

**WEST WENDOVER ORDINANCE NO. 2024-03**

**SUMMARY: AN ORDINANCE AMENDING BY REPEALING AND REPLACING TITLE 5, CHAPTER 2 ENTITLED “ALL-TERRAIN VEHICLE USE AND OPERATION” CHANGING NAME OF THE CHAPTER TO “USE OF OFF-HIGHWAY VEHICLES” AND ESTABLISHING RULES FOR OPERATION OF OFF-HIGHWAY VEHICLES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WEST WENDOVER, ESTABLISHED ROUTES FOR INGRESS AND EGRESS FROM THE CITY OF WEST WENDOVER TO PUBLIC AND PRIVATE LANDS WHERE OFF-HIGHWAY VEHICLE USE IS AUTHORIZED, AND ESTABLISHING THE PENALTIES FOR VIOLATIONS.**

**TITLE: AN ORDINANCE, AS AMENDED, REPEALING AND REPLACING TITLE 5, CHAPTER 2, OF THE WEST WENDOVER CITY CODE ENTITLED “ALL-TERRAIN VEHICLE USE AND OPERATION”; CHANGING NAME OF THE CHAPTER TO “USE OF OFF-HIGHWAY VEHICLES” AND ESTABLISHING FOR OPERATION OF OFF-HIGHWAY, ESTABLISHED ROUTES FOR INGRESS AND EGRESS TO PUBLIC AND PRIVATE LANDS WHERE OFF-HIGHWAY VEHICLE USE IS AUTHORIZED, AND ESTABLISHING THE PENALTIES FOR VIOLATIONS WITHIN THE MUNICIPAL BOUNDARIES OF WEST WENDOVER.**

**WHEREAS**, NRS 490.100 provides that the City may designate any portion of a highway within its municipal boundaries as permissible for the operation of off-highway vehicles for the purpose of allowing off-highway vehicles to reach a private or public area that is open for use by off-highway vehicles; and

**WHEREAS**, the City wishes to encourage tourism and use of the outdoor spaces within and in the vicinity of the City and recognizes that visitors to the West Wendover area routinely lodge in its hotels; and

**WHEREAS**, encouraging tourism by outdoor enthusiasts, including those accessing public lands with off-highway vehicles, will increase room stays and restaurant usage, and generally enhance the local economy.

**NOW, THEREFORE, THE BOARD OF COUNCILMEN OF THE CITY OF WEST WENDOVER DOES ORDAIN:**

*For amendment purposes, words which are bold and underlined are additions to the ordinance, and words which are bold and in brackets are deleted from the ordinance.*

**Section 1: Title 5, Chapter 2 is hereby replaced to read as follows:**

**Chapter 2  
[ALL-TERRAIN VEHICLE USE AND OPERATION**

**5-2-1: Definitions**

**5-2-2: Operator Requirements**

**5-2-3: Additional Restrictions Regarding Driving Or Operating ATV**

**5-2-4: General Rules And Regulations**

**5-2-5: Designated Routes And Trails**

**5-2-6: Parent/Adult Responsibility**

**5-2-1: DEFINITIONS:**

As used in this chapter, unless the context requires otherwise, the words and terms hereafter shall have the following meanings ascribed to them:

**ALL-TERRAIN VEHICLE ("ATV"):** A motor vehicle that is designed primarily for off highway and all-terrain use, including, but not limited to:

- A. An all-terrain motor vehicle,
- B. An all-terrain motorcycle,
- C. A dune buggy,
- D. A snowmobile,
- E. A four-wheeler or three-wheeler,
- F. Any motor vehicle used on public lands for the purpose of recreation,
- G. Mopeds, go-peds, minibikes, go-carts and the like.

The term does not include vehicles registered by the department of motor vehicles.

