

1 ENGROSSED SENATE  
2 BILL NO. 742

By: Barrington, Simpson and  
Brecheen of the Senate

3 and

4 Hardin of the House  
5  
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7 An Act relating to motor vehicles; amending Section  
8 16, Chapter 418, O.S.L. 2004, as last amended by  
9 Section 1, Chapter 402, O.S.L. 2008 (47 O.S. Supp.  
10 2010, Section 11-1116), which relates to rules for  
11 off-highway vehicles; modifying authorization for  
12 certain road use for certain vehicles; providing  
13 reference for definitions; and declaring an  
14 emergency.

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

16 SECTION 1. AMENDATORY Section 16, Chapter 418, O.S.L.  
17 2004, as last amended by Section 1, Chapter 402, O.S.L. 2008 (47  
18 O.S. Supp. 2010, Section 11-1116), is amended to read as follows:

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

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

1        1. When used in a parade; or

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

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

13        C. Golf carts and utility vehicles, as defined by Section 1102  
14 of this title, shall not be operated on the streets and highways of  
15 this state except:

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

1 carts or utility vehicles to be operated on the streets and highways  
2 of this state located within the boundaries of those state parks.  
3 The warning signs shall state that golf carts and utility vehicles  
4 may be operating on streets and highways and that motor vehicle  
5 operators shall take special precautions to be alert for the  
6 presence of golf carts or utility vehicles on the streets and  
7 highways;

8       2. The municipal governing body has adopted an ordinance  
9 governing the operation of golf carts and/or utility vehicles on  
10 city streets, and the operation occurs during daylight hours only;

11       3. Golf carts or utility vehicles may operate on state highways  
12 only if making a perpendicular crossing of a state highway located  
13 within the boundaries of a municipality which has adopted an  
14 ordinance governing the operation of golf carts and/or utility  
15 vehicles; or

16       4. The board of county commissioners of a county has approved  
17 the operation of golf cart and/or utility vehicle traffic on  
18 roadways within the county, and:

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

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

22           c. appropriate signage, cautioning motorists of the  
23               possibility of golf cart or utility vehicle traffic,  
24               is erected by the board of county commissioners.

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

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

6 2. On public streets and highways if:

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

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

1 c. the operator of the all-terrain vehicle ~~or utility~~  
2 ~~vehicle~~ making the crossing at a street or highway has  
3 a valid driver 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 ~~or utility vehicles~~ may be operated on  
7 streets and highways within a municipality if the municipal  
8 governing body has adopted an ordinance governing the operation of  
9 golf carts, utility vehicles or all-terrain vehicles on streets and  
10 highways within the municipality.

11 SECTION 2. It being immediately necessary for the preservation  
12 of the public peace, health and safety, an emergency is hereby  
13 declared to exist, by reason whereof this resolution shall take  
14 effect and be in full force from and after its passage and approval.

15 Passed the Senate the 8th day of March, 2011.

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17 \_\_\_\_\_  
18 Presiding Officer of the Senate

19 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
20 2011.

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22 \_\_\_\_\_  
23 Presiding Officer of the House  
24 of Representatives