

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: TRAFFIC RULES

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§ 70.01 VEHICLE SPEED LIMITS.

(A) It shall be unlawful for any person to operate, or move, a motor vehicle on and across county highways at a speed limit greater than 35 miles per hour except as hereinafter provided.

(B) Whenever road conditions and traffic conditions warrant, the Board of Commissioners shall reserve the right by resolution to post highways at different speed limits than as hereinabove set forth and when said limits are so posted, said posted limits shall prevail as the existing speed limit on the highway.

(BC Ord. 1984-4, passed 2-6-84)

(C) The state traffic laws regulating the speed of vehicles shall be applicable on all roads within the county, except as the Board of County Commissioners shall declare and determine certain speed regulations as applicable on specified roads or in certain areas, from time to time. Such declarations and determinations shall be made upon the recommendation of the County Highway Engineer that the maximum speed permitted by the state traffic laws is greater or less than reasonable and safe under the conditions found to exist after engineering and traffic investigation in accordance with I.C. 9-21-5-6.

(1) The County Highway Department shall have the power to place and maintain all necessary

signs when and as required in order to regulate traffic in accordance with the declarations and determinations of the Board of Commissioners posting the necessary signs on or at the entrances to the entrances to the roads or part or parts thereof affected in a position most appropriate.

(2) It shall be a violation of this division (C) for any person to drive a vehicle at a speed in excess of any speed so declared by the Board of County Commissioners when signs are in place giving notice thereof.

(BC Ord. 1992-24, passed 12-7-92)

Penalty, see § 70.99

§ 70.02 TRAFFIC-CONTROL DEVICES.

(A) The state traffic laws regulating traffic-control signs, signals and devices used to regulate traffic, including intersection control, truck routes, weight restrictions on bridges and roads and road use restrictions for trucks, semi-tractors, and semi-trailers, shall be applicable on all roads within the county, except as the Board of County Commissioners shall declare and determine certain regulations concerning such traffic-control signs, signals and devices as applicable on specified streets or in certain areas, from time to time. Such declarations and determinations shall be made upon the recommendation of the County Highway Engineer that, under conditions found to exist after engineering and traffic investigations, certain traffic control signs, signals and devices are needed in order to regulation traffic.

(B) The County Highway Department shall have the power to place and maintain traffic-control signs, signals and devices when and as required in order to regulate traffic in accordance with the declarations and determinations of the Board of County Commissioners.

(C) It shall be a violation of this section for any driver of a vehicle to fail to obey any traffic-control sign, signal or device so declared by the Board of County Commissioners when signs, signals or devices are in place unless otherwise directed to proceed by a police officer.

(BC Ord. 1992-24, passed 12-7-92) Penalty, see § 70.99

§ 70.03 GENERAL PARKING REGULATIONS.

(A) The state traffic laws regulating parking shall be applicable upon all roads within the county, except as the Board of Commissioners shall determine certain regulations concerning the prohibition or regulation of parking applicable upon specified roads or in certain areas. Such declarations and determinations shall be made upon the recommendation of the County Highway Engineer that, under the conditions found to exist after engineering and traffic investigations, certain prohibitions or regulations are needed in order to regulate parking.

(B) The County Highway Department shall have the power to place and maintain painted signs or markers on the curb and on avenues, streets or lots to designate parking spaces. Each vehicle parked along side of, or adjacent to, any curb or parking area shall park within the lines or marks so established. It shall be a violation of this section to park any vehicle across any such line or mark or to park any such vehicle in such a way that the vehicle shall not be within the area so designated by the lines or marks.

(C) No owner or person in control of a vehicle shall allow that vehicle to occupy, in whole or in part, more than one parking space at a time.

(D) It shall be a violation of this section for any person in control of a vehicle to fail to obey any sign or marker so declared by the Board of County Commissioners when such signs or markers are in place giving notice thereof.

(BC Ord. 1992-24, passed 12-7-92)

§ 70.04 PARKING REGULATIONS FOR COUNTY PARKING SITE.