**HIGHWAY:** The entire width between the boundary lines of every way maintained by a public authority when any part of such way is open to the public for purposes of vehicular traffic. (Ord. 2006-03, 6-20-2006)

**5-2-2: OPERATOR REQUIREMENTS:**

A. No person sixteen (16) years of age or older may operate an ATV on any land, trail, street, or highway designated for open ATV use unless the person possesses:

1. A valid motor vehicle operator's license, as provided by Nevada law or a safety instruction certificate from a valid program authorized for safety instruction by the manufacturer of the ATV; and

2. Concerning ATVs which are off highway vehicles as defined by Nevada Revised Statutes 490.060, a certificate of operation attached to the vehicle as required by Nevada Revised Statutes 490.080.

B. No person under the age of sixteen (16) may operate an ATV on any land, trail, street or highway designated for open ATV use.

C. Any person convicted of a violation of subsection A of this section is guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00) for each offense.

D. It is a defense to a charge under subsection A of this section if the person charged produces, at or before the time of trial, a license or an appropriate safety certificate issued to him or her and valid at the time of his or her alleged operation. (Ord. 2006-03, 6-20-2006)

**5-2-3: ADDITIONAL RESTRICTIONS REGARDING DRIVING OR OPERATING ATV:**

A. No owner or other person with the care or custody of an ATV may give another person who is under sixteen (16) years of age permission to operate an ATV on any public land, trail, street or highway of the city or may suffer, allow or permit such operation by a person who is under sixteen (16) years of age.

B. Any person convicted of a violation of the above provisions is guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00) for each offense.

C. Mistake of age shall not be a defense to charge under subsection B of this section.  
(Ord. 2006-03, 6-20-2006)

**5-2-4: GENERAL RULES AND REGULATIONS:**

A. Helmets shall be required by all operators and passengers of any ATV.

B. There shall be a maximum speed limit for the operation of every ATV of five (5) miles per hour (mph) within the city limits when:

1. The ATV is within five hundred feet (500') of any residential home or neighborhood, that distance being measured from the ATV to the nearest point of the lot or parcel of such home or neighborhood; or

2. The ATV is being operated on any designated public street, road or highway. Such public streets, roads and/or highways are designated herein as part of the exit/entry approved routes/trails.

C. There shall be no more than the approved number of occupants per vehicle design riding the ATV and in any case there shall be no more than two (2) occupants, including any operator and passenger.

D. Operation of any ATV covered under this chapter shall only occur between the hours of sunrise and sunset.

E. Any ATV that is equipped with any driving, tail or other operational lighting shall have such lighting "on" during operation.

F. Every ATV being operated under this chapter shall be maintained, equipped and operated with appropriate safety and operational equipment as designed by the manufacturer (i.e., mufflers, brakes, lighting, etc.) and as required by Nevada Revised Statutes 490.120.

G. To the fullest extent practicable, the traffic laws of chapter 1 of this title are hereby made applicable to the operation of ATVs under this chapter on any highways of the city.

H. Any person convicted of a violation of any of the above rules and regulations is guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00) for each offense.  
(Ord. 2006-03, 6-20-2006)

**5-2-5: DESIGNATED ROUTES AND TRAILS:**

A. ATVs shall be used and operated within the city of West Wendover only over such public lands, trails, streets, roads or highways that are designated by ordinance or resolution of the city council as open to such ATV use and operation. All designated routes shall be posted by signs authorizing ATV use and operation as provided in this chapter. Unless specifically otherwise posted, ATV operation is prohibited on any public land, trail, street or highway of the city. Further, to the fullest extent possible, ATVs shall be operated only on the outer four feet (4') of streets or gravel/dirt roads within West Wendover city limits and shall not be operated on sidewalks where present.

B. Signage concerning designated routes will be provided, but:

1. Designating such routes does not assure the safety of any operators, passengers or users of the route; and

2. Designating such routes does not assure that the route itself is safe for ATV use or for any purpose.

C. Any operator of an ATV who begins or ends such operation within a neighborhood location within the city shall use the most direct route possible to reach a designated route

identified for such neighborhood. While en route to an established designated route, the ATV shall not be ridden by the operator or any passenger.

D. The city council shall adopt by resolution appropriate map(s) which describe the routes where ATV use is permitted under this chapter and establish the routes appropriate for each neighborhood within the city limits.

