

ORV Ordinance - 08.05.2024

PLEASE NOTE: This ordinance ONLY applies to roads in unincorporated Newton County. Unincorporated means outside the municipal boundaries of our cities and towns. Also, the ordinance DOES NOT APPLY to State Roads and US Highways.

1. Definitions

- A. LICENSED PERSON. Any person holding a valid Indiana motor vehicle operator's license, or a comparable license issued by another state.
- B. OFF-ROAD VEHICLE. Any four-wheeled motorized vehicle having a side-by-side seating arrangement for which the state does not require registration and plating to utilize in going from one place to another for transportation or recreation. The term includes vehicles commonly referred to as side-by-side vehicles (SxS), utility task vehicles (UTV), and recreational off-highway vehicles (ORV).

2. Equipment, Driver's Licenses and Insurance Requirements

- A. In addition to being in good operating condition, the off-road or other like vehicle must have the following:
 - a. A windshield
 - b. Seatbelts for use by the operator and all passengers
 - c. An operating horn
 - d. Headlights, taillights, turn signals and brake lights visible from a distance of at least 500 feet
 - e. Rearview mirror
- B. The Operator of an off-road vehicle shall maintain insurance on the operation of the vehicle
- C. The off-road, or other like vehicle, shall only be operated on roads, within the jurisdiction of Newton County, by licensed drivers.

3. Regulations

- A. No off-road vehicles, or other like vehicle, may be operated on a state highway, other than to cross the state highway at a 90-degree angle (right angle) in order to travel from one county roadway to another county roadway, and only when the operation can be done safely.
- B. Any permitted use shall still be subject to all state statutes and relevant county ordinances applicable to the operation of motor vehicles, including speed limits and parking restrictions.
- C. The number of passengers permitted on any off-road vehicles, or other like vehicle, may not exceed the number of passengers recommended by the vehicle's manufacturer.

4. Enforcement

- A. The Newton County Sheriff's Department is authorized to enforce the terms and provisions of this Ordinance.

5. Penalties

- A. The first violation of this section shall subject the owner and/or operator of the off-road vehicle to a fine of \$150.
- B. A second violation of this section shall subject the owner and/or operator of the off-road vehicle to a fine of \$200.00, and revocation of their operating permit for a term of one year from the date of the second violation.

6. Registration of Off-Road Vehicles

The owner of an off-road vehicle to be operated on highways in Newton County must register the off-road vehicle at the Sheriff's Office annually. Off-road vehicle registrations will be valid for one year beginning January 1 and ending December 31 each calendar year. In order to register an off-road vehicle, the owner shall submit to the Sheriff a registration application which shall include the following:

- a. Owner shall provide the following information or certifications about the vehicle:
 - i. Make, model, and year of off-road vehicle required
 - ii. Serial number of off-road vehicle required
 - iii. Vehicle capacity recommended by manufacturer
 - iv. Brakes are in good working condition
 - v. Equipped with manufacturer's serial number plate, rear view mirror, turn signals, headlights, taillights, brake lights, front and rear reflectors, and a horn.
- b. Copy of a valid driver's license
- c. Proof of financial responsibility (insurance), per State minimum limits
- d. Mailing address and telephone number of owner
- e. Annual registration fee.

The Sheriff shall review each registration application for compliance with this Section.

- f. In the event that an application meets the foregoing registration requirements, the Sheriff shall:
 - i. Designate a unique registration number for a newly registered off-road vehicle and retain the off-road vehicle's registration information
 - ii. Issue a registration decal bearing the off-road vehicle's registration number and the calendar year to the owner of a newly registered off-road vehicle. The vehicle must display the registration sticker issued by the Sheriff in a location that is in plain sight.

g. In the event that an application fails to meet the foregoing registration requirements, the Sheriff shall return the application materials to the applicant and delineate the reasons the registration application was rejected.

The Sheriff shall maintain a record of:

- H. Registration acceptances and denials
- I. List of all off-road vehicles with active registrations

J. Registration documents submitted by owners of actively registered off-road vehicles

7.Fees and Expenses

- A. The annual off-road vehicle registration fee shall be \$25.00. With the issuance of the off-road vehicle registration, the Sheriff shall furnish a registration sticker to the owner.
- B. Fees collected under this section shall be placed in the Sheriff's Fund 4913 Account No. 39803
- C. Expenditures related to the performance of the Sheriff's duties in registering and inspecting off-road vehicles along with youth educational programs shall be made from Sheriff's Fund 4913 Account No. 39803 pursuant to the claims process of the Board of Commissioners.

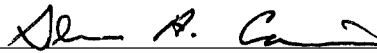
8.Exceptions


- A. Employees, agents, and officials of the State of Indiana, Newton County Government, and municipalities within Newton County, while engaged in government business, are exempt from application of this Chapter.
- B. Subject to the discretion of the Sheriff, temporary exceptions to this Chapter may be granted to participants in parades, festivals, and other special events.

That this Ordinance shall take effect upon passage by the Board of Commissioners and after proper notice and posting as required by law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY UNANIMOUSLY on the 5th day of August, 2024.

BOARD OF COMMISSIONERS OF
NEWTON COUNTY, INDIANA


Commissioner


Commissioner


Commissioner

(SEAL)

ATTEST:


Auditor, Newton County, Indiana