

Sec. 46-17. Recreational Vehicle

(a) Purpose.

- (1) To empower the City of New Bedford to police owners and operators of recreational vehicles that have become a public nuisance by exhibiting a notorious atmosphere of criminal and other disturbing activity so elevated as to endanger the common good and general welfare of the good people of New Bedford.

(b) Definitions

Recreational Vehicle is any motor vehicle designed or modified for use over unimproved terrain for recreation or pleasure including, but not limited to, all-terrain vehicles, off-highway motorcycles, dirt bikes, and recreation utility vehicles.

Motorized Conveyance is any wheel device used to carry persons or property which is powered by any means other than muscular power alone.

(c) Prohibited Acts

- (1) *Recreational vehicle registration.* Pursuant to M.G.L. c. 90B, § 22, all recreational vehicles, as defined by M.G.L. c. 90B, § 20, must be registered with the Boat, Recreation Vehicle & Snowmobile Registration Bureau and a valid registration number must be displayed on the vehicle.
- (2) *Storage of Unregistered vehicles.* No person shall place, store, or keep more than one (1) unregistered motorized conveyance that is required to be registered under the laws or regulations of the Commonwealth of Massachusetts, including but not limited to M.G.L. c. 90B, upon public or private land zoned for residential purposes of six (6) or fewer residential units.
 - a. This section shall not apply to vehicles stored within a fully-enclosed building or to vehicles stored, parked, or displayed on property duly licensed in accordance with M.G.L. c. 140, §§ 57 through 69.
- (3) *Property of Another.* No person shall operate, maintain or possess a recreational vehicle upon the property of another without written permission of the land owner on their person.
- (4) *Hazardous Operation.* No person shall engage in trick or stunt riding upon any public space in the City upon any motorized conveyance, including recreational vehicles.
 - a. An operator of any motorized conveyance, including a recreational vehicle, shall not cause such vehicle to ride with its front wheel or wheels raise from the surface of the road or ground while operated in any public space.
 - b. An operator of any motorized conveyance, including a recreational vehicle, shall not cause such vehicle to ride with its rear wheels raised from the surface of the road or ground while operated in any public space.
 - c. An operator of any motorized conveyance, including a recreational vehicle, shall not cause any side wheels of such vehicle to raise from the surface of the road or ground while operated in any public space.
 - d. An operator of any motorized conveyance, including a recreational vehicle, shall not ride such vehicles with his or her feet or knees planted on the seat while operating in any public space.
 - e. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle in a manner commonly associated with trick or stunt riding.
 - f. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger if designed for a single rider.

- g. No passenger shall ride upon any motorized conveyance, including a recreational vehicle, that is designed for a single rider.
- h. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger sitting or riding upon the handle bars or forward of the operator.

(e) Penalties. The police department and/or city inspectors shall enforce this section and any person violating the provisions of this section shall be subject to the general penalty as set forth in section 1-15 of the Revised Ordinances or the non-criminal procedure as set forth in sections 2-1021 through 2-1025 of the Revised Ordinances. The city shall have the authority to impound any vehicle in violation of these sections. The New Bedford Police Department shall have the authority to enter upon and pass through or over private lands and property whether or not covered by water to enforce this section. Nothing in this section shall preclude the city from instituting any other civil or criminal judicial proceeding, including injunctive relief, to enforce the provisions of this section.