

Chapter 9.48

OPERATION OF SNOWMOBILES

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9.48.010 Terms. As used in this ordinance, the following terms shall have the meanings indicated herein, unless the context otherwise clearly requires that another meaning be intended:

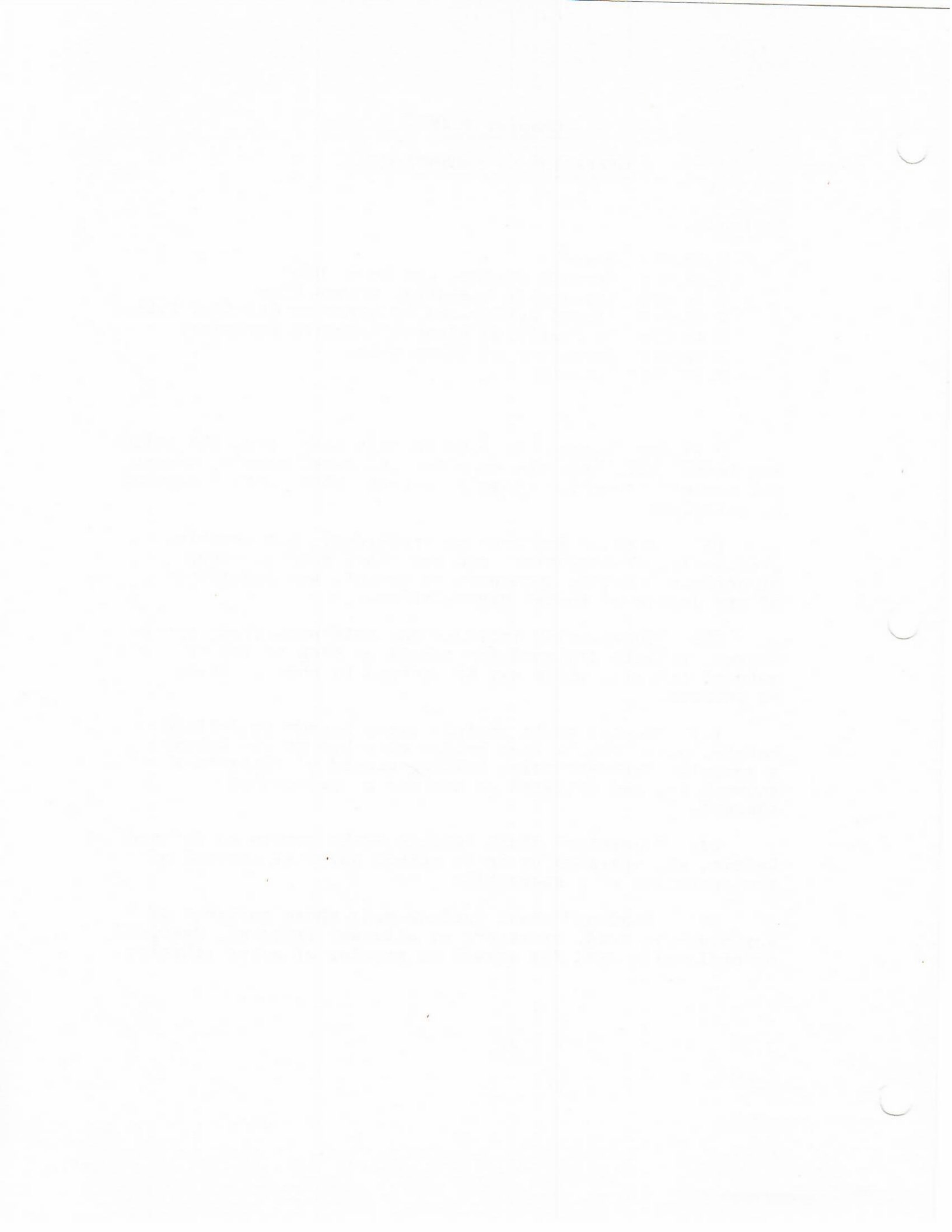
(a) "Person" includes an individual, partnership, association, corporation, and any other body or group of persons, whether incorporated or not, and regardless of the degree of formal organization.

