

TOWN OF MOUNTAIN LAKE PARK**RESOLUTION NO. 2023-02****ADOPTING AND MODIFYING GARRETT COUNTY RESOLUTION NO. 2017-6
AUTHORIZING THE USE OF UTV/ SNOWMOBILES****Explanation**

THIS IS A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF MOUNTAIN LAKE PARK AMENDING GARRETT COUNTY RESOLUTION NO. 2017-6. THIS RESOLUTION AUTHORIZES A PERSON UNDER SPECIFIED CONDITIONS TO CROSS OR OPERATE A UTILITY TERRAIN VEHICLE (UTV) OR SNOWMOBILE ON A DESIGNATED PORTION OF ROADWAYS IN MOUNTAIN LAKE PARK.

WE FURTHER RESERVE THE RIGHT TO RESCIND THIS ADOPTION AT ANY TIME IF THE MAYOR AND TOWN COUNCIL DEEM IT NECESSARY.

ALL-TERRAIN VEHICLES (FOUR WHEELERS, QUADS, THREE WHEELERS) ARE NOT PERMITTED ON THE ROADWAYS IN MOUNTAIN LAKE PARK AND ARE NOT INCLUDED IN THE DEFINITIONS OR PURPOSE OF THIS RESOLUTION.

WHEREAS, the Mayor and Town Council of Mountain Lake Park is authorized by the Maryland Local Government Annotated Code Title 5, Subtitle 2, or its successor, and by Mountain Lake Park Town Charter to enact ordinances to protect the health, safety and welfare of residents and visitors to Mountain Lake Park, and

WHEREAS, on December 7, 2017, the Mayor and Town Council of Mountain Lake Park adopted Garrett County Resolution 2017-6 and rescinded the resolution on July 1, 2021, and

WHEREAS, the Mayor and Town Council now believe that reconsideration with modifications to the original resolution is warranted.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, by the Mayor and Town Council of Mountain Lake Park, Maryland, this 6th day of July 2023, as follows:

1. The Explanation set forth above is incorporated as a substantive provision of this Resolution.
2. Utility Terrain Vehicle or Utility Task Vehicle (UTV) definition –
The definition of a UTV is a vehicle that needs to have four or more wheels, maximum width of 80" (2m), weighs less than 4,000 lbs. (1,814kg), maximum top speed of 25mph (40km/h) and meet some other standards to.

3. Standards for UTVS, the vehicle must
 - A. Have four or more wheels
 - B. Intended to transport persons and cargo
 - C. Non-straddle seat
 - D. Controlled by pedals and steering wheels
 - E. Top speed of 40.2 km/h or 25 mph.
 - F. Maximum of 2,030 mm or 80" in overall width
 - G. No more than 1,814 kg (4,000 lbs.) in gross vehicle weight rating (GVWR)
 - H. Minimum cargo capacity of 159 kg or 350 lbs.
4. Snowmobile definition - A motor vehicle, especially one with runners in the front and caterpillar tracks in the rear, for traveling over snow.
5. A person may operate a Utility Terrain Vehicle (UTV) or a snowmobile on not more than five (5) miles of a roadway designated by the Mayor and Town Council at a speed of not more than 25 miles per hour (mph) for the sole purpose of gaining access to trails on which the operation of a UTV or snowmobile is authorized, or to a field, a park, or to another area where the operation of a UTV or snowmobile is authorized.
6. UTV and snowmobiles are not permitted to travel on Maryland State Highways. UTV and snowmobiles are only permitted to cross a Maryland State Highway.
7. To cross a state highway on a UTV or snowmobile, the operator will cross at a right angle at a speed of not more than 25 mph.
8. The authorization granted by this Resolution shall be subject to the following specific terms:
 - A. All applicable speed limits – Operators are put on notice that they are responsible for abiding by 25 mph speed limits even if the vehicle is not equipped with an operable speedometer.
 - B. Utility Terrain Vehicles and snowmobiles may be operated on a Mountain Lake Park roadway for a distance not to exceed five (5) miles.
 - C. UTV and snowmobiles must be registered EVERY year and pay a registration fee as set by the Garrett County Commissioners to operate on Mountain Lake Park roadways. The registration sticker must be displayed on the rear of the vehicle.
 - D. UTV and snowmobile operators on Mountain Lake Park roadways must possess a valid driver's license or be expressly exempt from the licensing requirements of the Maryland Transportation Article 16-102.
 - E. UTV and snowmobile owners and/or operators must have proof of insurance on the vehicle.

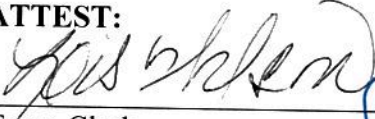
F. HELMETS ARE REQUIRED

- A. Unless the UTV is equipped with a factory Roll Over Protection System (R.O.P.S.), the operator of the UTV or snowmobile will NOT operate on any portion of the roadways unless the operators and passengers are wearing protective headgear that meets the standards established by the Administration as defined in TA 21-1306.
 - B. In such cases where the UTV is equipped with a factory R.O.P.S., the operator and passengers will utilize the factory seat belts when operating the UTV on any portion of the roadway.
9. Passengers on UTV and snowmobiles are limited to the number of manufactured installed passenger seats on the vehicle.
 10. UTV and snowmobiles must have at least one operating headlight, taillight and brake light when in operation on Mountain Lake Park roadways.
 11. UTV and snowmobiles must travel single file on the right-hand shoulder or the extreme right-hand side of the roadway and left-hand turns must be made from any part of the road if it is safe to do so under the prevailing conditions.
 12. Failure to abide by any of the above conditions when a UTV or snowmobile is in use on Mountain Lake Park roadways she constitute a violation of this ordinance.
 13. Fines and penalties for violations of this resolution:
 - A. First violation - \$100.00 fine (one hundred dollars)
 - B. Second violation - \$250.00 fine and a 60-day suspension from using the UTV or snowmobile on Mountain Lake Park roadways.
 - C. Third and Subsequent violation - \$500.00 fine and a lifetime of suspension from using UTV and snowmobile on Mountain Lake Park roadways.
 14. Enforcement of this resolution shall be a municipal infraction.
 15. If any provision of this resolution is found to conflict with Maryland state law or with federal law, all other portions shall remain in full force and effect.

BE IT FURTHER RESOLVED AND ORDAINED, that this resolution shall be effective October 6, 2022, by the Mayor and Town Council of Mountain Lake Park.

ADOPTED this 6th day of July, 2023.

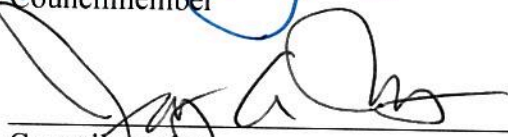
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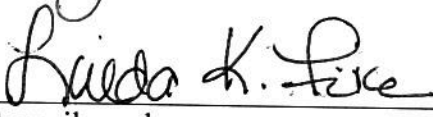
Town Clerk



Councilmember



Councilmember



Councilmember

APPROVED:



Mayor

Councilmember

Councilmember