

ORDINANCE ON ATV USE OF TOWN HIGHWAYS
Town of Thetford, Vermont Adopted January 22, 2014

Whereas the Town of Thetford has a current Traffic Ordinance in force; and
Whereas the Town wishes to augment the Traffic Ordinance with an additional set of requirements as pertains to All Terrain Vehicles (ATVs), the Selectboard passes this Ordinance on ATV Use of Town Highways, which shall be considered to be an amendment to the Traffic Ordinance and incorporated into it in whole.

SECTION 1: Authority:

Under authority granted in 23 V.S.A. Chapter 31, the Thetford Selectboard adopts this Ordinance to regulate the time, manner, and location of ATV use on Class 3 and 4 Town Highways.

SECTION 2: Purpose:

To make unpaved Class 3 and Class 4 Town Highways open to use by ATV's for land owners and/or residents requiring access to their lands and for access to lands by senior citizens and others who may otherwise have mobility difficulties.

SECTION 3: Designated Highways Open to ATV Use Under This Ordinance:

All unpaved class 3 and class 4 roads within the town limits of Thetford, Vermont.

SECTION 4: Specific Provisions for ATV Use:

For the purpose of this Ordinance, an ATV on a public highway shall be considered a motor vehicle, as defined in section 4 of Title 23 of the Vermont Statutes.

Designated Class 3 and 4 town highways will be open to ATV use from May 15 to December 14, and from 7:00 a.m. until 7:00 p.m. Rights of way designated Town Trails are expressly excluded.

No ATV use will be permitted on Thetford roads without the rider first acquiring a Thetford ATV Permit.

No ATV use will be permitted without the employed ATV prominently displaying a Thetford ATV Permit Sticker on the vehicle in a place where the rider or other materials will not obscure it from view.

Permits and stickers will be made available only to the following Thetford Residents or Land Owners, at no cost, by application to the Chief of Police:

- a. Seniors (aged 65 and older) and/or,
- b. Motor vehicle operators with handicapped plates on their registered vehicles and/or,
- c. Landowners on Class 4 roads who attest in writing that their ATV use on Town roads is for caretaking of property and can demonstrate a physical difficulty in using a trailer for this purpose, such as a lack of an available turnout.

ATV Operators and equipment must comply with all Vermont statutes governing use of ATV's and with all Vermont All Terrain Vehicle Sportsmen's Association requirements.

ATV riders must have a valid license to operate a motor vehicle.

Speed limits of 15 mile per hour will be observed.

ATV's used for agriculture, forestry, or snow removal, will display a "Slow Moving Vehicle" sign and will be treated as agricultural vehicles for state registration purposes and will be allowed on the roads for those purposes year-round.

SECTION 5: Enforcement:

Failure to comply with the above requirements can result in the revocation of the permit in addition to any other fines or penalties.

The Selectboard may hear requests to revoke permits lodged by sworn law enforcement officers or alleged witnesses. The Selectboard, having invited the permittee to testify in defense, may decide to revoke a permit upon the conclusion of that hearing. A revocation may be appealed to the Selectboard for reconsideration.

A first-time offense for riding on an ATV without a valid permit, or in non-compliance with the above provisions, is subject to a \$50 town fine. Each violation may be considered a separate infraction. A second offence is subject to a \$50 fine. A third offense is subject to a \$50 fine. Tickets are appealable, within 30 days from issue, to the Selectboard.

ATVs that are impounded due to a lack of an available, properly permitted rider, shall be subject to a \$150 fee for removal and storage. An ATV may be claimed by the registered owner, provided that any fines that are not on appeal have been paid.

The Thetford Police Department shall issue tickets to ATV riders as appropriate for violations of the Thetford Speed Ordinance and for violations of Vermont Law governing motor vehicles and moving violations, as well as the provisions of this Ordinance.

SECTION 6: Other Selected Vermont Statute requirements for ATV Operation and Use:

For the information of ATV riders, we provide the following current information as to the state requirements for proper ATV use. Riders must have or comply with the following:

- A. Valid state registration and number plate.
- B. Proof of current liability insurance policy.
- C. One or more headlights and taillight.
- D. Headlight must be on during operation.
- E. A muffler system to comply with noise limits (82 decibels at 50 feet) as set forth in 23 V.S.A Chapter 3505(b).
- F. Safety helmets.
- G. Travel single file on right side of the highway.
- H. Use turn lights or hand signals when making turns or stopping.
