

# City of Blair - UTV Guidelines

## UPDATED 2025

### ANNUAL UTV LICENSE FEE - \$50.00



#### **Sec 5-513 DEFINITION: UTILITY-TYPE VEHICLE.**

Utility-type vehicle means any motorized off-highway vehicle which:

1. Is seventy-four (74) inches in width or less;
2. Is not more than one hundred eighty (180) inches, including the bumper, in length;
3. Has a dry weight of two thousand (2,000) pounds or less; and
4. Travels on four (4) or more non-highway tires;
5. Utility-type vehicle does not include all-terrain vehicles, golf car vehicles, or low-speed vehicles.

(Neb. Rev. Stat. § 60-6,355) (Penalties refer to Sections 5-701 through 5-705 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2279 5/12/2015).

#### **Sec 5-514 UTILITY-TYPE VEHICLE; LICENSE AND PERMIT REQUIRED.**

It shall be unlawful for any person to drive, operate or be in physical control of a utility-type vehicle upon any road, street, highway or alley within the City:

1. Without having in full force and effect a Class O operator's license issued by the Nebraska Department of Motor Vehicles, as provided by the laws of the State;
2. Without carrying the operator's license; and
3. Under the age of eighteen (18) years of age.

A utility-type vehicle shall not be considered a motor vehicle for purposes of requiring a State motor vehicle registration of the same, except any individual or entity who desires to operate a utility-type vehicle shall make written request to the Blair Police Department for a permit allowing the use and shall display the identification tag issued by the Blair Police Department on the utility-type vehicle. Permits shall be renewed per the fees schedule in current Appendix. See Current Appendix – Permit, License and Application fees set by the Council.

(Neb. Rev. Stat. §60-6,356 through §60-6,361) (Penalties refer to Sections 5-701 through 5-705 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2279 5/12/2015; Amended by Ordinance 2558 01/14/2025).

#### **Sec 5-515 UTILITY-TYPE VEHICLE; OPERATION; RESTRICTIONS.**

A utility-type vehicle shall not be operated on any highway with more than two marked traffic lanes. The crossing of any highway with more than two marked traffic lanes must only be made at an intersection that is controlled by a traffic control signal.

The crossing of any highway that does not have more than two marked traffic lanes shall not be permitted unless the crossing is made only at an intersection of such highway with another road, street or highway.

The crossing of any road, street or highway within the City requires the following;

1. The crossing is made at an angle of approximately ninety degrees to the direction of the

- highway;
2. The crossing is made only at an intersection of such road, street or highway with another road, street or highway;
  3. The vehicle is brought to a complete stop before crossing the shoulder or roadway of the highway;
  4. The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard; and
  5. Both the headlight and taillight of the vehicle are on when the crossing is made.

Operation of a utility-type vehicle shall occur only between the hours of sunrise and sunset. No operation of a utility-type vehicle shall occur on any public land not directly on any road, street, highway or alley within the City including sidewalks, trails, parks and right of way.

Any person operating a utility-type vehicle as authorized herein shall have liability insurance coverage for the utility-type vehicle while operating the utility-type vehicle. The person operating the utility-type vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five (5) days of such a request.

Any person operating a utility-type vehicle as authorized herein shall not operate such vehicle at a speed in excess of thirty (30) miles per hour or the posted speed limit, whichever is lower.

When operating a utility-type vehicle 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 (5) 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 (30) square inches and shall be day-glow in color.

No person shall:

1. Equip the exhaust system of a utility-type vehicle with a cutout, bypass, or similar device;
2. Operate a utility-type vehicle with an exhaust system so modified;
3. Operate a utility-type vehicle with the spark arrester removed or modified except for use in closed-course competition events.

Every utility-type vehicle shall be equipped with:

1. A brake system maintained in good operating condition;
2. An adequate muffler system in good working condition;
3. A United States Forest Service qualified spark arrestor; and
4. A roll bar designed and manufactured to prevent injuries in the event of a roll over.

Every person in a utility-type vehicle during operation shall be in a permanent and regular seat which includes an occupant protection system which utilizes a lap belt, a shoulder belt or any combination of belts which restrains driver and passengers and which conforms to federal motor vehicle safety standards for passenger restraint systems applicable for the UTV's model and year and which shall be in use by all occupants at all times.

