

ORDINANCE 18-11

AN ORDINANCE AMENDING TITLE 5 OF THE DAGGETT COUNTY CODE

Section 1: PURPOSE.

The purpose of this ordinance is to fulfill the requirement of government to promote the public health, safety and welfare of the residents of Daggett County. This ordinance amends certain sections of Title 5, Motor Vehicles and Traffic, Daggett County Code.

Section 2: AUTHORITY.

The Daggett County Commission adopts this ordinance pursuant to Title 1, Chapter 1, Section 3 of the Daggett County Code and other authorities and provisions of Utah Statutory and Common laws as applicable.

Section 3: PROVISIONS.

This ordinance shall take effect immediately following its adoption and signature by the Daggett County Commission. All prior ordinances or code sections inconsistent herewith are hereby repealed or amended as set forth herein.

Section 5: REPEAL OF TITLE 5, CHAPTER 1, DAGGETT COUNTY CODE.

Title 5, Chapter 1, Motor Vehicle Act, Daggett County Code, is hereby repealed in its entirety.

Section 6: MOTOR VEHICLE ACT REPLACED.

Title 5, Chapter 1, Motor Vehicle Act, Daggett County Code, repealed in Section 5 above, is replaced with the Motor Vehicle Act attached hereto as Exhibit A.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAGGETT COUNTY, UTAH this 15 day of May, 2018.

ATTEST:

DAGGETT COUNTY
BOARD OF COMMISSIONERS



Brian Raymond
County Clerk/Treasurer



Jack Lytle, Chairman



EXHIBIT A

CHAPTER 1
MOTOR VEHICLE ACT

5-1-1: UTAH CODE ADOPTED; EXCERPTS OF UTAH CODE:

- A. Code Adopted:** Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context of purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, penalties, provisions and sections of the Utah Motor Vehicle Act, Utah Code Annotated title 41, as amended, with a corresponding penalty of infraction, Class C misdemeanor or Class B misdemeanor, are hereby adopted by the County. Any and all violations thereof shall be considered violations of this section and each such violation shall be subject to the penalties provided in section 1-4-1 of this Code. (2017 Code)
- B. Excerpts Of Utah Code:** Remaining sections of this chapter are brief summarizations from sections of title 41 of the Utah Code and are not to be interpreted as all-inclusive.

5-1-2: DISABILITY PARKING: Only those vehicles carrying a person with a disability special group license plate, temporary removable windshield placard, or removable windshield placard and transporting a qualifying person with a disability may park in a parking space labeled as a disability accessible parking space.

5-1-3: OPEN CONTAINER: A person may not keep, carry, possess, transport, or allow another to keep, carry, possess, or transport in the passenger compartment of a motor vehicle, when the vehicle is on any highway or waters of the state, any container which contains any alcoholic beverage if the container has been opened, its seal broken, or the contents of the container partially consumed.

5-1-4: SPEED REGULATIONS: A person may not operate a vehicle at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the actual and potential hazards then existing.

5-1-5: SCHOOL ZONE SPEED LIMIT: A person may not operate a vehicle at a speed greater than 20 miles per hour in a reduced speed school zone

5-1-6: MINIMUM SPEED REGULATIONS: A person may not operate a motor vehicle at a speed so slow as to impede or block the normal and reasonable movement of traffic.

5-1-7: SPEED CONTEST OR EXHIBITION ON HIGHWAY -- BARRICADE OR OBSTRUCTION: A person may not engage in any motor vehicle speed contest or exhibition of speed on a highway and may not, in any manner, obstruct or place any barricade or obstruction or assist or participate in placing any barricade or obstruction upon any highway for any purpose prohibited.

