

VILLAGE OF TAOS SKI VALLEY
ORDINANCE NO. 2017-61

AN ORDINANCE ALLOWING THE USE OF RECREATIONAL OFF-HIGHWAY VEHICLES, UNDER SPECIFIC GUIDELINES AND RESTRICTIONS, ON PAVED AND DIRT ROADS AND ROADWAYS INSIDE THE VILLAGE LIMITS OF TAOS SKI VALLEY

An Ordinance allowing the use of Recreational Off-Highway Vehicles, under specific Guidelines and Restrictions, on Paved and Dirt Roads inside the Village Limits of Taos Ski Valley.

Be it ordained by the Governing Body of the Village of Taos Ski Valley, New Mexico:

ARTICLE 1. SHORT TITLE

This ordinance shall be known and may be cited as the Off-Highway Vehicle Ordinance of the Village of Taos Ski Valley, New Mexico.

ARTICLE 2. PURPOSE AND DEFINITION

Purpose:

The purpose of this ordinance is to enact where Off-Highway Vehicles (OHVs) may or may not be operated inside the Village limits of the Village of Taos Ski Valley and to list requirements and restrictions for said operations in a safe and orderly manner.

Definition: An Off-Highway Vehicle, or OHV, according to New Mexico law, means a motor vehicle designed for operation exclusively off the highway or road and includes All-Terrain Vehicles (ATVs), Off-Highway Motorcycles (OHM), Snowmobiles, and Recreational Off-Highway Vehicles (ORVs, UTVs, or mule-type vehicles.) This Ordinance does not pertain to motorcycles registered for use on public streets, vehicles used strictly for agricultural use, and vehicles used strictly on private land.

ARTICLE 3. Offenses Against Safe Operation of OHVs Inside Village Limits

In addition to compliance with NMSA 66-6-1003 (Off-Highway Vehicle Registration), all OHV vehicles shall be guided by the following:

- a) No operation of OHVs shall be allowed on NM State Highway 150 between the Amizette area and the Village of Taos Ski Valley base area.
- b) No driving of OHVs at a speed greater than the posted speed limit shall be allowed on any streets within the Village limits.
- c) Drivers must follow all laws pertaining to the operation of motor vehicles.
- d) All drivers must:
 - 1) have a valid driver's license. A learner's permit of any type shall not be valid for the purpose of this ordinance. A motorcycle only license shall not be valid for the purpose of this ordinance.
 - 2) Wear protective eyewear and helmet
 - 3) Obtain and carry a certificate showing completion of an available OHV operation safety course or an ATV operation safety course.

e) The vehicle must be insured under the provisions of the Mandatory Financial Responsibility Act (NM 66-5-2-5), and the driver must be able to show proof of the insurance or have proof of financial responsibility. The proof of insurance or proof of financial responsibility must have the vehicle identification number of the vehicle being operated clearly shown on said proof. A home owner's policy will not suffice under this ordinance.

f) All OHVs must be operated in single file and are never to be operated side by side with another OHV.

g) OHVs must have the following equipment:

1. One or more headlamps.
2. One or more tail lamps
3. Brakes
4. At least one mirror
5. Muffler which keeps the maximum noise to a limit no greater than 96db.

h) All occupants shall be properly secured by safety restraints.

i) When approaching horses and riders, the driver shall slow to 10 mph
feet past the horses and riders.

until 50

j) No approaching of wildlife while on OHVs is allowable.

k) No driver or passenger may be seated anywhere that is not a designated seat.

l) In addition to the listed rules and restrictions, no person shall
an OHV in a careless, reckless or negligent manner so as to endanger the person or property of another.

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ARTICLE 4. Enforcement

Any peace officer commissioned by the Village of Taos Ski Valley, may enforce these rules and regulations.

ARTICLE 5. Penalty

Any person violating any provision of this ordinance may be subject to a fine not to exceed five hundred dollars (\$500.00) and imprisonment not to exceed ninety (90) days. Each day this ordinance is violated is a separate offense.

ARTICLE 6. Effective Date

This ordinance shall become effective five (5) days after passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS 11 Th Day of April 2017.

Vote: For: 4, Against: 0.

Neal King

Neal King, Mayor

ATTEST: Ann M. Wooldridge

Ann M. Wooldridge, Clerk

