

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2898

By: Walker

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending Section
8 1, Chapter 124, O.S.L. 2007, as amended by Section 4,
9 Chapter 98, O.S.L. 2008 (47 O.S. Supp. 2009, Section
10 11-1117), which relates to all-terrain vehicle
passenger restrictions; providing an exception to
11 certain prohibited act; and providing an effective
12 date.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 124, O.S.L.
15 2007, as amended by Section 4, Chapter 98, O.S.L. 2008 (47 O.S.
16 Supp. 2009, Section 11-1117), is amended to read as follows:

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

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

1 in addition to the operator or a nonfactory modification has been
2 made to the all-terrain vehicle to allow for the carrying of
3 passengers in addition to the operator.

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

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

19 E. As used in this section, "all-terrain vehicle" means a
20 vehicle powered by an internal combustion engine manufactured and
21 used exclusively for off-highway use, traveling on four or more low-
22 pressure tires, having a seat designed to be straddled by the
23 operator, and which is steered by the use of 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, 2010.

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7 52-2-8852 GRS 01/07/10

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