(b) "Snowmobile" includes any self-propelled, track-driven, vehicle designed for travel on snow or ice or natural terrain, which may be steered by wheels, skis, or runners.

(c) "Owner" shall include every person as defined herein, other than a lien holder or other person having a security interest only, holding record of title to a snowmobile, and entitled to the use or possession thereof.

(d) "Operator" shall include every person as defined herein, who operates or is in actual physical control of the operation of a snowmobile.

(e) "Roadway" shall include only those portions of any highway, road, or street or alleyway improved, designed, or ordinarily used for travel or parking of motor vehicles.



9.48.020 Certain Streets not to be Used. It shall be unlawful for any person to drive or operate any snowmobile on the following designated streets within the city limits of the City of Harlowton, except that snowmobiles may make a direct crossing of said herein designated streets, where such crossing is necessary to get to another street on which snowmobile operation is permissible. Such crossing shall be made at a street intersection and at an angle of approximately ninety degrees to the direction of the street being crossed. The snowmobile shall make a complete stop before crossing and the operator of the snowmobile shall yield the right-of-way to all on-coming traffic from either his right or left.

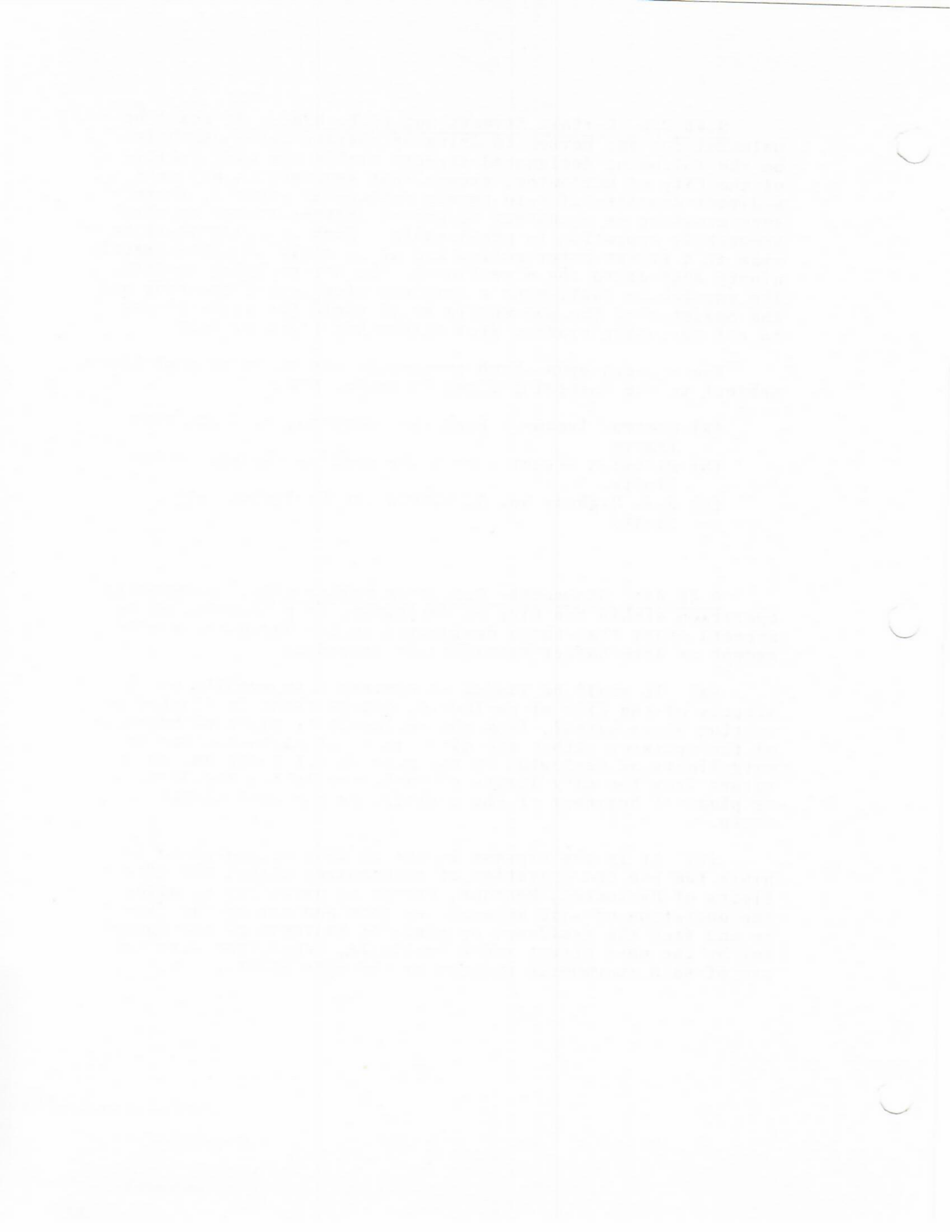
The streets upon which snowmobile operation is prohibited, subject to the foregoing right to cross, are:

