

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

SENATE BILL NO. 317

By: Boggs of the Senate

5 and

6 Park of the House

7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to all-terrain vehicles; amending 47
11 O.S. 2011, Section 11-1116, as last amended by
12 Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
2016, Section 11-1116), which relates to operation on
13 highways, streets and roadways; modifying certain
operational areas; and providing an effective date.

14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1116, as
17 last amended by Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
18 2016, 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

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; provided, such ordinances shall include necessary
13 vehicle lighting and safety requirements;

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

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

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

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

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

6 1. On unpaved roads which are located within the boundaries of
7 any property of the Forest Service of the United States Department
8 of Agriculture;

9 2. On public streets and highways if:

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

23 b. the vehicle needs to travel on a public street or
24 highway in order to cross a railroad track. In that

1 event, the all-terrain vehicle may travel for not more
2 than three hundred (300) feet on a public street or
3 highway to cross a railroad track,

4 c. the operator of the all-terrain vehicle making the
5 crossing at a street or highway has a valid driver
6 license, and

7 d. the operator of the vehicle makes a crossing on a
8 street or highway during daylight hours only; and

9 3. On streets and highways within a municipality if the
10 municipal governing body has adopted an ordinance governing the
11 operation of golf carts, utility vehicles or all-terrain vehicles on
12 streets and highways within the municipality; ~~or~~

13 4. On roadways within unincorporated areas of a county if the
14 ~~board of county commissioners of the county has approved the~~
15 ~~operation of all-terrain vehicles on roadways within unincorporated~~
16 ~~areas of the county and the~~ all-terrain vehicle is only used as an
17 instrument of husbandry; or

18 5. On roadway right-of-way along state highways and within
19 unincorporated areas within a county so long as the operation occurs
20 within daylight hours, provided that such use shall also authorize
21 the crossing over of a state highway from one right-of-way to
22 another.

SECTION 2. This act shall become effective November 1, 2017.

56-1-7518 JM 04/11/17