

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1356

By: Bass

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 11-1116, which relates to certain self-
9 propelled or motor-driven and operated vehicles
10 operating on streets and highways; allowing persons
11 of a certain age to operate a golf cart; providing
12 requirements for such operation; authorizing the
13 Department of Public Safety to promulgate certain
14 rules relating to golf cart safety education courses;
15 requiring such operators to have certain document
16 when operating a golf cart; stating what will be
17 prima facie evidence of a certain violation; defining
18 term; and providing an effective date.

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

20 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1116, is
21 amended to read as follows:

22 Section 11-1116. A. The self-propelled or motor-driven and
23 operated vehicles described in this section shall be prohibited from
24 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

1 prohibited from operating on the streets and highways of this state,
2 except:

3 1. When used in a parade; or

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

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

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

18 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
19 and Recreation Department, and operated by employees or agents of
20 the Department or employees of independent management companies
21 working on behalf of the Department, may be operated on the streets
22 and highways of this state during daylight hours or under rules
23 developed by the Oklahoma Tourism and Recreation Commission, when
24 the streets and highways are located within the boundaries of a

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

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

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

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

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

23 b. the roadway is located in an unincorporated area, and
24

1 c. appropriate signage, cautioning motorists of the
2 possibility of golf cart or utility vehicle traffic,
3 is erected by the board of county commissioners.

4 D. 1. In addition to the requirements of subsection C of this
5 section, a person who is at least twelve (12) years of age, but has
6 not reached sixteen (16) years of age, shall not operate a golf
7 cart, on the streets and roadways of this state subject to paragraph
8 4 of subsection C of this section, unless:

9 a. the person has successfully completed a golf cart
10 safety education course or has passed a proctored
11 equivalency examination which tests the knowledge of
12 information included in the curriculum of such course,

13 and

14 b. the person has received a golf cart education
15 certificate as evidence of successful completion of a
16 golf cart safety education course or an equivalency
17 examination.

18 2. The Department of Public Safety shall promulgate rules
19 necessary for:

20 a. the certification of programs and tests for golf cart
21 safety education courses offered by other public or
22 private organizations,

23 b. the administration of a golf cart safety education
24 program, and

1 c. the issuance of golf cart safety education course
2 certificates.

3 A golf cart safety education course certificate issued by the
4 Department to a person who has successfully completed a golf cart
5 safety education course or course equivalency examination shall not
6 expire.

7 Any person who is at least twelve (12) years of age, but has not
8 reached sixteen (16) years of age, and is operating a golf cart
9 according to the provisions of this section shall have in his or her
10 immediate possession a copy of the original golf cart safety
11 education certificate. Failure to present such proof upon request
12 by a peace officer shall be prima facie evidence of a violation of
13 this section.

14 3. As used in this subsection, "golf cart" means a motor
15 vehicle that:

- 16 a. is designed and manufactured for operation on a golf
17 course for sporting or recreational purposes,
18 b. is not capable of exceeding a speed of twenty (20)
19 miles per hour, and
20 c. has no increased power, wheel base or tire
21 modifications from a standard manufactured gas or
22 electric golf cart.

23 Speed-modified golf carts or "hybrid" golf carts are not
24 included in this definition.

1 E. All-terrain vehicles shall not be operated on the streets
2 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 may travel for not more
23 than three hundred (300) feet on a public street or
24 highway to cross a railroad track,

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

11 SECTION 2. This act shall become effective November 1, 2012.

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