

LWH Motor Vehicle Restrictions, Rules, and Regulation
Amendment and Adjustment Log

June 12, 2021 HOA Approved thru Edit and Legal Review Completion October 20, 2021

On 20210628 Board approved proposed 20210612 amendments and related adjustments.

- Adjustments/Clarifications as result of June 12, 2021 H.O.A adoption, Vehicle Comm Recs. v1.0

Existing Page Numbers, Page 2, Footer; "Page 1 of 8, as of 10,10,2005" changed to "Page 2 of 9, 3 of 9, etc", prefaced with HOA approval date and document version. Cover Sheet dated June 12, 2021 plus document version.

page 2, para 1, sentence 2, insert: *Unless otherwise specified herein*, only licensed drivers are permitted to operate a vehicle within Lakewood Hills, and must have in their possession a valid state operator's license.

Page 2, Unlicensed Operator, para 1, and in Page 6, Appendix, definition within segment entitled Operator/Vehicles: *Unlicensed Operator - Minimum of 15 years of age, and has a state issued Instruction Permit, but has not met requirements or qualified for an Intermediate or Full Driver's License. (Parental permission is required for a Missouri Instruction Permit).*

Page 3, para 2 and 3, when related to "direct supervision", insert fully licensed passenger, (as intermediate licensed drivers are not state approved to provide direct supervision)

Page 4, Nonlicensed Vehicle Permits and Renewals, change title to be: Vehicle Permit Administrator.

Page 4, Nonlicensed Vehicle Permit Application and Renewal requirements. Change "photo" to color photo for vehicles and unlicensed operators

- Amendment #1, new additional line item for inclusion within the "All Vehicle" portion of LWH Restrictions, Rules, and Regulations, Motor Vehicle Regulations as amended June 12, 2021; Recommend placement on page 2, as paragraph 7.

All vehicles are prohibited from being on lake dam crests and embankments for any purpose other than vegetation and pollination plot management, mowing, or lake and dam maintenance.

Related adjustments:

Page 2, Unlicensed Operator, para 5 add "...operating nonlicensed vehicles where prohibited,"

- Amendment #2, requires adjustment to existing language currently contained within page 2, para 6 of proposal v1.0. as amended June 12, 2021.

Existing language:

"No person will operate a nonlicensed motor vehicle in any stream within Lakewood Hills, except off-road vehicles may be operated within streams that flow within the boundaries of land owned by the off-road vehicle operator, or where the landowner has given permission to be on that land for the purpose of fording such stream."

Operation of a licensed or nonlicensed vehicle within any Lakewood Hills stream or stream bed is prohibited, except a vehicle may be operated within a stream or stream bed that flows within the boundaries of land owned by the vehicle operator, or for agricultural purposes within the boundaries of land which the vehicle operator owns or has permission to be upon, or where the landowner has given permission to be on that land for the express purpose of fording that stream or stream bed at a designated crossing.

In addition to licensed and nonlicensed vehicles as defined within Appendix Acronyms ORV/OHV, OHM/ORM, Jeeps, other 4x4 vehicles, dune buggy's, golf carts, and NEV/LSV's are prohibited from operating within the streams and streambeds.

Existing paragraphs then adjusted to become para.8, etc, with other content thereafter adjusted accordingly, etc.

- Adjustment/Clarifications (Continued)

Page 3, para 12, US Forest Service....insert... **nonlicensed** off road capable....

Page 5, Delete Multi-Category Vehicle Requirements Summary Chart in proposal. Replace with 20210612 amended Vehicle Requirements Summary Chart with **Prohibited-Stream/Streambed Vehicle designations**

Page 9, Within Appendix, after “Windshield” definition, insert additional segment entitled **OTHER**, first line item:

LaBarque Creek - LaBarque Creek streams and stream beds are classified as an intermittent flow tributary to the Meramec River. It is protected by US Clean Water statutes; USCOE (US Army Corp of Engineers); EPA (Environmental Protection Agency); Missouri statutes, and Jefferson County Regulatory agencies.

