

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2007-32

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4  
5 AN ORDINANCE

6 ADDING A DEFINITION FOR OFF-HIGHWAY MOTOR VEHICLE TO THE CITY OF  
7 SANTA FE UNIFORM TRAFFIC CODE AND AMENDING SECTIONS 12-7-9 AND 12-  
8 7-9.1 OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE TO PROHIBIT THE  
9 USE OF OFF-HIGHWAY MOTOR VEHICLES WITHIN THE MUNICIPAL  
10 BOUNDARIES OF THE CITY OF SANTA FE, UNLESS OFF-HIGHWAY MOTOR  
11 VEHICLES ARE USED ON CITY DESIGNATED COURSES, TRACKS OR TRAILS.

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13 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

14 Section 1. Article 12-1 of the City of Santa Fe Uniform Traffic Code (being  
15 Ord. #2006-34 and codified as Chapter 24, Exhibit A, SFCC 1987) is amended to include the  
16 following definition:

17 12-1-42.1 [NEW MATERIAL] OFF-HIGHWAY MOTOR VEHICLE "Off-Highway  
18 Motor Vehicle" means a motor vehicle designed by the manufacturer for operation exclusively  
19 off the highway or road and includes:

20 (1) "all-terrain vehicle", which means a motor vehicle fifty inches or less in width,  
21 having an unladen dry weight of one thousand pounds or less, traveling on three or more low-  
22 pressure tires and having a seat designed to be straddled by the operator and handlebar-type  
23 steering control; or

1 (2) "off-highway motorcycle", which means a motor vehicle traveling on not more  
2 than two tires and having a seat designed to be straddled by the operator and that has handlebar-  
3 type steering control.

4 **Section 2. Section 12-7-9 of the City of Santa Fe Uniform Traffic Code (being**  
5 **Ord. #2006-34 and codified as Chapter 24, Exhibit A, SFCC 1987) is amended to read:**

6 **12-7-9 OFF-HIGHWAY MOTOR VEHICLES.** Off-highway vehicle use is prohibited within  
7 the municipal boundaries of the city of Santa Fe unless such use is permitted on a designated off-  
8 highway motor vehicle course, track or trail or on private property with the permission of the  
9 property owner.

10 **12-7-9.1 OFF-HIGHWAY MOTOR VEHICLES--REGISTRATION; PLATE**  
11 **REQUIREMENT.**

12 A. No person shall operate a motor vehicle which is to be operated or used  
13 exclusively on designated off-highway vehicle courses, tracks or trails of this municipality unless  
14 the motor vehicle has been registered in accordance with the New Mexico Off-Highway Motor  
15 Vehicle Act and the regulations of the division adopted pursuant thereto.

16 B. Upon receipt of the registration certificate, the owner of an off-highway motor  
17 vehicle shall affix the registration plate on the motor vehicle as prescribed by the regulations  
18 adopted by the motor vehicle division. (66-3-1003 NMSA 1978)

19 **Section 3. Section 12-7-9.6 of the City of Santa Fe Uniform Traffic Code**  
20 **(being Ord. #2006-34 and codified as Chapter 24, Exhibit A, SFCC 1987) is amended to**  
21 **read:**

22 **12-7-9.6 ENFORCEMENT OF OFF-HIGHWAY MOTOR VEHICLE**  
23 **REGULATIONS.** Every city police officer displaying his badge of office, has the authority to  
24 enforce the provisions of Sections 12-7-9 through 12-7-9.5 of this ordinance and may require the  
25 operator of any off-highway motor vehicle to produce the certificate of registration and the

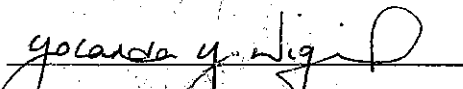
1 personal identification of the operator, and may issue citations for violations of the provisions of  
2 Sections 12-7-9 through 12-7-9.5 of this ordinance. (66-3-1015 NMSA 1978)

3 PASSED, APPROVED, and ADOPTED this 27<sup>th</sup> day of August, 2007.  
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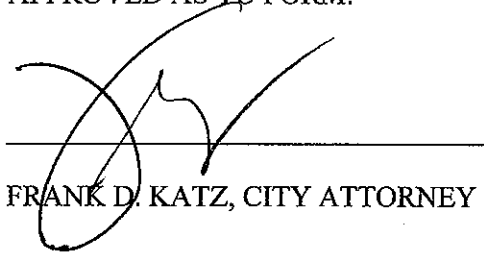
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7 DAVID COSS, MAYOR  
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9 ATTEST:

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11   
12 VOLANDA Y. VIGIL, CITY CLERK

13  
14 APPROVED AS TO FORM:

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16  
17 FRANK D. KATZ, CITY ATTORNEY  
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25 JP/N/2007 ords/ATVs