

Summary
Board Bill Number 198
Introduced by Alderwoman Sarah Martin
February 18, 2022

The proposed bill will make it unlawful for an individual to operate an “all-terrain vehicle”, as defined in the bill, on any public right-way or public property in the City.

**BOARD BILL NUMBER 198 INTRODUCED BY: ALDERWOMAN SARAH MARTIN/
ALDERMAN JAMES PAGE/ALDERWOMAN ANNE SCHWEITZER**

1 An ordinance to make it unlawful for an individual to operate an “all-terrain vehicle”, as defined
2 herein, on any public right-way or public property in the City.

3 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

4 **SECTION ONE. Definitions.** The following words, terms, and phrases, when used in this
5 Ordinance, shall have the meanings ascribed to them in this section:

6 *All-terrain vehicle* shall mean any motorized vehicle designed and manufactured to travel over
7 unimproved terrain and not intended for highway use, with an unladen dry weight of one-thousand
8 five-hundred pounds or less, travelling on three or more nonhighway tires, with either:

- 9 1. A seat designed to be straddled by the operator, and handlebars for steering control, but
10 excluding electric bicycles and motorized bicycles (*Defined in 300.010 RSMO*),
11 motorcycles and EPAMD; or
- 12 2. A width of fifty inches or less measured from outside tire rim to outside tire rim, regardless
13 of seating or steering arrangement, but excluding golf carts.

14 *Dirt bike* shall mean any two-wheeled motorized recreational vehicle designed and manufactured
15 to travel over unimproved terrain and not intended for highway use. Dirt bike does not include
16 all-terrain vehicles.

17 *EPAMD* shall mean any electric personal assistive mobility device (hereinafter "EPAMD") that is
18 self-balancing, has two (2) non-tandem wheels, is designed to transport one (1) person, and has an
19 electric propulsion system that produces an average power output of no more than 750 watts.

1 Golf cart shall mean any motorized vehicle that is designed and manufactured for operation on a
2 golf course or for sporting or recreational purposes that is not capable of exceeding speeds of
3 twenty-five miles per hour.

4 Mini-cycle shall mean pocket bikes, miniature (hereafter "mini") bikes, mini cycles, mini sport
5 bikes, mini motorcycles, chopper scooters, and any other similar wheeled vehicle designed to
6 transport one (1) or more persons that is powered by any type of motor, but excluding electric
7 bicycles and motorized bicycles.

8 Motorcycle shall mean any motorized vehicle having a saddle for use of the rider that is designed
9 to travel on not more than three wheels and intended for highway use.

10 Motorized recreational vehicle shall mean a wheeled vehicle, with a motor, intended to be rode by
11 one (1) or more persons and shall include all-terrain vehicles, mini-cycle and dirt bikes, all as
12 defined herein, but shall not include any of the following:

- 13 1. Any nonmotorized vehicle;
- 14 2. Any EPAMD
- 15 3. Any registered motorcycle;
- 16 4. Any moped or scooter that meets Federal Department of Transportation guidelines for use
17 on streets and is approved by the State of Missouri for use on streets, and provided that the
18 moped or scooter is operated pursuant to all applicable Missouri State and federal laws and
19 regulations, and ordinances.
- 20 5. Any wheelchair or similar mobility device used by a person whose ambulatory mobility is
21 impaired due to disability, age, or ailment;

- 1 6. Any vehicle owned or leased by the City of St. Louis;
- 2 7. Any vehicle used by a business in its normal course of business including, without
- 3 limitation, lawn and grounds care and maintenance, and security uses;
- 4 8. Any vehicle used by special taxing district including, without limitation Community
- 5 Improvement Districts and Special Business Districts;
- 6 9. Any bicycle or trail-bike without a motor;
- 7 10. Any golf cart;
- 8 11. Any agricultural or lawn and grounds care and maintenance machinery such as tractors;
- 9 12. Any construction machinery;
- 10 13. Any vehicle that is used solely for amusement, or as a novelty display item, and is operated
- 11 during a parade or other special event that is properly permitted and approved by the City.

12 Motorized recreational vehicle dealer shall mean official dealers of motorized recreational
13 vehicles and any individuals or entities that are engaged in the selling, leasing or renting motorized
14 recreational vehicles to the public as part of their business

15 **SECTION TWO.** Operation of motorized recreational vehicles prohibited.

16 A. It shall be unlawful for any individual to operate a motorized recreational vehicle or for any
17 owner of a motorized recreational vehicle to knowingly permit the operation of a motorized
18 recreational vehicle by another on any public right-of-way or on any public property in the City of
19 St. Louis.

1 B. It shall be unlawful for any individual to ride as a passenger on a motorized recreational
2 vehicle or for any owner of a motorized recreational vehicle to knowingly permit any individual
3 to ride as a passenger on a motorized vehicle operated in violation of Subsection A above.