The LaBarque Creek watershed is ecologically unique, and healthy but fragile. To maintain and enhance the recreational values and quality of life within LaBarque Creek, residents are encouraged to familiarize with the LaBarque Creek Watershed Conservation Plan, and avoid any actions or activities that may result in contamination of the stream or alteration of the stream bed.

Page 3 of 9, Unlicensed Operator and Nonlicensed Vehicle Requirements, para 4, Headlamps, relocated; **All nonlicensed vehicles are required to be equipped with headlamps or permissible substitutes.**

Para 5....

Nonlicensed vehicles not originally manufactured with tail/brake lamps, turn signals, or oblique angle reflective lens must at minimum utilize rear facing, red, light reflecting lens or material to make the vehicle's presence, position and direction of travel visible. Rear mounted reflectors or reflective material must have at least 4 square inches of reflective surface area, placed on each side of the rear surface of the vehicle, and be maintained so the rear of the vehicle will be visible under low beams of vehicle headlights at a distance of 300 ft. Where possible it is recommended that reflective material also be placed in such a way as to make the vehicle visible from oblique angles.

In the absence of turn signals or brake lamps it is the driver's responsibility to utilize hand signals to indicate **intentions regarding direction and speed of travel.** (Ref: **Missouri** Rules Of The Road).

Page 3 of 9, para 9, (Safety helmets) Inserted **“As specified herein,”**

Page 3 of 9, para 10, Clarified language regarding passengers riding and standing.

Page 3 of 9, para 11, Slow Moving Vehicle, Insert: **Required from sunset to one half hour before sunrise.**

Page 3 of 9, para 12, US Forest Service...(includes but may not be limited to ATV, UTV, ROHV, ORV/OHV, OHM/ORM ...add: **Not required for golf carts equipped with internal combustion engines.**

Page 7 of 9, Appendix

MC (Motorcycle) - add: **A licensed 2 or 3 wheel motor vehicle with straddle seating and equipped with handlebars, (Includes “mini-motorcycles” if 50+cc engine, or speed of 30+mph).** Motorcycle operator's license required.

Page 7 of 9, OHM/ORM, Delete “mini-motorcycles”. Relocated and incorporated within MC (Motorcycle).

Page 7 and page 8 of 9, Motorized Bicycle, Scooter, Moped, E-Bike and PTD/PTV motorized scooters and skateboards; clarified; **standard driver's license required if vehicle engine capacity is 50cc or less, with vehicle maximum speed of 30mph. 50+cc or 30+mph speed capability reclassifies vehicle as motorcycle;** requiring vehicle license and motorcycle operator's license.

Page 8 of 9, Appendix, Safety Requirement Definitions

Headlamps, **Tail/Brake Lamps** - Lights the roadway and increases visibility of the vehicle, allowing other drivers and pedestrians to see a vehicle's presence, position, size, direction of travel, and the driver's intentions regarding direction and speed of travel.

All nonlicensed vehicles are required to be equipped with headlamps or permissible substitutes.

Tail/Brake lights must be operable at any time in which the vehicle is being used. (Ref: Mo. Rev. Stat 307)

If the vehicle was not originally manufactured with tail/brake lamps it must at minimum be equipped with permissible reflective lens or material. (Ref: Unlicensed Operator and Nonlicensed Vehicle Requirements), and it is the driver's responsibility to utilize hand signals to indicate intentions regarding direction and speed of travel. (Ref: Missouri Rules Of The Road).

Page 9 of 9, Appendix

Spark Arrestor - Device that prevents emission of flammable debris from internal combustion engines. A US Forest Service approved spark arrestor is required for ATV, UTV, ROHV, ORV/OHV, OHM/ORM vehicles equipped with an internal combustion engine. **Not required for golf carts equipped with an internal combustion engine.**

Turn Signal Lamps, Front and Rear - Illuminated turn signal lamps indicate intent to turn or change lanes towards that side. Drivers are prohibited from slowing, stopping, or moving right or left to turn unless and until providing an appropriate signal and determining the movement can be made with reasonable safety. Turn signal lamps provide that signal to other motorists and are now required equipment on all vehicles.

