

**VILLAGE OF RUIDOSO
ORDINANCE 2018-09**

**AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF
ORDINANCES CHAPTER 82, TRAFFIC AND VEHICLES, ARTICLE IV, OFF-HIGHWAY
MOTOR VEHICLES, SECTION 82-82, OPERATION ON STREETS OR HIGHWAYS--
PROHIBITED AREAS.**

WHEREAS, the Village of Ruidoso Municipal Code of Ordinances Section 82 provides for operation on streets or highways—prohibited areas; and

WHEREAS, upon the approval of the first ordinance, the language that stated all occupants wear a helmet was not needed. It should stay with the state law and say 18 years and under wear a helmet; and

WHEREAS, the prohibited hours are not needed and therefore are requested to be removed; and

WHEREAS, the request for travel upon State Highway 48 (Mechem and Sudderth) will be requested from the New Mexico DOT and therefore is still not allowed; and

WHEREAS, the Council conducted a duly advertised public hearing to consider this ordinance on November 13, 2018 amending the Village of Ruidoso Municipal Code of Ordinances Chapter 82 Traffic and Vehicles, Article IV Off-Highway Motor Vehicles.

NOW THEREFORE, BE IT ORDAINED By the Governing Body of The Village of Ruidoso that the Village Municipal Code of Ordinances Chapter 82, Traffic and Vehicles is hereby amended as follows:

<p><u>Single Underline</u> is text that is proposed for adoption. Strike-out is language deleted.</p>
--

Sec. 82-82. Operation on streets or highways - prohibited areas.

A. A person shall not operate an off-highway motor vehicle on any:

(1) limited access highway at any time;

(2) paved street or highway, except as provided in subsection B or C of

this section;

(3) walking trails; or

(4) parks owned or maintained by the Village of Ruidoso

B. Off-highway motor vehicles may cross streets or highways, except limited access highways or freeways, if the crossings are made after coming to a complete stop, prior to entering the roadway. Off-highway motor vehicles shall yield the right-of-way to oncoming traffic and shall begin a crossing only when it can be executed safely. Off-highway motor vehicles shall cross streets or highways in the most direct manner as close to a perpendicular angle as possible.

C. A recreational off-highway vehicle may be operated on a paved street owned and controlled by the Village if:

(1) The vehicle has one or more headlights and one or more tail lights that comply with the Off-Highway Motor Vehicle Act, Sec. 66-3-1001 through 66-3-1021, NMSA 1978;

(2) The vehicle has working brakes, mirrors, and mufflers;

(3) The operator has a valid driver's license, instruction permit or provisional license and an off-highway motor vehicle safety permit;

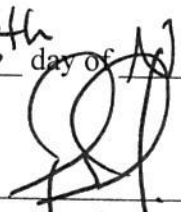
(4) The operator is insured in compliance with the provisions of the Mandatory Financial Responsibility Act, Sec. 66-5-201 through

66-5-248, NMSA 1978; and

(5) ~~A person shall not operate an off-highway motor vehicle or ride upon an off-highway motor vehicle without wearing eye protection and a safety helmet that comply with the Off-Highway Motor Vehicle Act.~~


(6) ~~No operation of Off Highway Motor Vehicles inside Village limits shall be allowed between the hours of 7:00 PM and 7:00 AM.~~

PASSED, APPROVED, AND ADOPTED this 13th day of November,
2018.



Lynn D. Crawford, Mayor

(SEAL)
ATTEST



Irma Devine, Village Clerk

VILLAGE OF RUIDOSO

RESOLUTION 2018-37

A RESOLUTION REQUESTING THE NEW MEXICO STATE TRANSPORTATION COMMISSION TO APPROVE THE USE OF OFF-HIGHWAY MOTOR VEHICLES ON SECTIONS OF NEW MEXICO-48 WITHIN THE RUIDOSO VILLAGE LIMITS

WHEREAS, the Village of Ruidoso has created Ordinance Nos. 2017-03 and 2018-09 allowing the operation of recreational off-highway vehicles on paved streets owned and controlled by the Village, subject to certain conditions; and

WHEREAS, the Village of Ruidoso contains portions of New Mexico-48 and it would be advantageous for the Village and recreational off-highway vehicle operators to be authorized by the New Mexico State Transportation Commission to operate their vehicles on portions of New Mexico 48 within the Village limits; and

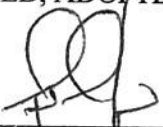
WHEREAS, the Village's request to allow the use of Off-Highway Motor Vehicles (OHV's) on portions of New Mexico-48 within the limits of the Village of Ruidoso.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Village of Ruidoso that it is hereby requested the New Mexico State Transportation Commission designate the following portions of New Mexico-48 as approved for the use of recreational off-highway vehicles, including ROHV's:

From the Eastern Village limits of Ruidoso (Sudderth) at approximately mile marker 0 on New Mexico- 48 to the Northern Village limits of Ruidoso (Mechem) at approximately mile marker 7.8 on New Mexico- 48.

This approval is requested pursuant to NMSA 1978, Sections 67-3-2(D) and 66-3-1011, and New Mexico State Transportation Commission Policy 71. The portions of New Mexico 48 described above meet State guidelines. The Off-Highway Motor Vehicle Act use is for the public benefit and not for the benefit of any individual private interest. The portions of New Mexico 48 for which this request is made are needed for recreational access and will greatly benefit or enhance the recreational economy of the Village of Ruidoso.

PASSED, ADOPTED, AND APPROVED This 13th day of November, 2018.



Lynn D. Crawford, Mayor

(SEAL)

ATTEST:



Irma Devine, Village Clerk