E. Any person convicted of failing to operate an ATV on the above designated use routes, exit/entry routes or trails is guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00) for each offense. (Ord. 2006-03, 6-20-2006)

#### **5-2-6: PARENT/ADULT RESPONSIBILITY:**

A. In addition to any juvenile culpability which may be imposed due to violations of this chapter, the responsibility for complying with the provisions of this chapter shall rest upon the adult owner or custodian of any ATV or the head of household where any ATV is kept, whether or not ownership of the ATV is claimed by any other person residing in said household. A husband or wife, or two (2) or more adults living together, may jointly or separately be charged as heads of the household where an ATV is kept.

B. If the true owner of an ATV is of such minor age as to prohibit the minor from being required to answer in court, the parent or guardian of such minor may be required to appear and assume full responsibility for the actions or omissions of the minor. The age of the minor is no defense to a violation of the provisions of this chapter, and the parent, guardian, owner/custodian of the ATV or the head of the household of where the ATV is kept may be held responsible for the actions or omissions of a minor's violation of this chapter. (Ord. 2006-03, 6-20-2006)

### **Chapter 2 USE OF OFF-HIGHWAY VEHICLES**

#### **5-6-1 DEFINITIONS**

#### **5-6-2 OPERATOR REQUIREMENTS**

#### **5-6-3 ADDITIONAL RESTRICTIONS REGARDING DRIVING OR OPERATING OFF-HIGHWAY VEHICLES**

#### **5-6-4 GENERAL RULES AND REGULATIONS**

#### **5-6-5 DESIGNATED OFF-HIGHWAY VEHICLE ROUTES**

#### **5-6-6 ENFORCEMENT**

#### **5-6-7 TOWING AND STORAGE OF OFF-HIGHWAY VEHICLES**

#### **5-6-1: DEFINITIONS:**

**The following words, terms, and phrases, and their derivations, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates different meaning:**

**HIGHWAY: The entire width between the boundary lines of every way maintained by a public authority when any part of such way is open to the use of the public for purposes of vehicular traffic.**

**LARGE ALL-TERRAIN VEHICLE: Any all-terrain vehicle that includes seating capacity for at least two people abreast and either:**

- 1. At least two additional back seats such that there is a total seating capacity for at least four people; or**
- 2. A truck bed located behind the two front seats.**

**OFF HIGHWAY VEHICLE: A motor vehicle that is designed primarily for off-highway and all-terrain use. The term includes, but is not limited to:**

**(a) An all-terrain vehicle, including, without limitation, a large all-terrain vehicle without regard to whether that large all-terrain vehicle is registered by the Department of Motor Vehicles in accordance with NRS 490.0825 as a motor vehicle intended to be operated upon the highways of this State;**

**(b) An all-terrain motorcycle;**

**(c) A dune buggy;**

**(d) A snowmobile; and**

**(e) Any motor vehicle used on public lands for the purpose of recreation.**

**2. The term does not include:**

**(a) A motor vehicle designed primarily for use in water;**

**(b) A motor vehicle that is registered by the Department of Motor Vehicles in accordance with Chapter 482 of NRS;**

**(c) A low-speed vehicle as defined in NRS 484B.637; or**

**(d) Special mobile equipment, as defined in NRS 482.123.**

**TOW: To transport an off-highway vehicle to a storage facility using a truck or other vehicle suitable for such purpose.**

**TRAIL: An unpaved path or track across unimproved land that is authorized for use by off-highway vehicles.**

**TRAIL CONNECTOR: A route not more than 2 miles in length and designated by resolution that permits off-highway vehicles to travel to and from one or more trails.**

#### **5-6-2 OPERATOR REQUIREMENTS:**

**A. Except as otherwise provided in this Chapter or under State law, a person may operate an off-highway vehicle on a highway that is designated as an off-highway vehicle route by resolution of the City Council**

**B. No person under the age of sixteen (16) shall operate an off-highway vehicle on any highway.**

**C. No person shall operate an off-highway vehicle on any highway unless:**

- 1. The person possesses a valid motor vehicle operator's license in compliance with State law;**

