CS for HB 1686

THE HOUSE OF REPRESENTATIVES
Monday, March 5, 2007

Committee Substitute for

House Bill No. 1686

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1686 - By: NATIONS, SULLIVAN and ROAN of the House and RICE of the Senate.

An Act relating to motor vehicles; prohibiting operation of all-terrain vehicles by certain persons without a crash helmet; prohibiting passengers on all-terrain vehicles; providing penalty; authorizing enforcement of statute by peace officers; defining term; stating applicability of certain provisions; providing exception; providing for codification; and providing an effective date.

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 11-1117 of Title 47, unless there is created a duplication in numbering, reads as follows:

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

B. It shall be unlawful for the operator of an all-terrain vehicle to carry a passenger unless that all-terrain vehicle has been specifically designed by the manufacturer to carry passengers in addition to the operator.

C. Any person convicted of violating the provisions of this section shall be punished by a fine of not more than Twenty-Five Dollars ($25.00). Any peace officer of this state including, but not limited to, park rangers, is authorized to enforce the provisions of this section.

D. As used in this section, "all-terrain vehicle" means a motorized vehicle manufactured and used exclusively for off-highway use which is sixty (60) inches or less in width, with an unladen dry weight of one thousand five hundred (1,500) pounds or less, traveling on three or more low-pressure tires, having a seat designed to be straddled by the operator, and which is steered by the use of handlebars.

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

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

SECTION 2. This act shall become effective November 1, 2007.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated 03-01-07 - DO PASS, As Amended and Coauthored.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.