



## **BOISE COUNTY ORDINANCE #2025-07**

### **BOISE COUNTY SNOWMOBILE TRAIL PROTECTION ORDINANCE**

AN ORDINANCE REPEALING BOISE COUNTY ORDINANCE #2022-02 AND ESTABLISHING AN ORDINANCE PROVIDING THAT THE OPERATION OR ACTUAL PHYSICAL CONTROL OF A SELF-PROPELLED VEHICLE WITH WHEELS ON GROOMED SNOWMOBILE TRAILS WITHIN BOISE COUNTY IS A MISDEMEANOR; PROVIDING THAT OPERATING A TRACKED ATV OR UTV ON TRAIL 380 IS A MISDEMEANOR; PROVIDING PARKING A SELF-PROPELLED VEHICLE WITH WHEELS ON A GROOMED SNOWMOBILE TRAIL WITHIN BOISE COUNTY IS AN INFRACTION; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BOISE COUNTY, IDAHO AS FOLLOWS:**

#### **Section I – TITLE**

- A. This ordinance shall be known as the Boise County Snowmobile Trail Protection Ordinance.

#### **SECTION II – PURPOSE**

- A. To protect groomed snowmobile trails within Boise County from damage inherent with use of such trails by self-propelled vehicles with wheels.
- B. To protect Boise County from the cost and expense of repairing and maintaining groomed snowmobile trails throughout the county after such trails have been used by self-propelled vehicles with wheels.
- C. To protect the public from the hazards and dangers that occur if self-propelled vehicles with wheels are operated on groomed snowmobile trails during the period of time when snowmobiles or other vehicles equipped with snow tracks can or may operate on said trails.

#### **Section III – DEFINITIONS**

- A. All words and phrases used in these sections shall be given their ordinary, commonly understood and accepted meanings.

- B. "Off-highway vehicle" or "OHV" means an all-terrain vehicle, motorbike, or utility type vehicle as defined in this section.
- C. "All-terrain vehicle" or "ATV" means any recreational motor vehicle designed for or capable of traveling off developed roadways and highways with three (3) or more tires and fifty-five (55) inches or less in width, with a wheelbase of sixty-one (61) inches or less, and with handlebar steering and a seat designed to be straddled by the operator.
- D. "Utility type vehicle" or "UTV" means any recreational motor vehicle other than an ATV, motorbike or snowmobile as defined in this section, designed for and capable of travel over designated roads, traveling on four (4) or more tires and having a maximum width less than eighty (80) inches. A utility type vehicle must have a minimum width of fifty (50) inches and a minimum weight of at least nine hundred (900) pounds.
- E. "Motorbike" means any self-propelled two (2) wheeled motorcycle or motor-driven cycle, excluding tractors, designed for or capable of traveling off developed roadways and highways and also referred to as a dirt bike, trailbikes, enduro bikes, trials bikes, motocross bikes or dual purpose motorcycles.
- F. "Self-propelled vehicle with wheels" means every vehicle that moves with wheels that are in contact with the ground, which is directed by an operator, upon which any person or property may be transported.
- G. "Snowmobile" means any self-propelled vehicle under two thousand (2,000) pounds unladen gross weight and less than eighty (80) inches, designed primarily for travel on snow or ice or over natural terrain, that may be steered by tracks, skis, or runners.
- H. "Groomed snowmobile trail" means any trail prepared or posted for travel of snowmobiles, vehicle equipped with snow tracks or for skiing. Posting is sufficient if signs, designating use of the trail for snowmobiles, are located at regular trail heads. Maintenance of the trails, on a regular basis, is immaterial to violation of this ordinance.
- I. "Actual physical control" shall be defined as being in the driver's position of the vehicle with the motor running or with the vehicle moving.

#### Section IV – VIOLATIONS AND PENALTIES

- A. It is lawful to drive, operate, or be in actual physical control of a snowmobile or tracked motorbike on groomed snowmobile trails in Boise County.
- B. **Exceeding maximum width.** It is unlawful and shall constitute a misdemeanor for any person to drive, operate, or be in actual physical control of any OHV or on-highway vehicle with wheels, or an OHV, even if it is tracked, if that OHV is more than seventy (70) inches wide on groomed snowmobile trails in Boise County, unless exceptions in Section V apply.
- C. **Exceeding maximum width on Trail 380.** It is unlawful and shall constitute a misdemeanor for any person to drive, operate, or be in actual physical control of any tracked or wheeled ATV or UTV on Trail 380 for the approximate 3.5 miles between Mores Creek Summit to the junction of Trail 314, unless exceptions of Section V apply.