In the absence of Turn Signal Lamps, it is the driver's responsibility to utilize hand signals to indicate intentions regarding direction and speed of travel. (Ref: Missouri Rules Of The Road).

Windshield - **Licensed and nonlicensed vehicle windshields** must conform to Federal motor vehicle safety standards (Ref: 49 CFR 571.205 or subsequent revisions). **Vehicles not originally manufactured with a windshield are exempt from that requirement.**

Nonlicensed vehicle windshields must be free of any distortion, exposed sharp edges, or missing pieces....and/or presence of stickers, tinting, severe cracking, or other damage that would obscure or otherwise interfere with the driver's vision area. (DPS, CSR 50, Chapter 2).

**Motor Vehicle Restrictions, Rules & Regulations
Amendments and Adjustments Linked to Legal Review
Completed October 20, 2021**

Page 2, para 2, adjust to read; ...in addition to state and local **laws and regulations.**

Page 3, Public Road Crossing, para 4, correct mis-spelling and capitalize words **County (2)**

Page 4, Permit Application and Permit Renewal, added valid driver's license for **each fully licensed vehicle operator, and each intermediate licensed vehicle operator** in the household... (necessary due to existence of both intermediate and full driver's license, per Missouri Graduated License definitions)

Page 4, Permit Applications and Renewals; change "Release, Waiver of Liability, Assumption of Risk, and Indemnity Agreement" to **Nonlicensed Vehicle Use Agreement & Waiver**

Page 4, State Driver's License Suspension or Revocation, para 1, adjust to read; "...and all **licensed and unlicensed operator privileges associated with that Vehicle...**"

Page 5, last sentence on page 4 continued; insert after "Vehicle";... **Permit until such time as the Permit Recipient's State Driver's License is restored, or a different fully licensed vehicle owner obtains a new LWH Nonlicensed Vehicle Permit for that Vehicle.**

Page 5, para 2: Failure to report suspension or revocation of the LWH Permit Recipient's State Driver's License to the LWH Vehicle Permit Administrator will result in revocation of that owner's ability to obtain a LWH Nonlicensed Vehicle Permit.

On 20210701 following adjustments approved for LWH June 12, 2021 Amended Draft Document:

Recommendations during June 12, 2021 HOA Approval Discussion

- 1) Recommend the existing LWH Restrictions, Rules, and Regulation document as published be edited to remove the Vehicle portion as it currently exists (Page 7); relocate the Grievances language (from Page 8 to Page 7); and insert at bottom of the Index to reference LWH Motor Vehicle Restrictions, Rules, and Regulations contained within a separate pamphlet.

“Vehicle” technology and regulation is in a progressive state of development. There has been more than a dozen related Federal, State, and County statutory and regulatory changes during the past two+ years. Regulatory and statutory language and enforcement differences will continue as existing issues are resolved and “new vehicle” innovations are introduced. Consideration should be given to the need for periodic review and enabling timely changes to the LWH Vehicle R,R.& R, (as opposed to a 2½ to 3yr elapsed time period).

- 2) Recommend the Vehicle Permit Administration document be incorporated within the LWH website information. (Not within Vehicle Regulations as it may require ease of adjustment and refinement). The document provides insight into the Vehicle Permit Administration process and responsibilities, and reflects LWH HOA policy toward safety, resident, and parental responsibilities for their own actions and that of their children and guests.
- 3) For Board Approval: Recommend determining if existing Declarations of Dedication, and the Restrictions, Rules, and Regulations as published within the LWH website are complete and current. If not, act to address and correct as necessary.

While researching and compiling initial info. for the Vehicle Committee, it appeared some amendments and/or resolutions from at least 2014 or later, were not reflected within the published documents. Lacked sufficient documentation to determine applicability or requirements to ascertain if that is actually the case.