

Chapter 71 Recreational Vehicles

- **Sec. 71.01 - Definitions.**

(A) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Highway and *street* mean the entire width between the boundary lines of every way publicly maintained if any part thereof is open to the use of the public for purposes of vehicular travel.

Operate means to ride in or on and be in actual physical control of the operation of a snowmobile.

Operator means any person who operates or is in actual physical control of a snowmobile.

Owner means any of the following:

- 1) Person who holds the legal title to a snowmobile.
- 2) A vendee or lessee of a snowmobile that is the subject of an agreement for conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee.
- 3) A person renting a snowmobile or having the exclusive use of a snowmobile for more than 30 days.

Right-of-way means that portion of a highway or street less the roadway and any shoulder.

Roadway means that portion of a highway or street improved, designated, or ordinarily used for vehicular travel. If a highway or street includes two or more separate roadways, the term roadway refers to any such roadway separately, but not to all such roadways collectively.

Shoulder means that portion of a highway or street on either side of the roadway that is normally snowplowed for the safety and convenience of vehicular traffic.

Snowmobile means any motor-driven vehicle designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, an endless belt tread, or any combination of these or other similar means of contact with the surface upon which it is operated, but is not a vehicle that must be registered under the Michigan Vehicle Code (MCL 257.1 et seq.).

(Code 1978, § 24-62)

Cross reference— Definitions generally, [§ 1-2](#).

State Law reference— Similar provisions, MCL 324.80101.

- **Sec. 71.02 - Registration with state.**

(a) Except as otherwise provided, a snowmobile shall not be operated unless the owner first obtains a certificate of registration and a registration decal. The certificate of registration shall be secured at the time of purchase or transfer of ownership. A certificate of registration or a registration decal is not required for a snowmobile operated exclusively on lands owned or under the control of the snowmobile owner or for a snowmobile used entirely in a safety education and training program conducted by a certified snowmobile safety instructor and authorized pursuant to section 82108 of the Natural Resources and Environmental Protection Act (MCL 324.82108).

(a) A person who is convicted of a violation of this section shall be fined not more than \$50.00.

(Code 1978, § 24-63)

State Law reference— Similar provisions, MCL 324.82103.

- **Sec. 71.03. - Required equipment.**

(a) A snowmobile shall not be operated unless it has at least one headlight, one tail light, and adequate brakes capable, while the snowmobile travels on packed snow and carries an operator who weighs 175 pounds or more, of stopping the snowmobile in not more than 40 feet from an initial steady speed of 20 miles per hour or of locking the snowmobile's traction belt or belts.

(b) A person shall not sell or offer to sell a snowmobile manufactured after July 1, 1978, unless it meets the minimum safety standards for snowmobile product certification of the Snowmobile Safety and Certification Committee's November 23, 1976, volume 3, Safety Standards for Snowmobiles for Product Certification, including detailed standard supplement and test specifications and procedures, covering machine sound levels, seats, controls, brake systems, fuel systems, shields and guards, electrical systems and lighting, reflectors, handgrips, and general hazard requirements. Proof of compliance with this section shall be in the form of certification by a qualified independent testing company that is not affiliated with the manufacturer and is approved by the state.

(Code 1978, § 24-64)

State Law reference— Similar provisions, MCL 324.82122.

- **Sec. 71.04. - Muffler and noise control.**

A person shall not operate a snowmobile without a muffler in good working order and in constant operation from which noise emission at 50 feet at right angles from the vehicle path

under full throttle does not exceed [86](#) DBA, decibels on the "A" scale, on a sound meter having characteristics defined by American Standards Association S1, 4-1966 General Purpose Sound Meter. A snowmobile manufactured after July 1, 1977, and sold or offered for sale in this city shall not exceed [78](#) decibels of sound pressure at 50 feet as measured under the 1974 Society of Automobile Engineers Code J-192a. This section does not apply to a snowmobile that is being used in an organized race on a course which is used solely for racing.

(Code 1978, § 24-65)

Cross reference— Noise, [§ 22-271](#) et seq.

State Law reference— Similar provisions, MCL 324.82126(1)(d).

