

3 **Senate Bill No. 1830**
4 **As Amended**

5 SENATE BILL NO. 1830 - By: CAIN of the Senate and NATIONS of the
6 House.

7 [**public health and safety - all-terrain vehicles -**
8 **codification -**
9 **emergency]**

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 4240 of Title 63, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Any parent, legal guardian or person having actual
15 responsibility for a child under eighteen (18) years of age who
16 knows, or should have known, the child is operating or is a
17 passenger on an all-terrain vehicle without a helmet shall be guilty
18 of a misdemeanor and, upon conviction, be subject to the following
19 penalties:

20 1. For a first offense, a fine of not less than Fifty Dollars
21 (\$50.00) nor more than One Hundred Dollars (\$100.00);

22 2. For a second offense, a fine of not less than One Hundred
23 Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00);

1 3. For a third or subsequent offense, a fine of not less than
2 Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars
3 (\$500.00).

4 B. Any parent, legal guardian or person having actual
5 responsibility for a child under twelve (12) years of age, who knows
6 or should have known the child is operating or riding as a passenger
7 on an all-terrain vehicle, shall be guilty of a misdemeanor and,
8 upon conviction, be subject to the penalties as provided in
9 subsection A of this section.

10 **C. As used in this act all-terrain vehicle means a motorized**
11 **vehicle manufactured and used exclusively for off-highway use which**
12 **is sixty (60) inches or less in width, with an unladen dry weight of**
13 **one thousand five hundred (1,500) pounds or less, traveling on two**
14 **or more low-pressure tires.**

15 **D. The provisions of this section shall not apply to all-**
16 **terrain vehicles used for agricultural purposes.**

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-14-06 - DO
22 PASS, As Amended and Coauthored.