**2. The person possesses evidence of liability insurance coverage for the off-highway vehicle to the extent such insurance coverage and evidence of coverage are required by NRS Chapter 490;**

**3. A certificate of registration is attached to the off-highway vehicle; provided, a certificate of registration is not required for an off-highway vehicle which:**

**a. Is owned and operated by:**

**(1) A federal agency;**

**(2) An agency of this state; or**

**(3) A county, incorporated city or unincorporated town in this state;**

**b. Is part of the inventory of a dealer of off highway vehicles;**

**c. Is registered or certified in another state and is located in this state for not more than ninety (90) days;**

**d. Is used solely for husbandry on private land or on public land that is leased to the owner or operator of the off-highway vehicle; or**

**e. Is used for work conducted by or at the direction of a public or private utility.**

**D. No person shall operate an off-highway vehicle on a highway for a distance of more than two (2) miles.**

**E. Except as otherwise provided in subsection E.2 and in addition to the requirements set forth in NRS 490.070, a person shall not operate an off-highway vehicle on a highway unless the off-highway vehicle has:**

**1. At least one headlamp that illuminates objects at least 500 feet ahead of the vehicle;**

**2. At least one tail lamp that is visible from at least 500 feet behind the vehicle;**

**3. At least one red reflector on the rear of the vehicle, unless the tail lamp is red and reflective;**

**4. A stop lamp on the rear of the vehicle; and**

**5. A muffler which is in working order and which is in constant operation when the vehicle is running.**

**F. A person shall not, except as otherwise provided in this Subsection F, operate an off-highway vehicle on a highway that is not otherwise designated for use by off-highway vehicles. A person may operate an off-highway vehicle on a highway that is not otherwise designated for use by off-highway vehicles:**

- 1. If the off-highway vehicle is operated on the highway for the purpose of crossing the highway, comes to a complete stop before crossing and crosses as close as practicable to perpendicular to the direction of travel on the highway;**
- 2. If the off-highway vehicle is operated on the highway for the purpose of loading or unloading the off-highway vehicle onto or off of another vehicle or trailer, if the loading or unloading is as close as practicable to the place of operation of the off-highway vehicle; or**
- 3. During an emergency if it is impossible or impracticable to use another vehicle or if a peace officer directs the operation of the off-highway vehicle.**
- 4. If the off-highway vehicle is operated on a portion of highway that is designated as a trail connector for a trail authorized for use by off-highway vehicles for not more than 2 miles.**

#### **5-6-3 ADDITIONAL RESTRICTIONS REGARDING DRIVING OR OPERATING OFF-HIGHWAY VEHICLES:**

- A. No person who is sixteen (16) years of age or older who owns or possesses an off-highway vehicle may give another person who is under sixteen (16) years of age permission to operate the off-highway vehicle on any highway without regard to whether the highway is designated as an off-highway vehicle route.**
- B. The operator and each occupant of an off-highway vehicle that is being driven on a highway shall wear a helmet.**
- C. The operator of an off-highway vehicle shall comply with the West Wendover Traffic Code (Title 5, Chapter 1) and the Nevada Revised Statutes.**

#### **5-6-4 GENERAL RULES AND REGULATIONS:**

- A. No person shall leave or allow any off-highway vehicle to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.**
- B. It shall be unlawful for any person operating an off-highway vehicle to make, permit, continue or cause to be made or to create any unreasonably loud, disturbing and unnecessary noise that is audible to a person with ordinary hearing within one hundred fifty feet (150') of any district zoned residential.**

#### **5-6-5 DESIGNATED OFF-HIGHWAY VEHICLE ROUTES:**

- A. Except as otherwise specifically permitted in Section 7-6-2(F) of this Code, off-highway vehicles shall only be used and operated on highways and trails that are designated as off-highway vehicle routes or trail connectors by resolution of the City Council.**

**B. The City may post signs establishing designated crossing routes over streets, roads and highways whether or not designated as off-highway vehicle routes.**

**C. No person shall operate an off-highway vehicle on a sidewalk.**

**5-6-6 ENFORCEMENT:**

**A. A violation of this Chapter shall constitute a criminal offense. Any person violating any provision of this Chapter shall, upon conviction therefor, be punished as provided in Title 1, Chapter 4 of this Code.**