- **Sec. 71.05. - Use of headlights.**

- A person shall not operate a snowmobile without displaying a lighted headlight and a lighted taillight.
- This section does not apply to a snowmobile of a model year 25 years old or older.

(Code 1978, § 24-69(3))

State Law reference— Similar provisions, MCL 324.82131.

- **Sec. 71.06 . - Crash helmet.**

A person operating or riding on a snowmobile shall wear a crash helmet on his head. Crash helmets shall be approved by the United States Department of Transportation. This section does not apply to a person riding on or operating a snowmobile on his own private property.

State Law reference— Similar provisions, MCL 324.82123.

- **Sec. 71.07. - Accident reports.**

The operator of a snowmobile involved in an accident resulting in injuries to or the death of any person or property damage in an estimated amount of \$100.00 or more shall immediately by the quickest means of communication notify a state police office, the county sheriff's office or the office of the police department

State Law reference— Similar provisions, MCL 324.82132.

- **Sec. 71.08. - Obedience to police; attempting to elude police.**

An operator of a snowmobile who is given by hand, voice, emergency light, or siren a visual or audible signal by a peace, police, or conservation officer acting in the lawful performance of his duty, directing the operator to bring his snowmobile to a stop, and who willfully fails to obey the direction by increasing his speed or extinguishing his lights, or who otherwise

attempts to flee or elude the officer, is guilty of a misdemeanor. The officer giving the signal shall be in uniform.

(Code 1978, § 24-68)

State Law reference— Similar provisions, MCL 324.82135.

- **Sec. 71.09. - Compliance with traffic rules, officers.**

Each person operating a snowmobile shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto.

(Code 1978, § 24-68)

- **Sec. 71.10. - Operation—Generally.**

A person shall not operate a snowmobile upon a public highway, land used as an airport or street, or on a public or private parking lot not specifically designated for the use of snowmobiles except under the following conditions and circumstances:

- 1) A snowmobile may be operated on the roadway or shoulder when necessary to cross a bridge or culvert if the snowmobile is brought to a complete stop before entering onto the roadway or shoulder and the driver yields the right-of-way to an approaching vehicle on the highway.
- 2) A duly constituted law enforcement officer of the city, county or state may authorize use of a snowmobile on a public highway or street within his jurisdiction when an emergency occurs and conventional motor vehicles cannot be used for transportation due to snow or other extreme highway conditions.
- 3) A snowmobile may be operated on a highway or street for a special event of limited duration conducted according to a prearranged schedule only under permit from the governmental unit having jurisdiction. The event may be conducted on the frozen surface of public waters only under permit from the state.

(Code 1978, § 24-67)

State Law reference— Similar provisions, MCL 324.82119.

- **Sec. 71.11. - Operation—Under influence of intoxicating liquor or controlled substances.**

- a) A person shall not operate a snowmobile if either of the following applies:
- b) The person is under the influence of intoxicating liquor or a controlled substance, or both.
- c) The person has a blood alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

The owner of a snowmobile or a person in charge or in control of a snowmobile shall not authorize or knowingly permit the snowmobile to be driven or operated by a person who is under the influence of intoxicating liquor or a controlled substance, or both, or who has a blood alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

A person shall not operate a snowmobile when, due to the consumption of an intoxicating liquor or a controlled substance, or both, the person's ability to operate the snowmobile is visibly impaired. If a person is charged with violating subsection (a) of this section, finding of guilty under this subsection may be rendered.

(Code 1978, § 24-69(2); Ord. No. 565, art. I, 12-1-2003)

Cross reference— Controlled substances, [§ 38-231](#) et seq.

State Law reference— Similar provisions, MCL 324.82127.

