

**75.04 Places of Operation.** The operators of ATV's and snowmobiles shall comply with the following restrictions as to where ATV's and snowmobiles may be operated within the City.

1. **Streets.** ATV's and snowmobile may be operated on any street within the City **except the following designated streets:**
  - A. Any street having a ditch parallel to either side thereof.
  - B. All streets immediately adjacent to any nursing home or home for the elderly.
  - C. All streets adjacent to the public and private schools of Sanborn during school days from 8:00 a.m. to 5:00 p.m.
  - D. On 320<sup>th</sup> Street (Highway 18) within the City limits as prohibited by State law.
  - E. Any street immediately adjacent to any church on Sunday.
  - F. Main Street from First Street to 320<sup>th</sup> Street (U.S. Highway 18).
2. **Exceptions.** ATV's and snowmobiles may be operated on prohibited streets **only under the following circumstances:**
  - A. Emergencies. ATV's and snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadways renders travel by conventional motor vehicles impractical.
  - B. Direct crossing. ATV's and snowmobiles may make a direct crossing of a prohibited street provided:
    - a. The crossing is made at an angle of approximately 90 degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing.
    - b. The ATV or snowmobile is brought to a complete stop before crossing the street
    - c. The driver yields the right-of-way to all on-coming traffic which constitutes an immediate hazard; and
    - d. In crossing a divided street, the crossing is made only at an intersection of such street with another street.
3. **Railroad Right-of-way.** ATV's and snowmobiles shall not be operated on an operating railroad right-of-way. An ATV or snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.
4. **Trails.** ATV's shall not be operated on snowmobile trails and snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

5. **Parks and Other City Land.** ATV's and snowmobiles shall not be operated in any park, playground, or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.
- A. Snowmobiles and ATV's may be operated on private property of the operator or owner of the snowmobile or ATV or on any private property in the City **with the consent of the property owner.**
  - B. Snowmobiles and ATV's may be operated in public areas, specifically provided by the Council by resolution. Such resolutions shall limit snowmobile or ATV operation on such public areas to no more than thirty (30) days at one time, and shall designate the hours during which snowmobiles and ATV's may be operated in the area and shall provide that the areas be posted notifying the public of these requirements.
6. **Sidewalk or Parking.** ATV's and snowmobiles **shall not be operated** upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

**75.05 Negligence.** The owner and operator of an ATV or snowmobile are liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile. The owner of an ATV or snowmobile shall be liable for any such injury or damage only if the owner was the operator of the ATV or snowmobile at the time the injury or damage occurred or if the operator had the owner's consent to operate the ATV or snowmobile at the time the injury or damage occurred.

**75.06 Accident Reports.** Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify law enforcement and shall file an accident report within forty-eight (48) hours, in accordance with State law.

**75.07 Towing.** No item shall be towed by a snowmobile unless coupled to said snowmobile by a rigid tow bar.

### **321G.3 Registration and Numbering Required.**

- A. Each all-terrain vehicle and snowmobile used on public land or ice of this state shall be currently numbered and registered. A person shall not operate, maintain, or give permission for the operation or maintenance of an all-terrain vehicle or snowmobile on public land or ice unless the all-terrain vehicle or snowmobile is numbered in accordance with this chapter, or in accordance with

applicable federal laws, or in accordance with an approved numbering system in another state, and unless the identifying number set forth in the registration is displayed as prescribed by rules of the commission.

**321G.5 Display of Identification Numbers.** The owner shall display the identification number on an all-terrain vehicle or snowmobile in the manner prescribed by the rules of the commission.

**321G.17 Violation of “Stop” Signal.** A person, after having received a visual or audible signal from a peace officer to come to a stop, shall not operate an all-terrain vehicle or snowmobile in willful or wanton disregard of the signal or interfere with or endanger the officer or any other person or vehicle, or increase speed or attempt to flee or elude the officer.

**321G.13 Unlawful Operation.**

1. A person shall not drive or operate an all-terrain vehicle or snowmobile:
  - a. At a rate of speed greater than reasonable or proper under all existing circumstances.
  - b. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
  - c. While under the influence of intoxicating liquor or narcotics or habit-forming drugs.
  - d. Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.
  - e. In any tree nursery or planting in a manner which damages or destroys growing stock.
  - f. On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.
  - g. In or on any park or fish and game areas except on designated all-terrain vehicle or snowmobile trails.
  - h. Upon an operating railroad right-of-way. An all-terrain vehicle or snowmobile may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officer or railroad employee in the lawful discharge of the officer's or employee's duties or to an employee of a utility with authority to

enter upon the railroad right-of-way in the lawful performance of the employee's duties.

2. A person shall not operate or ride in an all-terrain vehicle or snowmobile with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding an all-terrain vehicle or a snowmobile.
3. A person shall not operate an all-terrain vehicle while carrying a passenger.
4. A person shall not drive or operate a snowmobile on public land without a measureable snow cover.

### **321G.9 Operation on roadways and highways.**

7. An all-terrain vehicle or snowmobile shall not be operated within the right-of-way of a primary highway between the hours of sunset and sunrise except on the right-hand side of the right of way and in the same direction as the motor vehicular traffic on the nearest lane of traveled portion of the right of way.

### **321G.13 Age of Operator on Roadways or Highways**

- a. An all-terrain vehicle or snowmobile shall not be operated on or across a public highway by a person under sixteen years of age who does not have in the person's possession a safety certificate issued to the person pursuant to this chapter.
- b. A person twelve to fifteen years of age and possessing a valid safety certificate must be under the direct supervision of a parent, guardian, or another adult authorized by the parent or guardian, who is experienced in all-terrain vehicle or snowmobile operation, and who possesses a valid driver's license as defined in section 321.1, or a safety certificate issued under this chapter.

A person under twelve years of age shall not operate an all-terrain vehicle on public lands unless the person is taking a prescribed safety training course under the direct supervision of a certified all-terrain vehicle safety instructor and a parent or guardian.