**B. Conviction of three (3) violations of this Chapter by an owner or operator of an off-highway vehicle within a three (3) year period shall constitute prima facie evidence of a nuisance and the Court may make such orders as it deems necessary to abate such nuisance, including, without limitation, an order prohibiting the owner or operator from operating or permitting others to operate an off-highway vehicle on highways within the City.**

**C. The responsibility for compliance with the provisions of this Chapter shall rest with:**

**\_\_\_\_\_ (1) the operator of the off-highway vehicle, and**

**\_\_\_\_\_ (2) the owner of the off-highway vehicle who contributes to a violation, or who enables or induces an operator to commit a violation, in which event the operator and owner may be jointly or severally prosecuted for the violation.**

**D. It shall not be a defense to an alleged violation of this Chapter that the owner or operator of the off-highway vehicle is a minor.**

**E. A parent or guardian who fails to properly supervise a minor and thereby permits the minor to violate this Chapter may be held liable for the violation committed by the minor.**

**5-6-7 TOWING AND STORAGE OF OFF-HIGHWAY VEHICLES:**

**A. Off-highway vehicles may be towed and stored by the City subject to this Section.**

**B. The City may tow, or have towed by a licensed towing company, an off-highway vehicle under the following circumstances:**

**\_\_\_\_\_ (1)**

**\_\_\_\_\_ The off-highway vehicle constitutes a nuisance pursuant to Title 4, Chapter 9 of this Code, subject to the provisions of that Chapter.**

**\_\_\_\_\_ (2) The City is authorized to tow, or have towed, the off-highway vehicle pursuant to state law, subject to all applicable statutory requirements.**

**C.**



**D. No off-highway vehicle shall remain parked at the same location within a public right-of-way for more than twenty-four (24) consecutive hours.**

SECTION 2. All ordinances, codes or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. In the event any portion of this ordinance is found to be unenforceable for any reason, the remaining portions shall remain in full force and effect.

UPON ADOPTION, the City Clerk of West Wendover is hereby directed to have this Ordinance published, by title only, together with an adequate summary including any amendments, once in a newspaper published in the City, if any, otherwise in a newspaper published in the County and having a general circulation in the City. The City Clerk is directed to post this Ordinance in full in the City Hall. This Ordinance becomes effective twenty (20) days after its publication.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote of the City Council:**

**AYES:** \_\_\_\_\_  
\_\_\_\_\_

**NAYES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

**CITY OF WEST WENDOVER**

By \_\_\_\_\_  
**JASIE HOLM, Mayor**

**ATTEST:**

\_\_\_\_\_  
**ANNA E. BARTLOME, City Clerk**

**AFFIDAVIT OF POSTING**

STATE OF NEVADA            )  
  : ss.  
COUNTY OF ELKO            )

\_\_\_\_\_, being first duly sworn, deposes and says:

That she is and was at the time of posting hereafter mentioned, a citizen of the United States, over the age of twenty-one years and the duly appointed, qualified City Clerk of the City of West Wendover, County of Elko, State of Nevada; that on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, Affiant posted at one public bulletin board in the City of West Wendover, Nevada, a full, true and correct copy of Ordinance No. 2024-\_\_\_\_\_ entitled:

**WEST WENDOVER ORDINANCE NO. 2024-03**

**SUMMARY: AN ORDINANCE AMENDING BY REPEALING AND REPLACING TITLE 5, CHAPTER 2 ENTITLED “ALL-TERRAIN VEHICLE USE AND OPERATION” CHANGING NAME OF THE CHAPTER TO “USE OF OFF-HIGHWAY VEHICLES” AND ESTABLISHING RULES FOR OPERATION OF OFF-HIGHWAY VEHICLES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WEST WENDOVER, ESTABLISHED ROUTES FOR INGRESS AND EGRESS FROM THE CITY OF WEST WENDOVER TO PUBLIC AND PRIVATE LANDS WHERE OFF-HIGHWAY VEHICLE USE IS AUTHORIZED, AND ESTABLISHING THE PENALTIES FOR VIOLATIONS.**

