

ORDINANCE NO. 1159

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 5 TRAFFIC REGULATIONS, ARTICLE 4 BICYCLES, MINIBIKES, AND MOPEDS, SECTION 5-406 UTILITY-TYPE VEHICLES AND MINITRUCKS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. Chapter 5, Article 4, Section 5-406 of the Municipal Code of Springfield, Nebraska is amended to read as follows:

§5-406 UTILITY-TYPE VEHICLES AND MINITRUCKS.

(1) For purposes of this section:

MINITRUCK. A foreign-manufactured import vehicle or domestic-manufactured vehicle which:

1. Is powered by an internal combustion engine with a piston or rotor displacement of one thousand (1,000) cubic centimeters or less;
2. Is sixty-seven (67) inches or less in width;
3. Has a dry weight of four thousand two hundred (4,200) pounds or less;
4. Travels on four (4) or more tires;
5. Has a top speed of approximately fifty-five (55) miles per hour;
6. Is equipped with a bed or compartment for hauling;
7. Has an enclosed passenger cab;
8. Is equipped with headlights, tail lights, turn signals, windshield wipers, a rearview mirror, and an occupant protections system; and
9. Has a four (4)-speed, five (5)-speed, or automatic transmission. (Ref. 60-121.01, 60-337.01, 60-363.01 RS Neb.)

STREET OR HIGHWAY. The entire width between the boundary limits 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 of vehicular travel.

UTILITY-TYPE VEHICLE. Any motorized off-highway vehicle which:

1. Is not less than forty-eight (48) inches nor more than seventy-four (74) inches in width;
2. Is not more than one hundred thirty-five (135) inches, including the bumper, in length;
3. Has a dry weight of not less than nine hundred (900) pounds nor more than two thousand (2,000) pounds;
4. Travels on four (4) or more low-pressure tires; and
5. Is equipped with a steering wheel and bench or bucket-type seating designed for at least two (2) people to sit side-by-side.

UTILITY-TYPE VEHICLE or MINITRUCK. Does not include golf carts ~~cars~~ or low-speed vehicles. (Ref. 60-135.01, 60-358.01)

(2) Utility-type vehicles and minitrucks may be operated on streets and highways within the corporate limits of the city only if the operator and the vehicle comply with the provisions of this section.

(3) A utility-type vehicle or minitruck may be operated only between the hours of sunrise and sunset and shall not be operated 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 or minitruck as authorized in subsection (2) of this section, the headlight and taillight of the vehicle or minitruck shall be on and the vehicle or minitruck 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 or minitruck. 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. *(Ref. 60-6,356 RS Neb.)*

(4) Any person operating a utility-type vehicle or minitruck as authorized in subsection (2) of this section shall have:

(a) A valid Class O operator's license or a farm permit as provided in section 60-4,126 RS Neb; and

(b) Liability insurance coverage for the utility-type vehicle or minitruck while operating the utility-type vehicle or minitruck on a street or highway. The person operating the utility-type vehicle or minitruck shall provide proof of such insurance coverage to any peace officer requesting such proof within five (5) days of such a request. *(Ref. 60-6,356 RS Neb.)*

(5) Every utility-type vehicle or minitruck shall be equipped with:

(a) A brake system maintained in good operating condition;

(b) An adequate muffler system in good working condition; and

(c) A United States Forest Service qualified spark arrester. *(Ref. 60-6,358 RS Neb.)*

(6) No person shall:

(a) Equip the exhaust system of a utility-type vehicle or minitruck with a cutout, bypass, or similar device;

(b) Operate a utility-type vehicle or minitruck with an exhaust system so modified; or

(c) Operate a utility-type vehicle or minitruck with the spark arrester removed or modified except for use in closed-course competition events. *(Ref. 60-6,359 RS Neb.)*

(7) Utility-type vehicles or minitrucks may be operated without complying with subsections (3), (4), (5) and (6) of this section on 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. *(Ref. 60-6,356 RS Neb.)*

(8) A utility-type or minitruck vehicle shall not be operated on any controlled-access highway with more than two (2) marked traffic lanes, and the crossing of any controlled-access highway with more than two (2) marked traffic lanes shall not be permitted. Subsections (2) through (6) and (9) of this section authorize and apply to operation of a utility-type vehicle or minitruck only on a street or highway other than a controlled-access highway with more than two (2) marked traffic lanes.

(9) Subject to subsection (8) of this section, the crossing of a street or highway shall be permitted by a utility-type vehicle or minitruck without complying with subsections (3) and (4) of this section only if:

(a) The crossing is made at an angle of approximately ninety (90) degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street or highway;

(c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

(d) In crossing a divided highway, the crossing is made only at an intersection of such highway with another highway; and

(e) Both the headlight and taillight of the vehicle or minitruck are on when the crossing is made. (Ref. 60-6,356 RS Neb.)

(10) If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician, the operator of each utility-type vehicle or minitruck involved in the accident shall give notice of the accident in the same manner as provide in section 60-699 RS Neb. (Ord. No. 787, 5/3/11)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 17 day of September, 2024.

(SEAL)



Raeborg Jennings
City Clerk

Robert Roslund
Mayor