

SB 2086

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE STATE SENATE
Thursday, February 21, 2008

Senate Bill No. 2086
As Amended

SENATE BILL NO. 2086 - By: LAUGHLIN of the Senate and HICKMAN of the House.

An Act relating to motor vehicles; amending Section 16, Chapter 418, O.S.L. 2004 (47 O.S. Supp. 2007, Section 11-1116), which relates to operation of certain vehicles on streets and highways; allowing operation of all-terrain vehicles on streets and highways within municipality; and providing an effective date.

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

SECTION 1. AMENDATORY Section 16, Chapter 418, O.S.L. 2004 (47 O.S. Supp. 2007, Section 11-1116), is amended to read as follows:

Section 11-1116. A. The self-propelled or motor-driven and operated vehicles described in this section shall be prohibited from operating or shall be limited in operation on the streets and highways of this state.

B. Self-propelled or motor-driven cycles, known and commonly referred to as "minibikes" and other similar trade names, shall be prohibited from operating on the streets and highways of this state, except:

- 1. When used in a parade; or

1 2. When registered, as required by subsection E of Section 1151
2 of ~~Title 47 of the Oklahoma Statutes~~ this title, and operated in
3 this state by food vendor services upon streets having a speed limit
4 of thirty (30) miles per hour or less.

5 All minibikes offered for sale in this state shall bear the
6 following notice to the customer: "This machine is not manufactured
7 or sold for operation on the public streets or highways. Since it
8 is not provided with equipment required by law for street or highway
9 use, all persons are cautioned that any operation of this vehicle
10 upon a public street or highway will be in violation of the motor
11 vehicle laws of this state and will subject the violator to arrest."

12 C. Golf carts shall not be operated on the streets and highways
13 of this state except:

14 1. Golf carts owned by the Oklahoma Tourism and Recreation
15 Department, and operated by employees or agents of the Department or
16 employees of independent management companies working on behalf of
17 the Department, may be operated on the streets and highways of this
18 state during daylight hours or under rules developed by the Oklahoma
19 Tourism and Recreation Commission, when the streets and highways are
20 located within the boundaries of a state park. The Department shall
21 have warning signs placed at the entrance and other locations at
22 those state parks allowing golf carts to be operated on the streets
23 and highways of this state located within the boundaries of those

1 state parks. The warning signs shall state that golf carts may be
2 operating on streets and highways and that motor vehicle operators
3 shall take special precautions to be alert for the presence of golf
4 carts on the streets and highways;

5 2. The municipal governing body has adopted an ordinance
6 governing the operation of golf carts on city streets, and the
7 operation occurs during daylight hours only;

8 3. Golf carts may operate on state highways only if making a
9 perpendicular crossing of a state highway located within the
10 boundaries of a municipality which has adopted an ordinance
11 governing the operation of golf carts; or

12 4. The board of county commissioners of a county has approved
13 the operation of golf cart traffic on roadways within the county,
14 and:

15 a. the roadway has a posted speed limit of twenty-five
16 (25) miles per hour or less,

17 b. the roadway is located in an unincorporated area, and

18 c. appropriate signage, cautioning motorists of the
19 possibility of golf cart traffic, is erected by the
20 board of county commissioners.

21 D. All-terrain vehicles shall not be operated on the streets
22 and highways of this state, except:

1 1. On unpaved roads which are located within the boundaries of
2 any property of the Forest Service of the United States Department
3 of Agriculture;

4 2. On public streets and highways if:

5 a. the vehicle needs to make a direct crossing of the
6 street or highway while the vehicle is traveling upon
7 a regularly traveled trail and needs to continue
8 travel from one area of the trail to another and, if
9 the vehicle comes to a complete stop, yields the
10 right-of-way to all oncoming traffic that constitutes
11 an immediate hazard, and crosses the street or highway
12 at an angle of approximately ninety (90) degrees to
13 the direction of the street or highway. This
14 exception shall not apply to divided highways or
15 streets or highways with a posted speed limit of more
16 than thirty-five (35) miles per hour in the area of
17 the crossing,

18 b. the vehicle needs to travel on a public street or
19 highway in order to cross a railroad track. In that
20 event, the all-terrain vehicle may travel for not more
21 than three hundred (300) feet on a public street or
22 highway to cross a railroad track,

1 c. the operator of the all-terrain vehicle making the
2 crossing at a street or highway has a valid driver
3 license, and

4 d. the operator of the vehicle makes a crossing on a
5 street or highway during daylight hours only;

6 3. All-terrain vehicles may be operated on ~~city~~ streets and
7 highways within a municipality if:

8 a. the municipal governing body has adopted an ordinance
9 governing the operation of golf carts or all-terrain
10 vehicles on ~~city~~ streets and highways within the
11 municipality, and

12 b. operation occurs during daylight hours only.

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

14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
15 dated 2-19-08 - DO PASS, As Amended and Coauthored.