4 C. It shall be unlawful for any individual to operate a motorized recreational vehicle, or for any
5 owner of a motorized recreational vehicle to knowingly permit the operation of their motorized
6 recreational vehicle on any private property within the City of St. Louis without first obtaining the
7 written permission of the property owner if the property is not owned by the operator, passenger,
8 or owner of the motorized recreational vehicle.

9 D. It shall be unlawful for any individual allowed to operate a motorized recreational vehicle by
10 a private property owner as provided in Subsection C of this Section Two, to operate said
11 motorized recreational vehicle on the private property in violation of this Ordinance or other
12 applicable City of St. Louis Ordinances, or Missouri State and federal laws and regulations.

13 E. It shall be unlawful for any property owner to knowingly permit the operation of a motorized
14 recreational vehicle on their property in violation of this or other applicable City of St. Louis
15 Ordinances, or Missouri State and federal laws and regulations.

16 F. No person shall purchase or attempt to purchase gasoline or any other substance or product
17 as fuel for use in a recreational motorized vehicle from a retail gasoline seller located in the City
18 of St. Louis unless the motorized recreational vehicle is conveyed to and from the seller's place of
19 business by a licensed motor vehicle.

20 **SECTION THREE.** Violations of Section Two.

1 A. Any person found to be in violation of Subsections A, C, D, E of F of Section Two above
2 shall be subject to a fine of one-hundred dollars (\$100.00), and a fine of not more than two-hundred
3 and fifty dollars (\$250.00) for a second violation within thirty (30) days of the initial violation,
4 and a fine of not more than five-hundred dollars (\$500.00) for each subsequent violation within
5 the twelve months following the initial violation.

6 B. Any person age eighteen (18) years of age or older who rides as a passenger on a motorized
7 recreational vehicle who is found to be in violation of Subsection B of Section Two above shall be
8 subject to a fine of one-hundred dollars (\$100.00), and a fine of not more than two-hundred and
9 fifty dollars (\$250.00) for a second violation within thirty (30) days of the initial violation, and a
10 fine of not more than five hundred (\$500.00) for each subsequent violation within the twelve
11 months following the initial violation.

12 C. Any individual suspected of a violation of any provision of Section Two above may be
13 detained by a City of St. Louis Division of Police officer purposes of enforcing the provisions of
14 Section Two, and the motorized recreational vehicle may be seized for purposes of enforcing the
15 same. Subject to applicable Division of Police policies concerning the maintenance and disposal
16 of property seized motorized recreational vehicles shall not be released to any person until they
17 have established proof of ownership.

18 **SECTION FOUR.** Ordinance posted by motorized recreational vehicle dealers.

19 A. Motorized recreational vehicle dealers shall post a copy of this Ordinance in a prominent and
20 conspicuous location in their place of business and on their business website if one is maintained.

1 B. Motorized recreational vehicle dealers found to be in violation of Subsection A above shall
2 receive a written warning from the City’s Division of Police for a first infraction. Said written
3 warning shall specify the alleged violation and that the violation must be corrected within ten (10)
4 days following the date of the warning. If the motorized recreational vehicle dealer has not
5 corrected the violation following the expiration of the ten (10) day time-period they shall be subject
6 to a fine of two-hundred and fifty dollars (\$250.00), and any continuing violation that is discovered
7 during any subsequent reinspection shall be subject to a fine of not more than five-hundred dollars
8 (\$500.00). Each continued violation discovered during any reinspection shall be considered a
9 separate violation.

10 **SECTION FIVE.** Motorized recreational vehicle fuel sales.

11 A. No owner or employee of a retail seller of gasoline located in the City of St. Louis shall sell,
12 offer for sale, or attempt to sell gasoline or any other substance or product for use as fuel in any
13 motorized recreational vehicle, unless the motorized recreational vehicle is conveyed to and from
14 the seller’s premises by a licensed motor vehicle.

15 B. Any owner or employee of a retail seller of gasoline located in the City of St. Louis found to
16 be in violation of Subsection A above shall be subject to a fine of two-hundred and fifty dollars
17 (\$250.00), and a fine of not more than five hundred (\$500.00) for each subsequent violation within
18 the twelve months following the initial violation.

19 C. Retail sellers of gasoline located in the City of St. Louis shall post signs with the words
20 “FUELLING ALL-TERRAIN VEHICLES, MINI-CYCLES, DIRT-BIKES, OR OTHER
21 UNAUTHORIZED VEHICLE IS PROHIBITED EXCEPT VEHICLES CONVEYED TO AND

1 FROM THE PREMISES BY A LICENSED MOTOR VEHICLE” in letters at least one (1) inch
2 in height with a contrasting margin. Signs shall be conspicuously posted at all fuel dispensing
3 locations. Their exact locations shall be determined by site conditions, but there must be at least
4 one sign that is readily visible and legible from each fuel pump.

5 D. Any owner of a retail seller of gasoline located in the City of St. Louis that is discovered to
6 be in violation of Subsection C above shall be subject to a fine of two-hundred and fifty dollars
7 (\$250.00), and a fine of not more than five hundred (\$500.00) for each subsequent violation within
8 the twelve months following the initial violation.