declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected by such declaration and shall remain in full force and effect.

SECTION 14. This Ordinance shall be in full for and effect from and after its publication for two consecutive weeks in two newspapers of general circulation printed and published in Martin County, Indiana.

PASSED AND ADOPTED this 22nd of May, 1993.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF MARTIN

Dale E. Abel

Dale E. Abel, President

Max D. Warren

Max D. Warren, Commissioner

Dale E. Brown

Dale E. Brown, Commissioner

ATTEST:

Victor P. Crew

Victor P. Crew

Auditor of Martin County