**TITLE: AN ORDINANCE, AS AMENDED, REPEALING AND REPLACING TITLE 5, CHAPTER 2, OF THE WEST WENDOVER CITY CODE ENTITLED “ALL-TERRAIN VEHICLE USE AND OPERATION”; CHANGING NAME OF THE CHAPTER TO “USE OF OFF-HIGHWAY VEHICLES” AND ESTABLISHING FOR OPERATION OF OFF-HIGHWAY, ESTABLISHED ROUTES FOR INGRESS AND EGRESS TO PUBLIC AND PRIVATE LANDS WHERE OFF-HIGHWAY VEHICLE USE IS AUTHORIZED, AND ESTABLISHING THE PENALTIES FOR VIOLATIONS WITHIN THE MUNICIPAL BOUNDARIES OF WEST WENDOVER.**

\_\_\_\_\_  
ANNA E. BARTLOME, City Clerk

SIGNED AND SWORN TO (or affirmed) before me on \_\_\_\_\_, 2024 by Anna Bartlome as City Clerk of the City of West Wendover.

\_\_\_\_\_  
NOTARY PUBLIC

**PUBLIC NOTICE OF FILING OF CITY OF WEST WENDOVER ORDINANCE  
PURSUANT TO N.R.S. 266.115**

**NOTICE IS HEREBY GIVEN** that City of West Wendover Ordinance No. 2024-03, with Summary and Title as follows, was filed with the City of West Wendover Clerk on \_\_\_\_\_, 2024:

**SUMMARY: AN ORDINANCE AMENDING BY REPEALING AND REPLACING TITLE 5, CHAPTER 2 ENTITLED “ALL-TERRAIN VEHICLE USE AND OPERATION” CHANGING NAME OF THE CHAPTER TO “USE OF OFF-HIGHWAY VEHICLES” AND ESTABLISHING RULES FOR OPERATION OF OFF-HIGHWAY VEHICLES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WEST WENDOVER, ESTABLISHED ROUTES FOR INGRESS AND EGRESS FROM THE CITY OF WEST WENDOVER TO PUBLIC AND PRIVATE LANDS WHERE OFF-HIGHWAY VEHICLE USE IS AUTHORIZED, AND ESTABLISHING THE PENALTIES FOR VIOLATIONS.**

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**NOTICE IS FURTHER GIVEN** that copies of the Ordinance are available for public examination and distribution upon request at the office of the Clerk of the City of West Wendover, Nevada, at 1111 N. Gene L. Jones Way; that said Ordinance was proposed and read by title on \_\_\_\_\_, 2024, and that the City Council intends to take final action on the adoption of said Ordinance on its regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 as a regular measure.

**IN WITNESS WHEREOF**, the City Council of the City of West Wendover, Nevada, has caused this Notice to be given by reference to the Title and Summary of the proposed Ordinance.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**CITY OF WEST WENDOVER**

\_\_\_\_\_  
**JASIE HOLM, MAYOR**

**PUBLISHED: \_\_\_\_\_, 2024. PUBLICATION OF THIS NOTICE  
MUST BE AT LEAST TEN (10) DAYS BEFORE THE DATE SET FOR THE  
ADOPTION OF THE ORDINANCE.**

**NOTICE**

**NOTICE IS HEREBY GIVEN** that on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, the City Council of the City of West Wendover, Nevada, approved the adoption of an Ordinance for the City of West Wendover, Nevada, with the Summary and Title as follows:

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**NOTICE IS FURTHER GIVEN** that, pursuant to NRS 266.115, notice of the adoption of the above-entitled Ordinance is being published by title, together with an adequate summary, including any amendments, once in a newspaper published in the City and posted in full in the City Hall. The Ordinance shall become effective twenty (20) days after its publication.

**DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

**CITY OF WEST WENDOVER**

\_\_\_\_\_  
**JASIE HOLM, MAYOR**

**PUBLISHED: \_\_\_\_\_, 2024.**