

PIMA COUNTY ORDINANCE

Chapter 9.12

OFF-ROAD RECREATIONAL MOTOR VEHICLES

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9.12.010

Definitions.

For the purposes of this chapter:

- A. "Off-road recreational motor vehicle" or "vehicle" means three and four wheel vehicles manufactured for recreational nonhighway all terrain travel.
- B. "Operate" means driving or having actual physical control over the vehicle.
- C. "Wash" or "riverbed" means a watercourse having beds, banks, sides and channels through which either waters currently flow or through which floodwaters flow periodically. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.020

Prohibited vehicle uses.

No person shall operate an off-road recreational motor vehicle:

- 1. Upon any portion of any publicly owned washes or riverbeds within the county except to cross such washes or riverbeds from one bank to another within the boundaries of an existing, clearly defined highway, street, road, primitive roadway, trail or traveled way; or
- 2. Upon privately owned lands without notarized written consent of the owner, the owner's agent or the person in lawful possession of such property. Such written consent shall be kept within a person's possession while operating a vehicle and shown upon the request of a peace officer; or
- 3. In such a way as to knowingly cause or contribute to visible dust emissions which then cross property lines into a residential, recreational, institutional, educational, retail, sales, hotel or business premises; or
- 4. At a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any object, person, animal life or other vehicle so as to comply with the duty of all persons to exercise reasonable care for the protection of others. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.030

Identification and proof of vehicle ownership.

A. All operators of off-road recreational vehicles shall carry proof of vehicle ownership, or a rental agreement, and a driver's license while operating such vehicles and shall show such documents upon the request of a peace officer. If an operator is unlicensed then recent picture identification shall be carried.

B. For the purpose of this section, identification for minors may include a school picture identification with school or home address or a notarized statement consisting of a minor's physical description and home address which is signed by a parent or guardian. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.040

Exempt vehicle uses.

The provisions of this chapter shall not apply to a vehicle being used for:

1. Ranching or agricultural purposes;
2. Grading, construction or building trade purposes;
3. Mining purposes;
4. Licensed off-road business operations such as land surveying, public utility companies, sand and gravel operations and other similar enterprises;
5. Authorized emergency vehicle including towing services;
6. Governmental purposes by a government employee;
7. Golf carts and golf courses. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.050

Exempt locations.

The provisions of this chapter shall not apply:

- A. To vehicle operators on their own property, except when creating dust emissions as set forth in subsection (3) of Section 9.12.020;
- B. On any dedicated public highway, street, road or alley or parking lot generally open to the public for the purpose of vehicular travel;
- C. Within the limits of any incorporated city or town. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.060

Government property.

Nothing in this chapter shall be deemed to interfere with the right of any government agency to regulate, prohibit or permit the use of off-road recreational vehicles on property owned by it or under its control and jurisdiction, nor to permit or authorize any trespass or nuisance. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)

9.12.070

Civil penalties.

Violation of this chapter shall constitute a civil offense and shall be punishable by a fine, fixed by the court, of not less than fifty dollars nor more than seven hundred fifty dollars. In the case of actual damage to person or property or a third offense within a twelve-month period, the court shall assess a fine of not less than two hundred fifty dollars nor more than seven hundred fifty dollars. The imposition of a fine under this section shall not be suspended. (Reso. 1988-43 § 1, 1988; Ord. 1987-209 § 1 (part), 1987)