City of Oregon, Ohio, 5330 Seaman Road, Oregon, OH 43616-2633

Ordinance No. 056 **- 2023**

Amending Title Three of the Traffic Code By Establishing A New Chapter Section 342 Of The Oregon Municipal Code Titled "Operation Of Low-Speed Vehicles, Under-Speed Vehicles, and Utility Vehicles On City Streets"; And Declaring An Emergency

Summary And Background

Council for the City of Oregon, Ohio has determined the desire to utilize Low-speed vehicles, Under-speed vehicles, and Utility vehicles has increased as a means of alternative transportation in recent years.

To provide safe and lawful use of Low-speed, Under-speed, and Utility vehicles upon the streets of the City of Oregon, the City and this Council is of the opinion of the need to adopt rules governing the use and operation of golf carts as more fully described in Exhibit A; **Now, Therefore,**

Be It Ordained By The Council Of The City Of Oregon, Ohio, That:

Section 1. Title Three of the traffic code be amended by establishing Section 342, of the City of Oregon Municipal code now shall be written as described in Exhibit A, attached hereto and incorporated herein.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio and that the reading and adoption of this ordinance complies with the provisions of Article III, Section 9, of the City Charter, as amended.

Section 3. This Ordinance is deemed an emergency measure, necessary for the immediate preservation of the public health, safety, and welfare of the residents of the City of Oregon, and for the further reason of ensuring that rules are enacted to ensure the safety and lawful use of these types of vehicles on the public streets.

Vote on passage as an emergency: Yeas 7 Nays 0 Abs 0

Passed as an emergency measure. March 27 2023

President of Council

Approved:

Clerk of Council

Attest:

Mayor

Chapter 342

Operation of Low-Speed Vehicles, Under-Speed Vehicles and Utility Vehicles on City Streets

OMC 342.01 Definitions:

A) **Low -speed vehicle**-means a three-or-four wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour, but not more than twenty-five miles per hour with a gross vehicle weight rating less than three thousand pounds. (ORC 4501.01(WW)).

B) **Under-speed** vehicle-means a three-or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds. (ORC 4501.01(XX))

C) **Utility vehicle-** means a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds, maintenance, lawn and garden, materials handling, or similar activities. (ORC 4501.01 (VV))

OMC 342.02 Authorized Public Streets:

A) All public streets in the jurisdiction of the City of Oregon with a speed of thirty-five (35) miles per hour or less may be used for the operation of low-speed vehicles and under-speed vehicles with the exception of Navarre Avenue/State Route 2, Woodville Road/State Route 51, Wynn Road, and Corduroy Road. Low-speed vehicles and under-speed vehicles are prohibited from operating upon the roadways listed above.

B) All public streets in the jurisdiction of the City of Oregon with a speed of thirty-five (35) miles per hour or less may be used for the operation of utility vehicles.

OMC 342.03 City Inspection:

A) No person shall operate an under-speed vehicle and/or a utility vehicle on the streets within the City unless the under-speed vehicle and/or utility vehicle has

been inspected for compliance with the State of Ohio statutory requirements that are applicable to motor vehicles and the Codified Ordinances of the City, entitling the owner or operator to secure a title and license for the under-speed vehicle and/or utility vehicle. All under-speed vehicles and/or utility vehicle shall be properly titled and plated as required by the State of Ohio and have been designated by the Bureau of Motor Vehicles as the following:

a. Under-Speed Vehicle: BMV Code- US
b. Utility -Vehicle: BMV Code- UV

B) The owner of the under-speed vehicle and/or utility vehicle shall provide proof of insurance at the time of inspection.

C) City inspection is not required for any low-speed vehicle . However, all low-speed vehicles shall be properly titled and plated as required by the State of Ohio and have been designated by the Bureau of Motor Vehicles as the following:

a. Low-Speed Vehicle: BMV code-LS

OMC 342.04 Equipment:

A) A list of equipment required for safe operation of under-speed vehicles and/or utility vehicles by the Ohio Revised Code Chapter 4513 shall be maintained at the Police Division, and shall include:
1) Working headlights
2) At least one working taillight and two working brake lights
3) Directional signals
4) A rearview mirror
5) A white light illuminating the rear license plate legible from a distance of 50 feet
6) A working horn
7) Windshield made of glass or safety glass
8) One license plate; in the rear bracketed to the cart
9) One seat belt per occupant

OMC 342.05 Licensing Requirements of Operator of an Under-Speed, Low-Speed, or Utility Vehicle:

A) No person who is less than 16 years of age shall operate an under-speed, low-speed, or utility vehicle on the streets of the City.

B) The operator of an under-speed, low-speed, or utility vehicle on permitted streets within the City shall hold a valid current motor vehicle driver's license.

C) No person who is the owner or operator of an under-speed, low-speed, or utility vehicle shall fail to display, in plain view on the rear of the vehicle, the distinctive number and registration mark, including any county identification sticker and any validation sticker.

OMC 342.06 Usage and Restrictions:

A) Occupants of under-speed, low-speed, and utility vehicles shall be seated at all times on the seat of the vehicle, buckled by the seat belt when the vehicle is on and in motion. Standing on any portion of the vehicle while it is in motion is prohibited.

B) Any child who falls under the child restraint criteria set by O.R.C. 4511.81 is prohibited from being a passenger in an under-speed and/or low-speed operated on any City street, right of way, or public area in the City of Oregon.

C) No person shall operate under-speed, low-speed, or utility vehicles on sidewalks.

D) No person shall operate an under-speed, low-speed, or utility vehicle on a bike path.

E) Under-speed, low-speed, or utility vehicles must be operated in accordance with all State of Ohio traffic laws in addition to all applicable sections of the City of Oregon Codified Ordinances.

OMC 342.07 Penalty: Whoever violates the provisions of this Chapter is guilty of a minor misdemeanor of the first offense. On a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; and for subsequent offenses within one year after the first offense, the person is guilty of a misdemeanor of the third degree.