Except as otherwise specifically stated above, the operation of a utility-type vehicle shall be subject to all of the statutory requirements for the operation of any motor vehicle in the State of Nebraska and shall require a valid Class O operator's license; specifically including those

statutes dealing with the rules of the road, child restraint systems and the operation of a motor vehicle by any person impaired by alcohol or drugs. Any violations could result in revocation of the right to operate the UTV.

Statutory references: (Neb. Rev. Stat. §60-6,356 through §60-6,361) (Penalties refer to Sections 5-701 through 5-705 or Addendum to Code Violations Bureau Fee Schedule). (Amended by Ordinance 2279 5/12/2015; Amended by Ordinance 2290 9/22/2015)

**Sec. 5-701 VIOLATIONS; PENALTY.** It shall be unlawful for any person to fail to comply with the provisions herein, and every person failing to comply with or violating any of the provisions of this Chapter shall be deemed to be guilty of a Class III misdemeanor, as defined by the statutes of the State of Nebraska, Section 28-106, and upon conviction thereof shall be fined accordingly. (Added by Ordinance 2150 06/10/2008)

**Sec. 5-702 FAILURE TO APPEAR; PENALTY.** Whoever is charged with a violation of the Municipal Ordinance, conviction of which would carry a jail sentence of more than ninety (90) days, who is released from custody under bail or recognizance or conditional release and who willfully fails to appear before the court granting such release when legally required to render himself or herself other than three (3) days thereafter, shall be guilty of a misdemeanor and shall, upon completion thereof, be punished by a fine or not more than five hundred (\$500.00) dollars, or by imprisonment in the County jail for not more than six (6) months, by both such fine and imprisonment, in addition to any other penalties or forfeitures provided by law. (Added by Ordinance 2150 06/10/2008)

**Sec. 5-703 VIOLATIONS BUREAU; CITATION.** A Violation Bureau for the City of Blair is hereby created pursuant to Section 18-1729 Neb. RRS. 1943, for the purpose of collecting penalties for city code violations.

Any person accused of a violation as established by Section 5-226, 5-402 through 5-405, 5-406.01, 5-407, 5-408, 5-410.01, 5-411, 5-501, 5-501.01, 5-513 through 5-515, and 5-615, may within ten (10) days after the date of issuance of the citation of the violation and before the appearance date thereon, dispose of the citation by appearing at the office of the City Clerk of the City of Blair and remitting full payment of the penalty assessed for the specific violation.

Any person may plead not guilty to the citation, he or she may appear before the County Court of Washington County, Nebraska, on the date and at the time specified on the citation.

At the time of the commission of the alleged violation, the accused shall be served with printed notice informing the accused of his or her options in disposing of the citation as noted hereinbefore.

If the accused fails to appear at the office of the City Clerk of the City of Blair or before the County Court of Washington County, Nebraska, on or before the date specified on the citation, a warrant for his or her arrest shall be issued by the County Court of Washington County, Nebraska. (Added by Ordinance 2150 06/10/2008) (Amended by Ordinance 2165 5/12/2009; (Amended by Ordinance 2279)

**Sec. 5-704 PENALTIES.** Any person, firm, association, or corporation violating any of the provisions of this Article, Sections 5-226, 5-402 through 5-405, 5-406.01, 5-407, 5-408, 5-410.01, 5-411, 5-501, 5-501.01, shall be deemed guilty of a misdemeanor and upon conviction

shall be fined the sum of twenty-five (\$25.00) dollars. (Added by Ordinance 2150 06/10/2008) (Amended by Ordinance 2165 5/12/2009)

**Sec. 5-705 PENALTIES.** Any person, firm, association, or corporation violating any of the provisions of this Article, Sections 5-513 through 5-515, and 5-615 shall be deemed guilty of a misdemeanor and upon conviction shall be fined the sum of fifty dollars (\$50.00). (Added by Ordinance 2150 06/10/2008) (Amended by Ordinance 2279)

**VIOLATION FEES FOR UTV:**

5-513	Definition: Utility-type Vehicle	Class III Misd.	\$50.00
5-514	Utility-type Vehicle; License and Permit Required	Class III Misd.	\$50.00
5-515	Utility-type Vehicle; Operation; Restrictions	Class III Misd.	\$50.00