- (a) Central Avenue - From the north to the south city limits.
- (b) Division Street - From the east to the west city limits.
- (c) U.S. Highway No. 12 within the Harlowton city limits.

9.48.030 Snowmobile Operation Within City. Snowmobile operation within the City of Harlowton, is prohibited on all streets other than those designated in the foregoing section, except as hereinafter specifically provided:

(a) It shall be lawful to operate a snowmobile on the streets of the City of Harlowton, except those designated in section above hereof, from the residence or place of business of the operator within the city limits of Harlowton to the city limits of Harlowton by the most direct route and to return from the city limits of Harlowton to the residence or place of business of the operator by the most direct route.

(b) It is the express intent of this ordinance to prohibit the use and operation of snowmobiles within the city limits of Harlowton, Montana, except as necessary to allow the operation of said snowmobiles into and out of the city to and from the residence or place of business of the operator by the most direct route available, consistent with the use of said snowmobile outside of the city limits.



9.48.040 Travel Authorized by Mayor or Chief of Police.
The prohibition against operating snowmobiles upon the streets of the City of Harlowton shall not apply to any street or alleyway drifted or covered by snow to such an extent that travel thereon by other motor vehicles is impractical or impossible and when the operator is in possession of a written permit, specifically authorizing such travel, issued by either the mayor or the chief of police of the City of Harlowton.

9.48.050 No Operation Without Required Equipment.
No snowmobile shall be operated upon a public street or alleyway of the City of Harlowton when permitted to do so by this act unless it is equipped with at least one head lamp and one tail lamp, and unless equipped with a suitable braking device which may be operated by either hand or foot.

All snowmobiles operating within the City of Harlowton, pursuant to the provisions of this ordinance, shall be equipped with, and have attached thereto, a flexible wand or standard which shall extend to a height of not less than five (5) feet above ground level and shall have attached to the top thereof a pennant or flag, bright orange or red in color, of a material that will resist wind and weather damage, and of a size of not less than 144 square inches, and be attached to the top twelve (12) inches of the required flexible wand or standard.

9.48.060 Operation of Snowmobiles. It shall be unlawful for any person to drive or operate a snowmobile within the city limits of Harlowton, Montana, in any one or more of the following manners:

- (a) At a rate of speed greater than provided by city ordinance for motor vehicles.
- (b) While under the influence of intoxicating liquor or narcotics or habit forming drugs.
- (c) In a careless or reckless manner so as to endanger the person or property of another, or to cause injury or damage to either, as defined by ordinance of governing motor vehicles.
- (d) Without a lighted head and tail light between the hours of dusk and dawn, upon or crossing any public road, or when otherwise required for safety of others.
- (e) Operating a snowmobile, or permitting such operation, by any person who by reason of physical or mental disability is incapable of operating the snowmobile as required for safety under the prevailing circumstances.
- (f) Without a muffler in good working order and in constant operation which prevents excessive or unusual noise and annoying smoke.

9.48.070 Penalty. Violations of any section of this ordinance shall be misdemeanors, and punishable by a fine or imprisonment or both, as follows:

(a) Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not more than ninety (90) days, or by fine of not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00) or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than ten (10) days nor more than six (6) months, or by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment.

(b) For violation of any other provision of this act, or any rule or regulation established hereunder, a fine not to exceed one hundred dollars (\$100.00) or 10 days or both.