- D. **Parking a wheeled vehicle on or off a groomed snowmobile trail.** It is unlawful and shall constitute an infraction for a self-propelled vehicle with wheels to park on a groomed snowmobile trail or for a self-propelled vehicle with wheels to drive on a groomed snowmobile trail and to park off a groomed snowmobile trail, unless exceptions of Section V apply.
- i. For purposes of this Subsection D., the registered owner of the self-propelled vehicle with wheels unlawfully parked, left or found unattended, shall be held liable for payment of any fines, towing expenses or impoundment fees, as applicable. Unless, however, the registered owner can prove that the self-propelled vehicle with wheels was stolen or was used against the will of the owner. In such case, the person in control of the motor vehicle at the time of the illegal parking shall be held personally liable.
  - ii. Service of the citation upon the registered owner or person in control of the self-propelled vehicle with wheels shall be deemed complete upon the officer hand delivering the citation or by leaving a copy of the citation on or with the self-propelled vehicle with wheels.
- E. **Penalties for Subsection B or C.** Any person convicted of the violations listed in Subsection B or C shall be punished by:
- i. A minimum fine of two hundred and fifty dollars (\$250);
  - ii. Incarceration up to ninety (90) days; and,
  - iii. Making reasonable restitution to either Boise County's Grooming 8A or 8B Program, which shall be determined by the grooming area that was harmed, for the cost to repair damage to the groomed trail, towing out any immobilized vehicle in violation of this section, or for any other reasonable harm, which shall be a rebuttable presumption calculated at a cost of two hundred and twenty five dollars (\$225) per hour of Boise County Grooming 8A or 8B Program's time.
- F. **Penalties for Subsection D.** Any person convicted of the violations listed in Subsection D shall be punished by:
- i. A fine of seventy five dollars (\$75.00). The liable party shall also be subject to any applicable court costs, fees, towing expenses and impoundment costs.

## **Section V – EXCEPTIONS**

- A. This ordinance does not apply to snowmobile trail grooming vehicles operated by Boise County employees or contractors.
- B. This ordinance shall not apply to emergency or search and rescue vehicles, regardless of type; nor shall it apply to Boise County Sheriffs vehicles which are specifically designed for travel on snow; nor shall it apply to vehicles used by public utility or communication companies for facility and/or equipment maintenance purposes.
- C. This ordinance shall not apply to Snowcats that travel only on the portion of Forest Service Road 698, otherwise known as Middle Fork Road, and Forest Service Road 671 to Silver Plunge Resort.

**Section VI – SEVERABILITY**

- A. If any section, subsection, sentence, clause, or phrase of this title is held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title and they shall remain in full force and effect.

**Section VII – EFFECTIVE DATE**

- A. This ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**Section VIII – REPEAL**

- A. The provisions of this ordinance shall repeal all previously enacted resolutions or ordinances pertaining to the operation of vehicles on groomed snowmobile trails, specifically Boise County Ordinance #2022-02.

**Section IX – AUTHORITY**

- A. This ordinance is adopted pursuant to the authority vested in Boards of County Commissioners in the State of Idaho under Idaho Code §§ 67-7112 and 31-714, and the Idaho Open Meeting Law, Idaho Code § 67-2340, et seq.

PASSED and APPROVED by the Boise County Board of County Commissioners on this 19th day of August, 2025.

**BOISE COUNTY BOARD OF COMMISSIONERS**

*Clay S. Tucker*  
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CLAY S. TUCKER, Chairman

*Lindy E. Lindstrom*  
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LINDY E. LINDSTROM, Commissioner

*Robert Callahan*  
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ROBERT CALLAHAN, Commissioner



ATTEST:

*Mary T. Prisco*  
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MARY T. PRISCO, Clerk to the Board