(A) Parking on the parking site on the premises defined herein on the weekdays Monday through Friday and during the hours of 7:30 a.m. to 4:30 p.m. shall be reserved for the employees and office holders of the county and that the right to park an automobile on said parking site shall be evidenced by the issuance to the owner thereof of a parking permit sticker which shall be affixed to the rear of any such motor vehicle.

(B) No motor vehicle shall be parked within or upon said parking site unless said motor vehicle shall display a parking permit sticker as provided herein.

(C) Any unauthorized vehicle parked on the parking site defined herein may be towed away at the owner's expense.

(D) Signs shall be erected and maintained on the parking site defined herein, which said signs shall inform the general public of the restricted nature of parking therein on the above mentioned days and during the above mentioned hours and unauthorized vehicles parked therein may be towed at the owners expense, and the owner of an unauthorized vehicle parked therein may be subject to criminal prosecution.

(E) The jurisdiction to enforce this and all other parking regulations upon the parking site defined herein is hereby granted to the county, or any police officer of the county, and to the City of Boonville, or any police officer of the City of Boonville.

(BC Ord. 1979-20, passed 12-17-79) Penalty, see § 70.99

§ 70.05 WEIGHT RESTRICTIONS.

(A) No vehicle with a gross weight in excess of ten tons or 20,000 pounds shall be operated on or across any county highway which has been posted as to said weight restriction without the express permit of the Board of Commissioners.

(B) This section shall not apply to fire trucks, ambulances, school buses or emergency vehicles.
(BC Ord. 1989-6, passed 5-1-89) Penalty, see § 70.99

Cross-reference:

Specific roads designated, see Ch. 72, Sched. II

§ 70.99 PENALTY.

(A) Any person violating the provisions of § 70.01(A) or (B) shall be fined not more than \$100.
(BC Ord. 1984-4, passed 2-6-84)

(B) Any person violating §§ 70.01(C), 70.02 or 70.03 shall be punished by a fine not to exceed \$2,500. (BC Ord. 1992-24, passed 12-7-92)

(C) Whoever violates § 70.04 shall be guilty of a Class C infraction. (BC Ord. 1979-20, passed 12-17-79)

(D) A person, company or corporation who violates § 70.05 shall be fined in an amount not to exceed \$1,000 for the first offense and in an amount not to exceed \$2,500 for each subsequent offense.
(BC Ord. 1989-6, passed 5-1-89)

CHAPTER 71: VEHICLE TAXES

Section	(5) Trailers	\$5.00
71.01 County wheel tax	(6) Trucks	\$10.00
71.02 Motor vehicle excise surtax		

Cross-reference:

Taxation generally, see Ch. 36

(C) The tax shall be paid and collected in accordance with the procedures set forth in I.C. 6-3.5-5-1 *et seq.*
(BC Ord. WT-1-82, passed 4-6-82; Am. CC Ord. 2000-2, passed 3-2-00)

§ 71.01 COUNTY WHEEL TAX.

(A) There is hereby imposed a county wheel tax per vehicle on the following vehicles registered in the county on or before December 31, 2000, as follows, all as defined in I.C. 6-3.5-5-1. (The tax does not apply to any vehicle exempted as provided by I.C. 6-3.5-5-4.):

(1) Buses	\$15.00
(2) Recreation vehicles	\$25.00
(3) Semi trailers	\$25.00
(4) Tractors	\$30.00
(5) Trailers	\$10.00
(6) Trucks	\$20.00

(B) The tax rates for vehicles registered after December 31, 2000, shall be as follows:

(1) Buses	\$7.50
(2) Recreation vehicles	\$12.50
(3) Semi trailers	\$12.50
(4) Tractors	\$15.00

§ 71.02 MOTOR VEHICLE EXCISE SURTAX.

(A) There is imposed an annual license excise surtax on each motor vehicle as defined in I.C. 6-3.5-4-1 registered in the county, on or before December 31, 2000, at the rate of 10%.

