

SB 1205

Senate Bill No. 1205
As Amended

SENATE BILL NO. 1205 - By: Crutchfield of the Senate and Buck of the House.

[motor vehicles - all-terrain and utility vehicles - effective date]

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

SECTION 1. AMENDATORY Section 16, Chapter 418, O.S.L. 2004, as last amended by Section 1, Chapter 402, O.S.L. 2008 (47 O.S. Supp. 2008, 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
2. When registered, as required by subsection E of Section 1151 of this title, and operated in this state by food vendor services

1 upon streets having a speed limit of thirty (30) miles per hour or
2 less.

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

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

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

1 shall take special precautions to be alert for the presence of golf
2 carts on the streets and highways;

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

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

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

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

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

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

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

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

- 1 2. On public streets and highways if+
- 2 a. ~~the vehicle needs to make a direct crossing of the~~
- 3 ~~street or highway while the vehicle is traveling upon~~
- 4 ~~a regularly traveled trail and needs to continue~~
- 5 ~~travel from one area of the trail to another and, if~~
- 6 ~~the vehicle comes to a complete stop, yields the~~
- 7 ~~right of way to all oncoming traffic that constitutes~~
- 8 ~~an immediate hazard, and crosses the street or highway~~
- 9 ~~at an angle of approximately ninety (90) degrees to~~
- 10 ~~the direction of the street or highway. This~~
- 11 ~~exception shall not apply to divided highways or~~
- 12 ~~streets or highways with a posted speed limit of more~~
- 13 ~~than thirty five (35) miles per hour in the area of~~
- 14 ~~the crossing,~~
- 15 b. ~~the vehicle needs to travel on a public street or~~
- 16 ~~highway in order to cross a railroad track. In that~~
- 17 ~~event, the all-terrain vehicle or utility vehicle may~~
- 18 ~~travel for not more than three hundred (300) feet on a~~
- 19 ~~public street or highway to cross a railroad track,~~
- 20 c. ~~the operator of the all terrain vehicle or utility~~
- 21 ~~vehicle making the crossing at a street or highway has~~
- 22 ~~a valid driver license, and~~

1 ~~d. the operator of the vehicle makes a crossing on a~~
2 ~~street or highway during daylight hours only;~~
3 the vehicle is driven at fifty-five (55) miles per hour or less; the
4 vehicle is furnished with a horn, turn signals, and seatbelts as
5 applicable; and passengers in the vehicle wear protective eye wear;
6 and

7 3. All-terrain vehicles or utility vehicles may be operated on
8 streets and highways within a municipality if the municipal
9 governing body has adopted an ordinance governing the operation of
10 golf carts, utility vehicles or all-terrain vehicles on streets and
11 highways within the municipality.

12 SECTION 2. This act shall become effective November 1, 2009.

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
14 dated 2-10-09 - DO PASS, As Amended and Coauthored.