

CITY OF HUBER HEIGHTS  
STATE OF OHIO

ORDINANCE NO. 2020-O-2416

ESTABLISHING CHAPTER 344 OF TITLE NINE OF PART THREE, TRAFFIC CODE, OF THE HUBER HEIGHTS CODIFIED ORDINANCES TO SET FORTH PROVISIONS RELATING TO LOW SPEED, MINI TRUCKS AND UTILITY VEHICLES WITHIN THE CITY.

WHEREAS, in Ordinance No. 2018-O-2332, the City established under-speed vehicle inspection procedures in the interest of protecting public health, safety and welfare for under-speed vehicles most commonly known as “golf carts” upon certain roadways; and

WHEREAS, the City did not expressly provide for the operation of low-speed vehicles, utility vehicles, or mini-trucks; and

WHEREAS, the City desires to provide certain regulations regarding operation of low-speed vehicles, utility-vehicles and mini-trucks within the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Huber Heights, Ohio, that:

Section 1. Chapter 344 of Title Nine of Part Three, Traffic Code, of the Huber Heights Codified Ordinances, titled “Low-Speed, Mini-Trucks and Utility Vehicles” is hereby enacted and reads as follows:

**CHAPTER 344. OPERATION RESTRICTED FOR LOW-SPEED, MINI-TRUCKS AND UTILITY VEHICLES.**

**344.01 Definitions.**

(a) "Low-speed vehicle" means a three-or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds as defined in OHIO REVISED CODE section 4501.01(WW).

(b) "Mini-truck" means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards, as defined in Ohio Revised Code section 4501.01(BBB).

(c) "Utility vehicle" means a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities, as defined in Ohio Revised Code section 4501.01(VV)

Low speed vehicles, mini trucks and utility vehicles do not include under speed vehicles, such as golf carts, as defined in Ohio Revised Code section 4501.01(XX)

**344.02 Equipment.**

(a) Low speed vehicles and mini-trucks operated on the streets, highways, and public property within the corporate limits of the city, shall have a minimum of the following functional equipment thereon:

- (1) At least one working rear red colored tail light;
- (2) License plates in the front and rear of the low-speed or under-speed vehicle, bracketed to the vehicle;
- (3) At least two working brake lights;
- (4) Two headlights, white or clear in color;
- (5) A rearview mirror;
- (6) A windshield;
- (7) Turn signals;
- (8) A horn;
- (9) Brakes sufficient to stop within 40 feet;

- (10) An emergency brake sufficient to hold the vehicle on any grade;
- (11) A properly working steering mechanism;
- (12) Appropriate tires free of major bumps, bulges, breaks, or other unsafe condition;
- (13) Working exhaust system if the vehicle has an internal combustion engine.

#### **344.03 Licensing Requirements of Operator.**

- (a) The operator of a low speed vehicle or mini-truck on public roadways or on public property within the corporate limits of the city shall have a valid driver's license;
- (b) The operator of a low speed vehicle or mini-truck on public roadways or on public property in the city shall be no less than 16 years of age.

#### **344.04 Insurance Requirements of Owner and Operator.**

- (a) The owner of a low speed vehicle or mini-truck that is driven on public roadways or on public property within the corporate limits of the city shall maintain proof of financial responsibility thereon as required by the Ohio Revised Code.
- (b) The operator of a low speed vehicle or mini-truck that is driven on public roadways or on public property within the corporate limits of the city shall have in the driver's possession proof of insurance while operating the low speed vehicle, under-speed vehicle, or mini-truck.

#### **344.05 Inspection and Title Requirements.**

- (a) No person shall operate a low speed vehicle or mini-truck on public roadways or on public property within the corporate limits of the city without first obtaining an inspection by the Chief of Police of the city, or the law enforcement official of another jurisdiction within the State of Ohio.
- (b) No person shall operate a low speed vehicle or mini-truck on public roadways or on public property within the corporate limits of the city without first obtaining a Certificate of Title from the Clerk of Courts.
- (c) If the Chief of Police of the city, or his designee, or another agent designated and approved by the State of Ohio, determines that the low speed vehicle or mini-truck complies with the State of Ohio's statutory requirements that are applicable to motor vehicles, the Chief of Police of the city shall issue the owner or operator a certificate of compliance entitling the owner or operator to operate the low speed vehicle or mini-truck on the streets within the corporate limits of the city. The owner or operator shall also show the Chief of Police of the city or his designee, proof of liability insurance for the low speed vehicle or mini-truck before a certificate of compliance is issued. Any certificate issued pursuant to this section by the Chief of Police of the city shall expire upon the transfer or sale of the low speed vehicle or mini-truck. The Chief of Police of the city shall keep a copy of each certificate issued pursuant to this section. The owner or operator of any low speed vehicle or mini-truck shall keep a copy of any certificate issued pursuant to this section inside the low speed vehicle or mini-truck to which it pertains.

#### **344.06 Restrictions.**

- (a) No person shall operate a low speed vehicle or mini-truck upon any street within the corporate limits of the city where the posted speed limit exceeds 35 miles per hour, excepting that no low speed vehicle or mini-truck shall be operated on S.R. 201 or S.R. 202. An operator of a low speed vehicle or mini-truck may cross intersections only at such intersections in which the posted speed limit is 35 miles per hour or less. The operator of a low speed vehicle or mini-truck shall comply with all other applicable laws.
- (b) The provisions of this section may be waived during a limited period of special events for which the operators of low speed vehicles or mini-trucks have received prior approval for the use of the vehicle in conjunction with the special events from the City's Chief of Police or designee.

#### **344.07 Utility Vehicles.**

- (a) A state park or political subdivision employee or volunteer may operate a utility vehicle exclusively within the boundaries of state parks or political subdivision parks for the operation or maintenance of state or political subdivision park facilities.
- (b) A person may operate a utility vehicle on any public roads or right-of-way, other than a freeway, when traveling from one farm field to another for agricultural purposes if the vehicle is displaying a triangular slow-moving vehicle emblem as described in Ohio Revised Code § 4513.11.

**344.08 Penalty.**

Except as otherwise provided, whoever violates any provision of this chapter is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall go into effect upon its passage as provided by law and the Charter of the City of Huber Heights.

Passed by Council on the 10th day of February, 2020;  
\_\_8\_\_ Yeas; \_\_0\_\_ Nays.

Effective Date: March 11, 2020

**AUTHENTICATION:**

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date