

THE HOUSE OF REPRESENTATIVES
Monday, February 22, 2010

Committee Substitute for
House Bill No. 2898

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2898 - By: WALKER of the House and IVESTER of the Senate.

An Act relating to motor vehicles; amending Section 1, Chapter 124, O.S.L. 2007, as amended by Section 4, Chapter 98, O.S.L. 2008 (47 O.S. Supp. 2009, Section 11-1117), which relates to all-terrain vehicle passenger restrictions; providing an exception to certain prohibited act; and providing an effective date.

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

1 SECTION 1. AMENDATORY Section 1, Chapter 124, O.S.L. 2007, as amended
2 by Section 4, Chapter 98, O.S.L. 2008 (47 O.S. Supp. 2009, Section 11-1117), is amended
3 to read as follows:

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

8 B. It shall be unlawful for the operator of an all-terrain vehicle to carry a passenger
9 unless that all-terrain vehicle has been specifically designed by the manufacturer to
10 carry passengers in addition to the operator or an aftermarket accessory has been
11 specifically manufactured and installed on the all-terrain vehicle to allow for the carrying
12 of passengers in addition to the operator.

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

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

12 E. As used in this section, "all-terrain vehicle" means a vehicle powered by an
13 internal combustion engine manufactured and used exclusively for off-highway use,
14 traveling on four or more low-pressure tires, having a seat designed to be straddled by
15 the operator, and which is steered by the use of handlebars.

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

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

20 SECTION 2. This act shall become effective November 1, 2010.

21 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02-18-10 - DO
22 PASS, As Amended and Coauthored.