(B) For motor vehicles registered after December 31, 2000, the rate of the excise surtax shall be 10%. The surtax on a vehicle shall not be less than \$7.50. The license excise tax applies to all vehicles described in I.C. 6-3.5-4-2(b).

(C) The county vehicle excise surtax shall be paid and collected in accordance with the procedures set forth in I.C. 6-3.5-4-1 *et seq.*
(BC Ord. ES-1-82, passed 4-6-82; Am. CC Ord. 2000-3, passed 3-2-00; Am. CC Ord. 2013-01, passed 8-1-13)

CHAPTER 72: TRAFFIC SCHEDULES

Schedule

- I. Speed limits
- II. Weight restrictions

SCHEDULE I. SPEED LIMITS.

(A) It shall be unlawful for any person to operate or move a motor vehicle over the following county roads at a speed greater than that indicated:

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Arbor Creek Drive	River Ridge Subdivision	20 m.p.h.	BC Res. 2015-10	10-26-15
Arbor Lake Drive	River Ridge Subdivision	20 m.p.h.	BC Res. 2015-10	10-26-15
Arbor Pointe Drive	River Ridge Subdivision	20 m.p.h.	BC Res. 2015-10	10-26-15
Boonville Highway (S 50)	From State Road 62 to the Vanderburgh County line	40 m.p.h.	BC Ord. 1990-28	12-26-90
Brookstone Drive	Brookstone Subdivision	20 m.p.h.	BC Res. 2018-05	1-22-18
Bullocktown Road (E 75, S 300 and E 100)	From the intersection of Bullocktown Road and Old Rockport Road south to approximately one quarter mile north of Myers Road (S 400)	40 m.p.h.	BC Ord. 1991-6	2-4-91
Capstone Court	Brookstone Subdivision	20 m.p.h.	BC Res. 2018-05	1-22-18

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<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Deerwood Court	All portions in Ohio Township (Linwood Subdivision)	20 m.p.h.	BC Res. 2011-09	10-10-11
East 525	From its intersection with State Highway 161 and State Route 62 to the Spencer County line	35 m.p.h.	BC Ord. 1992-20	7-27-92
East 1000 Road	From the intersection of East 1000 Road and Lincoln Trail Road (North 600) to the Spencer County line	35 m.p.h.	BC Ord. 1992-20	7-27-92
Elberfeld Road (N 800)	From the railroad track crossing to the Warrick County line	40 m.p.h.	BC Ord. 1991-2	1-28-91
Epworth Road (W 1050)	From County Road S 300 to County Road S 200	45 m.p.h.	BC Res. 2009-11	6-8-09
Estate Drive	All portions in Ohio Township (Linwood Subdivision)	20 m.p.h.	BC Res. 2011-09	10-10-11
Fall Creek Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Folsomville Highway (E 400, N 650)	From the Boonville city limits to State Road 68	40 m.p.h.	BC Ord. 1990-28	12-26-90
Folsomville Road	From County Road W 100 (Eby Road) to 1,000 feet west of County Road N 600 (Lincoln Trail Road)	45 m.p.h.	BC Res. 2011-09	10-10-11
Folsomville Road	From 1,000 feet west of County Road N 600 (Lincoln Trail Road) to County Road N 700 (Gentry Road)	30 m.p.h.	BC Ord. 1989-2-B; Am. BC Res. 2011-09	2-27-89; 10-10-11

