

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

SENATE BILL 1830

By: Cain

AS INTRODUCED

An Act relating to public health and safety; creating misdemeanor offense for parents of children operating or riding on certain all-terrain vehicles without helmets; stating penalties; creating misdemeanor offense for parents of children under certain age operating or riding on certain all-terrain vehicles; stating penalties; defining term; providing for codification; and declaring an emergency.

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

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

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

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

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

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

B. Any parent, legal guardian or person having actual responsibility for a child under twelve (12) years of age, who knows or should have known the child is operating or riding as a passenger

on an all-terrain vehicle, shall be guilty of a misdemeanor and, upon conviction, be subject to the penalties as provided in subsection A of this section.

C. As used in this act "all-terrain vehicle or "ATV" means any motor vehicle, fifty two (52) inches or less in width, having an unladen weight of nine hundred (900) pounds or less, traveling on three or more low pressure tires, with a seat designed to be straddled by the rider, and which is designed for or capable of travel over unimproved terrain.

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

50-2-3041

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