

City of Humphrey

ATV CERTIFICATE OF REGISTRATION

This certifies that:

Name: _____ Address: _____

Has registered with the City Clerk of Humphrey the following vehicle and by signing the Certificate of Registration is aware of and agrees to abide by all the ATV rules as set out in Ordinance No. 704 of the City of Humphrey Ordinances.

Type of Vehicle: _____ Signature of Driver: _____

Date: _____

City Clerk: _____

FEE PAID \$10.00 _____

Certificate expires one year from the date

Attention!!!

ATV & Utility Type Vehicle Owners

Due to the recent complaints and concerns regarding ATV's and Utility Type vehicles the Humphrey Police Department would like to bring to your attention the City Ordinance pertaining to ATV/Utility vehicles.

REGISTRATION:

All ATV/Utility Type vehicles that are driven within the City Limits of Humphrey must be registered with the Humphrey Police Department. To register your vehicle you must show the following.

- Vehicle Model, Color and Year of vehicle
- Provide the Vehicle Identification Number
- Provide a Copy of a Valid Insurance Card for the Vehicle (must have Liability coverage)
- Owner's Name, Address and telephone number

The Registration expires one year from issuance and must be renewed annually. The registration fee is \$10.00.

OPERATION:

To operate an ATV/Utility vehicle within the City Limits of Humphrey you must meet the Following guidelines.

- Have a valid Operator's License or Farm Permit
- All operators and passengers under the age of 18 must wear an approved DOT helmet
- The vehicle must have an orange safety flag of not less than 30 square inches attached to the rear of the vehicle with it being at least 5ft above ground level
- The vehicle must be equipped with a standard manufacturer's exhaust muffler or a muffler that is quieter than the manufacturer's muffler
- A registration tag must be displayed and visible at all times on the rear of the vehicle
- The vehicle may only be operated between the hours of Sunrise and Sunset and shall not exceed 30 miles per hour and you must obey all traffic laws
- The vehicles headlight(s) and taillight(s) must be on at all times

If the Humphrey Police Department finds you to be in violation of any of the above guidelines you will be issued a written warning for the first violation and a citation for any further violations. The Humphrey Police Department may suspend any registration that has multiple violations. If you have any questions pertaining to the City Ordinance please contact the Humphrey Police Department at 402-923-0224 or 402-910-7350.

ORDINANCE NO. 704

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HUMPHREY, NEBRASKA TO PERMIT THE OPERATION OF ALL-TERRAIN VEHICLES UNDER CONDITIONS SET FORTH, PROVIDE REQUIREMENTS THEREFORE THE EFFECTIVE. DATE HEREOF AND THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HUMPHREY, NEBRASKA AS FOLLOWS; TO-WIT:

Section 1. For purposes of this section:

(a) All-terrain vehicle means any motorized off-highway vehicle which (i) is fifty inches or less in width. (ii) has a dry weight of nine hundred pounds or less, (iii) travels on three or more low-pressure tires, (iv) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (v) has a seat or saddle designed to be straddled by the operator, and (vi) has handlebars or any other steering assembly for steering control. (Neb. Rev. Stat. §60-6,355)

(b) Street or highway means the entire width between the boundary of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes vehicular travel. (Neb. Rev. Stat. 60-624)

(c) An all-terrain vehicle may be operated on streets and highways within the corporate limits of the City of Humphrey only if the operator and the vehicle comply with the provisions of this section.

(d) An all-terrain vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of thirty miles per hour. When operating an all-terrain vehicle as authorized in subsection (c) of this section, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color. It must be equipped with a standard manufacturer's exhaust muffler or a muffler that is quieter than the manufacturer's. All operators and passengers under the age of 18 must wear a DOT approved helmet while the ATV is in motion.

(e) Any person operating an all-terrain vehicles as authorized by subsection (c) of this section shall have:

(i) A valid Class 0 operator's license or a farm permit as provided in Neb. Rev. Stat. §69-4,126;

(ii) Liability insurance coverage for the all-terrain vehicle while operating the all-terrain vehicle on a street or highway. The person operating the all-terrain vehicle shall provide proof of such insurance coverage to any peace officer requesting such

proof within five days of such a request;

(iii) Present on the all-terrain vehicle the certified copy of the registration of the vehicle obtained by providing the City Clerk with the make and serial number, or if none, other identifying items, the name, phone number, and address of the owner, the name and address of the person registering the and a annual registration fee of \$10.00. The registration must be in writing and shall expire one year from the date issued. The City Clerk is authorized to require use of a uniform registration form. The City Clerk shall file the registration and provide the registrant with a certified copy bearing the file time and date and the signature of the City Clerk. The copy provided to the registrant shall be present on the all-terrain vehicle at all times it is being operated on the public ways of the City;

(iv) Not been convicted of violation of the law while operating an all-terrain vehicle within the 12 months preceding the operation of an all-terrain vehicle on the public ways of the City within the 12 months preceding the operation of an all-terrain vehicle on the public ways of the City; and

(v) Not permitted or otherwise enabled a non-licensed driver to operate an all-terrain vehicle on the public ways of the City within the 12 months preceding the operation of an all-terrain vehicle on the public ways of the City.

f) All-terrain vehicles may be operated without complying with subsections (d) and (e) of this section on the streets and highways in parades which have been authorized by the State of Nebraska or any department, board, commission, or political subdivision of the state.

(g) An all-terrain vehicle shall not be operated on any controlled-access highway with more than two marked traffic lanes, and the crossing of any controlled-access highway with more than two marked traffic lanes shall not be permitted. Subsections (c) through (e) and (h) of this section authorize and apply to operation of an all-terrain vehicle only on a street or highway other than a controlled-access highway with more than two marked traffic lanes.

(h) Subject to subsection (g) of this section, the crossing of a street or highway shall be permitted by an all-terrain vehicle without complying with subsections (d) and (e) of this section only if:

i. The crossing is made at an angle of approximately ninety degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

ii. The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;

iii. The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

iv. In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and

v. Both the headlight and taillight of the vehicle are on when the crossing is made.

Section 2. A person who violates Section 1 of this Ordinance shall be punished by a fine of up to \$100 on a first offense and up to \$250 on each offense thereafter.

Section 3. The provisions of any other ordinance or section passed and approved prior to the passage, approval and publication of this ordinance that are in conflict with this ordinance are repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law.

MOTION TO ADOPT BY COUNCIL PERSON KRINGS.

MOTION SECONDED BY COUNCIL PERSON EISENMENGER.

PASSED BY A VOTE OF 4 TO 0 on this 18TH day of August, 2008.

Mayor
(SEAL)

Attest: _____
City Clerk