

CHAPTER 450
Off-Road Vehicles

450.01 Definitions.	450.03 Permitted operation.
450.02 Michigan Motor Vehicle Code.	450.99 Penalty.

CROSS REFERENCES

Michigan Vehicle Code - see M.C.L.A. Secs. 257.1 et seq.;
TRAF. Ch. 412
Traffic rules and regulations generally - see M.C.L.A.
Secs. 257.601 et seq., 257.634 et seq.
Uniform Traffic Code - see M.C.L.A. Secs. 257.951 et
seq.; TRAF. Ch. 410

450.01 DEFINITIONS.

As used in this chapter:

“Off-road vehicle (ORV)” means a motor-driven, off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV includes, but is not limited to, a multitrack or multi-wheel drive vehicle, an ATV, a three-wheel, or four-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

(Ord. 2013-05. Passed 12-9-13.)

450.02 MICHIGAN MOTOR VEHICLE CODE.

Off-road vehicles shall also comply with all applicable laws under the Michigan Motor Vehicle Code.

(Ord. 2013-05. Passed 12-9-13.)

450.03 PERMITTED OPERATION.

Off-road vehicles may be operated as follows:

- (a) All operators must wear a helmet approved by the Michigan DOT.
- (b) All operators must possess a valid Michigan driver's license.
- (c) Must be driven 20 m.p.h. or less; travel to and from town; driven in single file with the flow of traffic on the far right of the road in a manner which does not interfere with traffic; yield right-of-way to all pedestrians and vehicles; during the hours from 7:00 a.m. to 11:00 p.m. only; and crossing M25 only at a 45-degree angle.

(Ord. 2013-05. Passed 12-9-13.)

450.99 PENALTY.

(a) Municipal civil infraction. Whoever violates or fails to comply with any of the provisions of this chapter is responsible for a municipal civil infraction and shall be subject to payment of a civil fine of no less than one hundred dollars (\$100.00). Repeat offenses under this chapter shall be subject to increased fines as provided below.

(b) Increased civil fines. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this chapter. As used in this chapter, a repeat offense means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision committed by a person within any 18-month period and for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:

- (1) The fine for any offense which is a first repeat offense shall be no less than two hundred fifty dollars (\$250.00).
- (2) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than five hundred dollars (\$500.00).

(Ord. 2013-05. Passed 12-9-13.)

[Next chapter begins on page 41.]

450.04 PERMITTED OPERATION.

All purpose vehicles being used for winter travel may be operated as follows:

- (a) To make a crossing of a highway, other than a limited access highway or freeway, whenever the crossing can be made in safety and will not interfere with the movement of vehicular traffic approaching from any direction on the highway, and provided that the operator yields the right of way to any approaching traffic that presents an immediate hazard;
- (b) Off and alongside a street or highway for limited distances from the point of unloading from a conveyance to the point at which the all purpose vehicle is intended and authorized to be operated;
- (c) On the berm or shoulder of a highway, other than a limited access highway or freeway, when the terrain permits such operation to be undertaken safely and without the necessity of entering any traffic lane.

450.99 PENALTY.

Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be fined not more than one hundred dollars (\$100.00).