

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1476

By: Armes

4
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. 2010, Section
10 11-1117), which relates to all-terrain vehicles;
11 modifying definition; adding definition; and
12 providing an effective 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. 2010, 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 or recreational off-highway
20 vehicle unless the person wears a crash helmet of a type which
21 complies with standards established by 49 C.F.R., Section 571.218.

22 B. It shall be unlawful for the operator of an all-terrain
23 vehicle or recreational off-highway vehicle to carry a passenger
24 unless that all-terrain vehicle or recreational off-highway vehicle

1 has been specifically designed by the manufacturer to carry
2 passengers in addition to the operator.

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

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

19 E. As used in this section, ~~"all-terrain vehicle":~~

20 1. "All-terrain vehicle" means a vehicle ~~powered by an internal~~
21 ~~combustion engine~~ manufactured and used exclusively for off-highway
22 use, traveling on four or more ~~low-pressure~~ nonhighway tires, having
23 a seat designed to be straddled by the operator, and which is
24 steered by the use of handlebars; and

1 2. "Recreational off-highway vehicle" means a vehicle
2 manufactured and used exclusively for off-highway use, traveling on
3 four or more nonhighway tires, having nonstraddle seating and which
4 is steered by a steering wheel.

5 F. The provisions of this section shall apply only to persons
6 operating all-terrain vehicles or recreational off-highway vehicles
7 on public lands.

8 G. The provisions of this section shall not apply to persons
9 operating an all-terrain vehicle or recreational off-highway vehicle
10 on privately owned property.

11 SECTION 2. This act shall become effective November 1, 2011.

12

13 53-1-6217 GRS 01/03/11

14

15

16

17

18

19

20

21

22

23

24