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<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Folsomville Road	From County Road N 700 (Gentry Road) to State Road 68	45 m.p.h.	BC Res. 2011-09	10-10-11
Heim Road (North 50)	From the intersection of Heim Road and Inderrieden Road (West 700) westerly to its intersection with Stevenson State Road (West 1025)	35 m.p.h.	BC Ord. 1992-20	7-27-92
Heritage Drive	From State Road 66 to Martin Road	30 m.p.h.	BC Ord. 1984-7	5-7-84
Imperial Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Kaiser Road	From its intersection with Yankeetown Highway to its intersection with Indiana State Highway 61	30 m.p.h.	BC Ord. 1989-8	6-5-89
Kaiser Road (S 500)	From State Road 61 east approximately one-half mile to the centerline of the Southern Railroad tracks, commonly known as Yankeetown Dock Corporation railroad tracks	20 m.p.h.	BC Ord. 1991-6	2-4-91
Kaiser Road (S 500)	From Yankeetown Highway west approximately one-half mile to the center lien of Taylor Road (W 250)	20 m.p.h.	BC Ord. 1991-6	2-4-91
Kaiser Road (S 500)	From State Road 61 to County Road (W 250)	30 m.p.h.	BC Res. 2009-9	4-27-09
Lakeridge Drive	From its beginning at State Road 261 to its intersection with Woodbridge Drive in the Lakeridge Subdivision	25 m.p.h.	BC Res. 2015-07	5-26-15

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<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Limestone Court	Brookstone Subdivision	20 m.p.h.	BC Res. 2018-05	1-22-18
Lincoln Trail Road (North 600)	From the intersection of State Road 161 East to the intersection of East 1000 Road	35 m.p.h.	BC Ord. 1992-20	7-27-92
Mansfield Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Court	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Megan Drive	Brookstone Subdivision, that portion that lies between Brookstone Drive and Oak Grove Road	20 m.p.h.	BC Res. 2018-05	1-22-18
Merimac Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Midway Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Miranda Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
North Road	From the northern city limits of the Town of Elberfeld to State Road 68	40 m.p.h.	BC Ord. 1995-23	12-11-95
Oak Grove Road	From the intersection of Libbert Road westerly to the intersection of Epworth Road	50 m.p.h.	BC Res. 2014-08	10-13-14

Traffic Schedules

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Outer Lincoln Avenue	From Bell Road westerly to the Warrick/Vanverburgh County line	35 m.p.h.	BC Res. 2014-07	5-27-14
Overland Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Pelzer Road	From County Road N/S 0 (Maple Grove Road) to County Road S 300 (New Hope Road)	40 m.p.h.	BC Res. 2011-09	10-10-11
Pelzer Road	Where not otherwise specified in this schedule	30 m.p.h.	BC Ord. 1985-6; Am. BC Res. 2011-09	2-4-85; 10-10-11
Penrose Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Ridgeview Avenue	Greer Township	20 m.p.h.	BC Res. 2013-03	1-28-13
River Ridge Drive	River Ridge Subdivision	20 m.p.h.	BC Res. 2015-10	10-26-15
Roeder Road	That portion that lies between Wethers Road and Bridge 263	40 m.p.h.	BC Res. 2018-06	1-22-18
Sandal Way	From its beginning at Telephone Road to its intersection with Sandalwood Drive in the Sandals Subdivision	20 m.p.h.	BC Res. 2015-09	7-27-15
Sandstone Court	Brookstone Subdivision	20 m.p.h.	BC Res. 2018-05	1-22-18
Shilo Road	Boonville	30 m.p.h.	BC Res. 2017-11	4-10-17

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<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Taylor Drive	Between Ande Drive and Park Place Drive	20 m.p.h.	BC Res. 2016-03	1-25-16
Tecumseh Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Telephone Road (S 200)	From Bell Road (W 850) to State Road 62	40 m.p.h.	BC Ord. 1990-28	12-26-90
Telephone Road (S 200)	From County Road (W 1050) to County Road (W 900)	50 m.p.h.	BC Res. 2009-12	6-8-09
Terrace Drive	Located east of Bell Road in Newburgh, Warrick County, IN	20 m.p.h.	BC Res. 2016-11	11-14-16
Titan Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Treemont Drive	From the intersection with Vann Road to the intersection with Kingston Drive	20 m.p.h.	BC Res. 2014-09	10-27-14
Vanada Road (West 550)	From the intersection of Vanada Road (West 550) and State Highway 66 to the intersection of Vanada Road (West 550) and Ferstel Road (South 600)	35 m.p.h.	BC Ord. 1992-20	7-27-92
Yankeetown Road	From County Road S 75 (Rudolph Road) to State Road 66	45 m.p.h.	BC Res. 2011-09	10-10-11
Yankeetown Road (W 200, 250)	From the Boonville city limits to Red Brush Road (S 650) except as otherwise specified in this schedule	40 m.p.h.	BC Ord. 1990-28; Am. BC Res. 2011-09	12-26-90; 10-10-11
Yorkridge Drive		20 m.p.h.	BC Ord. 1990-24	8-27-90

