

DATE: JUNE 7, 2022

COMMISSION ORDER NO. 12-2022

**IN THE MATTER OF ADOPTING
REGULATIONS FOR OPERATING
RECREATIONAL AND UTILITY
VEHICLES ON COUNTY PUBLIC
ROADS IN THE UNINCORPORATED
PORTIONS OF WARREN COUNTY**

WHEREAS, the County Commission of Warren County, Missouri, has determined that it would be in the best interest of the health, safety and welfare of the citizens of Warren County to adopt and establish reasonable safety regulations to govern the operation of off-road recreational vehicles, utility vehicles, side-by-sides and similar vehicles on county roads within the unincorporated portions of Warren County; and

WHEREAS, the following regulations would have no applicability or jurisdiction over any State of Missouri highway, road or bridge nor the regulations have any applicability or jurisdiction over any street, roadway or alley within any incorporated within Warren County and that any person who elects to operate any such vehicle on State or City roads, highways, streets or alleys assumes the responsibility of being knowledgeable regarding the legality of operating off-road vehicles on such roads, highways, streets or alleys.

IT IS THEREFORE ORDERED by the County Commission of Warren County, Missouri that the following regulations regarding the operation of off-road recreational vehicles, utility vehicles, side-by-sides and similar vehicles on Warren County roads are hereby adopted to be effective from and after the date hereof, to wit:

SECTION ONE: Definitions. The following words and phrases, when used in these regulations, shall have the meanings set forth herein:

ALL-TERRAIN VEHICLE

Any motorized vehicle manufactured and intended to be used exclusively for off-highway use pursuant to Section 301.010 RSMo, traveling on three (3), four (4) or more low-pressure tires, with a seat designed to be straddled by the operator and handlebars for steering control.

COUNTY ROADS AND HIGHWAYS

All roads and highways located in the unincorporated portions of Warren County which are maintained by Warren County through the expenditure of public funds or the use of public labor thereon.

RECREATIONAL OFF-HIGHWAY VEHICLE

Any motorized vehicle manufactured and intended for off-highway use as provided for in Section 301.010 RSMo, traveling on four (4) or more non-highway tires and which may have access to ATV trails.

UTILITY VEHICLE

Any motorized vehicle manufactured and intended for off-highway use as provided for in Section 301.010 RSMo, traveling on four (4) or six (6) wheels, to be used primarily for landscaping, lawn care, agricultural or maintenance purposes.

SECTION TWO: All-Terrain Vehicles and Golf Carts Prohibited.

No person shall operate any all-terrain vehicle or golf cart upon County roads or highways except vehicles owned and operated by a governmental entity for official use.

SECTION THREE: Operation of Utility and Recreational Off-Highway Vehicles.

- A. No person shall operate a Utility Vehicle ("UTV") or Recreational Off-Highway Vehicle ("ROV") upon County roads and highways of Warren County, except in accordance with the following regulations:
1. UTVs or ROVs owned and operated by a governmental entity for official use.
 2. While participating in a permitted parade.
 3. A person operating a UTV or ROV on a County road or highway pursuant shall have a valid operator's or chauffeur's license issued by the State of Missouri or any other state, but shall not be required to have passed an examination for the operation of a motorcycle and shall not be required to have any other special license.
 4. The UTV or ROV shall be properly insured and such proof of insurance shall specifically list the vehicle as referenced by the serial number and year of model and shall be available upon request of law enforcement at all times while being operated on a County road or highway.
 5. A UTV or ROV without a roof shall have a bicycle flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The flag shall be dayglow in color and triangular in shape, with an area not less than thirty (30) square inches. If the UTV or ROV does not have a roof, a reflective device shall be attached to the rear of the vehicle.
 6. No person shall operate a UTV or ROV within any stream in Warren County, except that UTVs or ROVs may be operated within waterways which flow within the boundaries of land which a UTV or ROV operator owns, or for agricultural purposes within the boundaries of land which a UTV or ROV operator owns or has permission to be upon, or for the purpose of fording such stream of this County.

- B. Any person operating a UTV or ROV on a County road or highway shall be subject to all traffic regulations of the County, except those provisions pertaining to licensing and registration.
- C. No person operating a UTV or ROV on County roads or highways shall:
1. Operate the UTV or ROV in any careless or imprudent manner so as to endanger any person, or property.
 2. Operate the UTV or ROV while under the influence of alcohol, prescription medicine or any controlled substance.
 3. Carry passengers in excess of the maximum number of designated seating for the UTV or ROV; no more than two (2) passengers per bench seat shall be allowed; or, those younger than sixteen (16) years in age unless the operator is the legal guardian of the passenger(s). Age/size appropriate child restraints are required.

SECTION THREE: Registration and Required Equipment.

A. No Warren County inspection, permit or registration shall be required to operate UTVs or ROVs on Warren County roads and highways.

B. All UTVs and ROVs which are operated on County roads or highways must have the following safety equipment and all such equipment must be operational and in a good state of repair:

1. Headlamps.
2. Tail lamps.
3. Stop lamps.
4. Reflex reflectors, one (1) on each side as far to the rear as practicable and one (1) red on the rear of the vehicle.
5. Parking brake.
6. Type 1 or Type 2 seat belt assembly conforming to Federal Motor Vehicle Safety Regulations.
7. A flag as described Section Three, A.5. above if the vehicle is not equipped with a roof.
8. That the UTV or ROV operates on at least four (4) wheels.


9. Not less than two (2) thirty-seconds inch of tread depth remaining on each tire, there are no visible tire threads or cords showing and there is no visible rubber separation.

IT IS FURTHER ORDERED that Denise Stotler, County Clerk, shall deliver a copy of this order to the following:

1. Kevin Harrison, Warren County Sheriff
2. (newspaper)



Joe Gildehaus, Presiding Commissioner



Matt Flake, Northern District Commissioner



Tom Meyer, Southern District Commissioner