

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 2648

6 By: Inman

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to motor vehicles; amending Section
9 1, Chapter 124, O.S.L. 2007 (47 O.S. Supp. 2007,
10 Section 11-1117), which relates to helmet use on all-
11 terrain vehicles; providing age requirement for
12 certain prohibited act; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 124, O.S.L.
16 2007 (47 O.S. Supp. 2007, Section 11-1117), is amended to read as
17 follows:

18 Section 11-1117. A. It shall be unlawful for a person less
19 than eighteen (18) years of age to operate or to be carried as a
20 passenger upon an all-terrain vehicle unless the person wears a
21 crash helmet of a type which complies with standards established by
22 49 C.F.R., Section 571.218.

23 B. It shall be unlawful for ~~the operator of an all-terrain~~
24 ~~vehicle to~~ a person less than eighteen (18) years of age to carry a
passenger while operating an all-terrain vehicle unless that all-

1 terrain vehicle has been specifically designed by the manufacturer
2 to carry passengers in addition to the operator.

3 C. Fine and court costs for violating the provisions of this
4 section shall not exceed Twenty-five Dollars (\$25.00). Any peace
5 officer of this state including, but not limited to, park rangers,
6 is authorized to enforce the provisions of this section. All monies
7 collected pursuant to a citation for a violation of this section
8 shall be deposited in the Oklahoma Tourism and Recreation Department
9 Revolving Fund for credit to the cost center of the state park or
10 public recreation area where such citation was issued.

11 D. Any parent, legal guardian or person having actual
12 responsibility for a person under eighteen (18) years of age, or who
13 is the owner of the all-terrain vehicle operated by a person under
14 eighteen (18) years of age, who knows, or should have known, that
15 the person operating the all-terrain vehicle is not in compliance
16 with the provisions of this section, shall be ~~punishable~~ punished
17 according to the provisions of subsection C of this section.

18 E. As used in this section, "all-terrain vehicle" means a
19 motorized vehicle manufactured and used exclusively for off-highway
20 use which is forty-eight (48) inches or less in width, with an
21 unladen dry weight of eight hundred (800) pounds or less, traveling
22 on two or more low-pressure tires, having a seat designed to be
23 straddled by the operator, and which is steered by the use of
24 handlebars.

1 F. The provisions of this section shall apply only to persons
2 operating all-terrain vehicles on public lands.

3 G. The provisions of this section shall not apply to persons
4 operating an all-terrain vehicle on privately owned property.

5 SECTION 2. This act shall become effective November 1, 2008.

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7 51-2-10011 GRS 02/13/08

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