(B) Any person violating the provisions of this schedule shall be fined in any amount not to exceed \$500.

SCHEDULE II. WEIGHT RESTRICTIONS.

(A) It shall be unlawful for any person to operate, or move, or for the owner to cause or knowingly permit to be operated on the county highways designated below any vehicle or combination of vehicles having a total gross weight in excess of the limit indicated.

(B) When a person is apprehended operating or causing to be operated a vehicle or combination of vehicles on the described highways with a weight in excess of the limitation set out below, the vehicle or combination of vehicles shall be detained until its weight is so reduced to comply with the said limitation; the vehicle or combination of vehicles shall, while detained, be kept in the custody of a law enforcement officer and shall be moved only as directed by the officer having custody or by direction of the circuit or superior court.

<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Bell Road (W 850)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Boonville-New Harmony Road	From Millersburgh to Vanderburgh County line	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Boonville-New Harmony Road	From Millersburgh west to County Road W. 1050 (Putler School Road) thence south on County Road 1050 to County Road N. 250 (Kansas Road), thence east on County Road N. 250 to County Road W. 1025 (Stevenson Station Road), thence south on County Road W. 1025 to County Road N. 150	20,000 pounds	BC Ord. 1979-13	5-7-79
County Road N 600 (Lincoln Trail Road)	East of State Highway 161 to Wire Road (E 800)	20,000 pounds	BC Ord. 1982- WR-1	2-22-82
County Road East 700	From its intersection with County Road North 1300 north to the Pike County line which road is part of the road commonly called Yellow Banks Road	12,000 pounds	BC Ord. 1979-15	6-6-79

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<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
County Road W. 700	From County Road N. 400 South to State Route 62	20,000 pounds	BC Ord. 1979-11	5-7-79
County Road W. 725 (Fuquay Road)	From County Road S. 50 south to State Route 261	20,000 pounds	BC Ord. 1979-10	5-7-79
Degonia-Folsomville Road (County Road E 300, N 400, E 400)	From Degonia to Folsomville	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Epworth Road (W 1050)		20,000 pounds	BC Ord. 1982-FL-2	2-22-82
Folsomville Road (County Road E 400 north of Folsomville, no number from south of Folsomville)	From Eby Road to State Road 68	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Folsomville Road (County Road E. 400)	From Boonville city limits north to Old State Highway 68 from Folsomville north to Old Highway 68	20,000 pounds	BC Ord. 1979-12	5-7-79
Fuquay Road (W 725)		20,000 pounds	BC Ord. 1982-FL-2	2-22-82
Gardner Road (S 50)		20,000 pounds	BC Ord. 1982-FL-2	2-22-82
Hart-Moss Road (County Road E 350)	From Folsomville-Degonia Road to Kelley Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Heim Road (County Road N 50)	From Stevenson Station-Elberfeld Road to Vanderburgh county line	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Heritage Drive	From State Road 66 to Martin Road	20,000 pounds	BC Ord.	5-7-84

