

**MILLVILLE CITY CODE**  
**TITLE 10 - VEHICLES AND TRAFFIC**  
**CHAPTER 10.16 - OFF HIGHWAY VEHICLES**

[10.16.010: DEFINITIONS](#)

[10.16.020: OPERATION ON CITY STREETS](#)

[10.16.030: EQUIPMENT](#)

[10.16.040: PUNISHMENT AND FINES](#)

**10.16.010: DEFINITIONS**

**ADULT SUPERVISION:** Direct supervision by an adult who is at least eighteen (18) years of age.

**GOLF CART:** Is a three (3) or four (4) wheeled vehicle with a seating capacity of two (2) to four (4) persons, originally designed and produced for operation on golf courses.

**IMPLEMENT OF HUSBANDRY:** Every vehicle designed or adapted and used exclusively for an agricultural operation and only incidentally operated or moved upon the highways.

**OFF HIGHWAY VEHICLE OR OHV:** Any snowmobile, all-terrain vehicle (ATV) or off road motorcycle as defined by Utah code 41-22-2. This term does not include any vehicle designed to carry a disabled person, any vehicle not specifically designed for recreational use, any vehicle licensed by the state of Utah for on highway use, or farm machinery including OHVs registered as an implement of husbandry when operated in accordance with Utah code 41-22-5.5.

**OPERATE:** To control the movement of or otherwise use an off highway vehicle.

**OPERATOR:** The person who is in actual physical control of an off highway vehicle.

**OWNER:** A person, other than a person with a security interest, having a property interest or title to an off highway vehicle and entitled to the use and possession of that vehicle.

RECREATIONAL OPERATION: Passing the same point more than three (3) times in a one hour period.

ROADWAY: That portion of highway improved, designed, or ordinarily used for vehicular travel. "Roadway" does not include the sidewalk, berm, or shoulder, even though any of them are used by persons riding bicycles or other human powered vehicles.

STREET OR HIGHWAY: The entire width between boundary lines of every way or place of whatever nature, when any part of it is open to the use of the public for vehicular travel including sidewalks, berms, and shoulders.

UTAH OHV EDUCATION CERTIFICATE: An OHV operator's license issued by the state of Utah to OHV operators age twelve (12) and older that have successfully completed a prescribed course of instruction on OHV use. There are different certificates for each type of OHV (motorcycle, ATV, snowmobile, etc.). (Ord. 2008-5, 2008)

## **10.16.020: OPERATION ON CITY STREETS**

- A. Any person operating an OHV on the streets of Millville City is subject to the provisions of all applicable traffic ordinances, except where superseded by this chapter.
- B. Any person operating an OHV on the Millville City streets must meet one of the following licensure requirements:
  - 1. Operators age sixteen (16) and older must have in their possession a valid state driver's license/learner's permit or Utah OHV education certificate for the OHV type they are operating.
  - 2. Operators between the ages of twelve (12) and sixteen (16) must have in their possession a Utah OHV education certificate for the OHV type they are operating and be under adult supervision. This section pursuant to Utah code 41-22-30. Operators age fifteen (15) may substitute a valid Utah driver learner's permit for the adult supervision requirement.
  - 3. Golf carts may be operated with a valid state driver's license or learner's permit or under adult supervision.

4. Operators whose OHV is registered as an implement of husbandry are exempt from these licensure requirements, provided said operation is in accordance with Utah code 41-22-5.5.
- C. This chapter designates all Millville City streets except Main Street (County Highway 238) as OHV routes per Utah code 41-22-10.5. Crossing Main Street is permitted pursuant to Utah code 41-22-10.3.
  - D. An OHV shall not be operated on Millville City streets in excess of a speed of twenty (20) miles per hour.
  - E. OHVs may only be operated on Millville City roadways and undeveloped shoulders. Operating an OHV on cultivated, landscaped, or otherwise developed property is prohibited unless allowed by the property owner. OHV use is expressly prohibited within the boundaries of Millville City parks.
  - F. No person under the age of eighteen (18) shall operate or ride as a passenger on an OHV within Millville City without wearing protective headgear pursuant to Utah code 41-22-10.8.
  - G. An OHV operated within Millville City must have at all times headlights and taillights functioning. Where an OHV is not equipped with a headlight and taillight, a safety flag defined by Utah code 41-22-10.7 may be substituted in the place of headlights and taillights. Operating an OHV between one-half ( $\frac{1}{2}$ ) hour after sunset to one-half ( $\frac{1}{2}$ ) hour before sunrise without a headlight and taillight functioning is not permitted. Proper signaling must be used when stopping or turning.
  - H. No person may operate an OHV within Millville City in connection with acts of vandalism, harassment of wildlife or domestic animals, burglaries or other crimes, or damage to the environment which includes excessive noise, water or air pollution, abuse of land or watershed including littering, or impairment of plant or animal life.
  - I. Snowmobiles may only be operated on Millville City streets when sufficient snow or ice is present to preclude damage to roadways and shoulders by the snowmobile's steering and propulsion systems.
  - J. Recreational operation of an OHV within Millville City is not permitted. (Ord. 2008-5, 2008)

### **10.16.030: EQUIPMENT**

An OHV operated on Millville City streets must be equipped with:

- A. Brakes adequate to control the movement of and to stop and hold the vehicle under normal operating conditions.
- B. Headlights and taillights or a safety flag per subsection 10.16.020G of this chapter.
- C. An unmodified noise suppression device and United States forest service approved spark arrester. Spark arresters are not applicable for snowmobiles. This subsection is not applicable to vehicles relying solely on electricity for propulsion. (Ord. 2008-5, 2008)

### **10.16.040: PUNISHMENT AND FINES**

Any person who violates any provision of this chapter, upon conviction, is guilty of a class C misdemeanor. The fine for any violation of this chapter is seventy five dollars (\$75.00) for the first instance. Fines double for each subsequent violation (e.g., \$150.00, \$300.00, \$600.00, etc.) within a two (2) year period. Punishments related to this chapter may not take precedence over punishments and fines charged for violating other Millville City, county, state or federal ordinances, but may be assessed in addition to fines levied by violating this chapter. (Ord. 2008-5, 2008)