

**AN ORDINANCE AMENDING CHAPTER 86 AND APPENDIX A - FEE SCHEDULE OF THE BRANSON MUNICIPAL CODE PERTAINING TO THE OPERATION OF ALL-TERRAIN VEHICLES, GOLF CARTS AND LOW-SPEED VEHICLES.**

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**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

- Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Branson Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.
- Section 2: That Chapter 86 – *Traffic and Vehicles*; Article III. – *Operation of Vehicles*; Division 2. – *Permit*; Division 1. – *Generally*; Sec. 86-2. - *Definitions*; Sec. 86-113 – *Operation of all-terrain vehicles, golf cars and low-speed vehicles* and Appendix A – *Fee Schedule* of the Branson Municipal Code is hereby amended to read as follows:

**CHAPTER 86 – TRAFFIC AND VEHICLES  
ARTICLE III. – OPERATION OF VEHICLES  
DIVISION 1. – GENERALLY**

**Sec. 86-2. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. For general definitions and rules of construction applicable throughout this Code, see section 1-2.

**All-terrain vehicle (ATV) means as any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:**

- a. A seat designed to be straddled by the operator, and handlebars for steering control, but excluding an electric bicycle; or**
- b. A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement.**

**Golf cart means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding speeds of twenty miles per hour.**

**Low speed vehicle (LSV) means a low speed vehicle that is four wheeled, whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, and whose gross vehicle weight rating is less than three thousand pounds.**

**Sec. 86-113. - Operation of all-terrain vehicles, golf carts and low-speed vehicles.**

(a) No person shall operate an all-terrain vehicle, golf cart or low-speed vehicle upon the streets and highways of this city, except as follows:

- (1) All-terrain vehicles, golf carts or low-speed vehicles owned and operated by a governmental entity for official use.
- (2) All-terrain vehicles, golf carts or low-speed vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation.
- (3) All-terrain vehicles, golf carts or low-speed vehicles whose operators carry a special permit issued by this city pursuant to RSMo 304.013.

**a. Annual permits. The police chief, or authorized designee, is hereby designated as the city official with authority to issue special permits for permitted vehicles in this section for one or two year increments on a form prepared by the city for:**

**(i) All-terrain vehicle.**

**(ii) Golf cart.**

**(iii) Low speed vehicle.**

**b. Fees and term of special permits. The annual fee for a special permit shall be Fifteen Dollars (\$15.00) per year not prorated and shall be collected by the official upon issuance of the special permit. No special permit shall be issued until the fee is paid. The one-year special permit shall be valid for 12 months. The two-year special permit shall be valid for 24 months.**

**c. Special permit requirements. To request a special permit, an individual must produce for visual inspection by the city official the following:**

**(i) The vehicle to be permitted with a functioning muffler.**

**(ii) Proof of ownership, with year, make and model listed of said vehicle.**

**(iii) Proof of liability insurance that specifically references the vehicle by serial number, year, make and model and meets proper coverage limits required by the laws of the State of Missouri for licensed motor vehicles. Proof of liability insurance should be carried with the vehicle at all times and produced upon the request of law enforcement.**

**(iv) Adequate brakes on golf carts.**

**(v) A slow-moving emblem in conformity with Section 307.127 RSMo, or a**

**bicycle safety flag, which extends not less than seven feet above the ground attached to the rear of the vehicle. The flag shall be day-glow colored and shall be triangular-shaped, with an area of not less than thirty square inches.**

**(4) All-terrain vehicles, golf carts or low-speed vehicles when operated pursuant to a special event permit per Sec. 94-65 of this Code.**

- (b) No person shall operate an off-road vehicle, as defined in RSMo 304.001, within any stream or river in this city, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or police officers of this state and its political subdivisions shall enforce the provisions of this subsection within the geographic area of their jurisdiction.
- (c) A person operating an all-terrain vehicle, golf cart or low-speed vehicle on a street or highway pursuant to an exception covered in this section shall have a valid license issued by a state authorizing such person to operate a motor vehicle, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than 30 miles per hour. **The vehicle shall not be operated on any state or federal highway, except to cross said state or federal highway that intersects with a municipal street.** ~~[When operated on a street or highway, an all-terrain vehicle, golf cart or low-speed vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be dayglow in color.]~~ **Each operator shall maintain financial responsibility on the vehicle, as required by Section 303.010 RSMo.**

**Proof of Financial Responsibility. Every person operating an all-terrain vehicle, golf cart or low speed vehicle shall possess and maintain proof of financial responsibility in accordance with Section 303.160 RSMo or maintain any other insurance policy providing equivalent liability coverage for said permitted vehicle.**

- (d) No person shall operate an all-terrain vehicle, golf cart or low-speed vehicle:
- (1) In any careless way so as to endanger the person or property of another;
  - (2) While under the influence of alcohol or any controlled substance; or
  - (3) Without securely fastened protective headgear meeting applicable state standards and specifications on the head of an individual who operates an all-terrain vehicle, golf cart or low-speed vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, golf cart or low-speed vehicle, unless the individual is at least 18 years of age.
- (4) No person shall ever operate any vehicle defined in this section herein on a federal interstate highway, street or highway with a speed limit greater than 25 miles per hour.**

(e) No operator of an all-terrain vehicle, golf cart or low-speed vehicle shall carry a passenger, except for agricultural purposes.

**(f) Every person operating any vehicles defined in this section on a street or highway shall comply with all ordinances regarding motor vehicles and rules of the road.**

**All traffic laws enforceable against licensed motor vehicles within the city limits of the city shall be equally enforceable against the operator of the all-terrain vehicles, golf carts and low speed vehicles.**

**(g) Violations: penalty.**

**Any person who violates any provision of this section shall be guilty of an offense upon conviction, and said violation shall be punishable pursuant to Section 1-13 of this Code.**

#### Appendix A - FEE SCHEDULE

Code Section	Description	Fee
<i>Chapter 86 - Traffic and Vehicles</i>		
<b><u>86-113</u></b>	<b><u>All-terrain vehicles, golf cars and low-speed vehicles permit fee</u></b>	<b><u>15.00 per year</u></b>

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Section 4: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 5: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified with in this Ordinance.

Read, this first time on this 10<sup>th</sup> day of September, 2024.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this 10<sup>th</sup> day of September, 2024.

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Larry D. Milton  
Mayor

ATTEST:

APPROVED AS TO FORM:

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Hillary Briand  
City Clerk



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City Attorney