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<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Kansas Road (County Road N 200, N 250)	From Stevenson Station- Elberfeld Road to Vanderburgh County line	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Lincoln Avenue (S 450)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Maurer Road (County Road E 100)	From State Road 62 to Old Tennyson Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Millersburg Road (County Road N 175, N 250)	From Boonville to Decker Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
North Elberfeld Road (County Road W 1100)	From Elberfeld to State Road 68	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Oak Grove Road (S 300)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Old Degonia Road (County Road N 100)	From Boonville to Otter Creek	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Old Plank Road		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Old Tennyson Road (County Road N 150, E 75, N 200, E 175, N 250)	From Boonville to Degonia- Folsomville Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Old Yankeetown Highway (W 200)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Phillips-Hible Road (County Road N 475)	From Folsomville Road to State Road 161	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Pollack Avenue (S 600, W 975)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Red Brush Road (S 650)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Roy Wright Road (County Road N 1200, W 225, N 1225, W 200)	From State Road 68 to State Road 61	20,000 pounds	BC Ord. 1982- F4-1	2-1-82

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<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Rudolph Road (South 75)	From Yankeetown Road to State Highway 61	4 tons	BC Ord. 1991-19	7-21-91
Scales Road	The portion in Boonville, Indiana located south of the intersection of Scales Road and Barren Fork Road	20,000 pounds	BC Res. 2017-06	2-13-17
Seitz Road (County Road E 150)	From Old Degonia Road to Tennyson Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Shelton Road (County Road N 400)	From Folsomville Road to Smith Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Shilo Road	Boonville	20,000 pounds	BC Res. 2017-11	4-10-17
Smith Road (County Road E 75, E 100)	From Old Tennyson Road to Folsomville Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Stevenson Station-Elberfeld Road (County Road W 1025, N 75, W 1075, W 1100, N 450, W 1125, N 625, W 1100)	From Heim Road to Elberfeld	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Telephone Road (S 200)		20,000 pounds	BC Ord. 1982-FL-2	2-22-82
Yankeetown Road	From the intersection of said highway with the city limits of the City of Boonville to and including the intersection of said highway with Indiana State Highway 66	ten tons	BC Ord. 1989-5	4-24-89

(C) Any person who violates this schedule shall be fined in an amount not to exceed \$2,500.

(D) Farm machinery and grain transport vehicles are exempted from the 20,000 pounds weight restriction on Epworth Road as listed within this schedule.

(Am. BC Ord. 2011-25, passed 9-12-11)

CHAPTER 73: OFF-ROAD VEHICLES

Section

- 73.01 Definitions
- 73.02 Use and operation on county roads and highways
- 73.03 Registration requirements
- 73.04 Headlights, taillights, brakes and pennant
- 73.05 Statutory restrictions on use
- 73.06 Duties in event of accident
- 73.07 Liability insurance
- 73.08 Possession of registration and certificate of insurance
- 73.09 Restriction on operation between 10:00 p.m. and 6:00 a.m.
- 73.10 Other laws and regulations
- 73.11 Disturbance of roadway
- 73.12 Emergencies
- 73.13 Enforcement

- 73.99 Penalty

§ 73.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ATV ROADS. All country roads and highways outside of any town or city, except “Restricted Roads”.

OFF-ROAD VEHICLE.

(1) For purposes of I.C. 14-16-1, means a motor driven vehicle of at least four wheels capable of cross-country travel:

- (a) Without benefit of a road; and

(b) On or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

(2) **OFF-ROAD VEHICLE** does not include a snowmobile, any other vehicle properly registered by the Bureau of Motor Vehicles, any watercraft that is registered under Indiana statutes, or a golf cart vehicle.

OPERATOR. An **OPERATOR** of an off-road vehicle must be at least 18 years of age and possess a valid driver’s license pursuant to I.C. 14-16-1-20(c).

RESTRICTED ROADS.

(1) Those roads and highways in the following described area of the county: Starting the point of beginning, being a point at the southwestern corner of Warrick County, which is a point formed by the intersection of the Ohio River and the western boundary of the county; then running in a northerly direction along the western border of Warrick County to State Road 62; then running east along State Road 62 to State Road 61; then running south along State Road 61 to State Road 66, and then directly south to the Ohio River; then running in a westerly direction along the Ohio River to the Point of Beginning.

(2) Yankeetown Road from the Boonville city limits to State Road 66.