• **Sec. 71.12. - Same—By underage persons.**

- a) A parent or legal guardian shall not permit his child who is less than 12 years of age to operate a snowmobile without the direct supervision of an adult except on land owned or under the control of the parent or legal guardian.
- b) A person who is at least 12 but less than 17 years of age may operate a snowmobile if one of the following conditions exist:
 - (1) The person is under the direct supervision of a person who is 21 years of age or older.
 - (2) The person has in his immediate possession a snowmobile safety certificate issued pursuant to a program conducted under section 82107 of the Natural Resources and Environmental Protection Act (MCL 324.82107).
 - (2) The person is on land owned or under the control of his parent or legal guardian.
 - (3) The person possesses a snowmobile safety certificate issued to the person under the authority of a law of another state or province of Canada.
- c) A person who is operating a snowmobile pursuant to subsection (b)(2) of this section shall present the snowmobile safety certificate to any peace officer upon demand.
- d) Notwithstanding any other law or ordinance, an operator of a snowmobile who is less than 12 years of age shall not cross a highway or street. An operator who is at least 12 years of age but less than 17 years of age may cross a highway or street only if he has a valid snowmobile safety certificate in his immediate possession.
- e) The owner of a snowmobile shall not permit the snowmobile to be operated contrary to this section.(Code 1978, § 24-73)

State Law reference— Similar provisions, MCL 324.82120..

- **Sec. 71.13. - Speed.**

A person shall not operate a snowmobile at a rate of speed greater than is reasonable and proper having due regard for conditions then existing. For purposes of this section, the term "operate" means to cause to function, run, or manage. (Code 1978, § 24-69(1))

State Law reference— Similar provisions, MCL 324.82126(1)(a), (4).

- **Sec. 71.14. - Operation on fenced premises.**

No person shall operate a snowmobile in or upon or remain unlawfully on premises which are fenced, otherwise enclosed in a manner to exclude intruders, posted in a conspicuous manner or when notice against trespass is personally communicated to him by the owner or an authorized person. (Code 1978, § 24-69(5))

- **Sec. 71.15. - Permission of owner or occupant required to operate on private property.**

It shall be unlawful for any person to operate a snowmobile on private property of another without the express permission to do so by the owner or occupant of such property.

(Code 1978, § 24-70)

- **Sec. 71.16. - Operation—Near dwellings.**

A person shall not operate a snowmobile within 100 feet of a dwelling.

(Code 1978, § 24-69(4))

State Law reference— Similar provisions, MCL 324.82126(1)(e), (4).

- **Sec. 71.17. - Same—On railroad tracks or rights-of-way.**

No person shall operate a snowmobile on a railroad or railroad right-of-way. This section shall not apply to railroad personnel, public utility personnel, law enforcement personnel while in the performance of their duties, and persons using a snowmobile trail located on or along a railroad right-of-way, or an at-grade snowmobile trail crossing of a railroad right-of-way, which has been expressly approved in writing by the owner of the right-of-way and each railroad company using the tracks and which meets the conditions imposed in subsections (2) and (3) of section 82126 of the Natural Resources and Environmental Protection Act (MCL 324.82126(2), 324.82126(3)).

(Code 1978, § 24-69(9))

State Law reference— Similar provisions, MCL 324.82126(1)(j).

- **Sec. 71.18. - Same—In cemeteries.**

A person shall not operate a snowmobile on or across a cemetery or burial ground. For purposes of this section, the term "operate" means to cause to function, run, or manage.

(Code 1978, § 24-69(7))

State Law reference— Similar provisions, MCL 324.82126(1)(h), (4).

- **Sec. 71.21. - Carrying weapons.**

A person shall not operate a snowmobile while transporting on the snowmobile a bow, unless unstrung or encased, or a firearm, unless unloaded in both barrel and magazine and securely encased.

(Code 1978, § 24-69(6))

State Law reference— Similar provisions, MCL 324.82126(1)(g).

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- **Sec. 66-259. - Authority of village council to conduct events and to designate areas of use.**

Notwithstanding the prohibitions of this article, the village council shall have the authority to supervise and regulate events or programs in connection with events conducted by the village council in which snowmobiles are used. The village council shall have the authority to designate city park areas that they shall deem available for the use of snowmobiles.

(Code 1978, § 24-75)

Cross reference— Parks and recreation, [ch. 42](#).

- **Sec. 66-260. - Disturbing the peace.**

No person shall operate a snowmobile in a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.