5-1-8: TURNING OR CHANGING LANES; SIGNALING; STOPPING OR SUDDEN DECREASE IN SPEED:

- A.** A person may not turn a vehicle or move right or left on a roadway or change lanes until:
 - 1.** the movement can be made with reasonable safety; and
 - 2.** an appropriate signal has been given as provided under this section.
- B.** A signal of intention to turn right or left or to change lanes shall be given continuously for at least the last two seconds preceding the beginning of the movement.
- C.** A person may not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the operator of any vehicle immediately to the rear when there is opportunity to give a signal.

5-1-9: EMERGENCY VEHICLES: Except when otherwise directed by a peace officer, the operator of a vehicle shall, upon the immediate approach of an authorized emergency vehicle using audible or visual signals under Utah Code:

- A. yield the right-of-way and immediately move to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway, clear of any intersection; and
- B. then stop and remain stopped until the authorized emergency vehicle has passed.

5-1-10: STOPPING, STANDING, PARKING: Except when necessary to avoid conflict with other traffic, or in compliance with law, the directions of a peace officer, or a traffic-control device, a person may not stop, stand, or park, in any place where a traffic-control device prohibits stopping, standing, or parking.

5-1-11: ALL-TERRAIN OR UTILITY TYPE VEHICLE: The owner of an all-terrain type I vehicle or a utility type vehicle being operated as a street-legal ATV shall ensure that the vehicle is equipped with necessary devices as established by Utah Code.

5-1-12: UNSAFE OR IMPROPERLY EQUIPPED VEHICLES: A person may not operate or move and an owner may not cause or knowingly permit to be operated or moved on a highway a vehicle or combination of vehicles which is unsafe or improperly equipped according to Utah Code.

5-1-13: SAFETY CHAINS ON TOWED VEHICLES: A towed vehicle shall be coupled by means of a safety chain, cable or equivalent device, in addition to the regular trailer hitch or coupling.

5-1-14: OCCUPANCY IN A TRAILER OR SEMITRAILER: A person may not occupy a trailer or semitrailer while it is being drawn by a motor vehicle on a public highway.

5-1-15: MATERIALS ON HIGHWAYS: A person may not throw, deposit, or discard, or permit to be dropped, thrown, deposited, or discarded on any public road or highway in the state, whether under state, county, municipal, or federal ownership, any plastic container, glass bottle, glass, nails, tacks, wire, cans, barbed wire, boards, trash or garbage, paper or paper products, or any other substance which would or could: a) create a safety or health hazard on the public road or highway; or b) mar or impair the scenic aspect or beauty of the public road or highway.

5-1-16: CARELESS DRIVING:

- A.** A person operating a motor vehicle is guilty of careless driving if the person:
- 1.** commits two or more moving traffic violations under this chapter in a series of acts within a single continuous period of driving covering three miles or less in total distance; or
 - 2.** commits a moving traffic violation under this chapter other than a moving traffic violation under Utah Code, while being distracted by one or more activities taking place within the vehicle that are not related to the operation of a motor vehicle

5-1-17: SEAT BELT OR CHILD RESTRAINT REQUIRED:

- A.** The operator of a motor vehicle operated on a highway shall:
- 1.** wear a properly adjusted and fastened safety belt;
 - 2.** provide for the protection of each person younger than eight years of age by using a child restraint device to restrain each person in the manner prescribed by the manufacturer of the device; and
 - 3.** provide for the protection of each person eight years of age up to 16 years of age by securing, or causing to be secured, a properly adjusted and fastened safety belt on each person.

5-1-18: VEHICLES OPERATED ON POSTED PUBLIC LAND: Currently registered off-highway vehicles may be operated on public land, trails, streets, or highways that are posted by sign or designated by map or description as open to off-highway vehicle use by the controlling federal, state, county, or municipal agency.

5-1-19: HEADGEAR REQUIREMENTS: A person under the age of 18 may not operate or ride on all-terrain type I vehicles, snowmobiles, or motorcycles on public land unless the person is wearing a properly fitted and fastened, United States Department of Transportation safety-rated protective headgear designed for motorized vehicle use.