(3) Any road or highway posted by the Board of Commissioners or its designee for non-use by off-road vehicles.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.02 USE AND OPERATION ON COUNTY ROADS AND HIGHWAYS.

(A) Operators of off-road vehicles may use ATV roads, as those terms are defined in § 73.01, subject to the terms and conditions of this chapter.

(B) Off-road vehicles may not be operated on restricted roads, except that farmers may operate off-road vehicles, for farm production purposes, on ATV roads or restricted roads.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.03 REGISTRATION REQUIREMENTS.

Off-road vehicles must be registered under I.C. 14-16-1-8, as amended.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.04 HEADLIGHTS, TAILLIGHTS, BRAKES AND PENNANT.

The off-road vehicle must meet those standards of headlights, taillights, and brakes required under I.C. 14-16-1-21. In addition, the off-road vehicle operated on a county roadway or highway pursuant to this chapter must have an orange pennant or flag at least 12 inches but not more than 24 inches long, affixed to a staff or pole measuring at least four feet but not more than 10 feet in height. The pole or staff height shall be measured from the top of the seat.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.05 STATUTORY RESTRICTIONS ON USE.

Nothing in this chapter modifies, alters or changes the restrictions on operation established under I.C. 14-16-1-23.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.06 DUTIES IN EVENT OF ACCIDENT.

Nothing in this chapter modifies, alters or changes the duties under I.C. 14-16-1-24 placed on the operator of an off-road vehicle in the event of an accident.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.07 LIABILITY INSURANCE.

An operator operating an off-road vehicle on a county highway or roadway shall have liability insurance specifically for such off-road vehicle in accordance with the minimum insurance required for the operation of other motor vehicles on public highways, in the minimum amount of \$25,000 per person/\$50,000 per accident.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.08 POSSESSION OF REGISTRATION AND CERTIFICATE OF INSURANCE.

Any operator of an off-road vehicle shall carry on his or her person any registration required under I.C. 14-16-1 and the certificate of insurance required under this chapter for the off-road vehicle being operated.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.09 RESTRICTION ON OPERATION BETWEEN 10:00 P.M. AND 6:00 A.M.

In furtherance of the restriction established under I.C. 14-16-1-23(a)(7) prohibiting the operation of off-road vehicles within 100 feet of a dwelling between midnight and 6:00 a.m., an off-road vehicle may not be operated on any county roads or highways, outside the corporate limits of any town or city, between 10:00 p.m. and 6:00 a.m.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.10 OTHER LAWS AND REGULATIONS.

Nothing in this chapter modifies, alters or changes the requirements of the operation of vehicles on public roadways in Indiana, and all operators of off-road vehicles must obey and follow all rules and regulations applicable to the operation of vehicles on roadways in Indiana.

(BC Ord. 2009-04, passed 5-18-09)

- (1) First offense in a calendar year: \$50.
- (2) Second offense in a calendar year: \$100.
- (3) Third offense in a calendar year: \$150.

(B) Each day that a violation occurs constitutes a separate offense.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.11 DISTURBANCE OF ROADWAY.

No person shall operate an off-road vehicle on Warrick County highways in such a manner which causes damage to the roadway or highway or disturbs the surface of the roadway or highway. Any violator of this section, in addition to such penalties set forth in § 73.99 below, shall be responsible for all costs of repair of such damage or disturbance.

(BC Ord. 2009-04, passed 5-18-09) Penalty, see § 73.99

§ 73.12 EMERGENCIES.

Any county or state law enforcement officer may prohibit operation of an off-road vehicle on a county highway or roadway during emergencies.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.13 ENFORCEMENT.

All law enforcement officers in the county shall have the power and it shall be their duty to enforce the provisions of this chapter unless otherwise prevented by state statutes regarding the enforcement of state laws.

(BC Ord. 2009-04, passed 5-18-09)

§ 73.99 PENALTY.

(A) Any person who violates any provision of this chapter shall be deemed guilty of a violation and, upon conviction, shall be fined pursuant to the following schedule:

