

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 317

By: Boggs of the Senate

and

Park of the House

8
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10 COMMITTEE SUBSTITUTE

11 An Act relating to all-terrain vehicles; amending 47
12 O.S. 2011, Section 11-1116, as last amended by
13 Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
14 2016, Section 11-1116), which relates to operation on
15 highways, streets and roadways; modifying certain
16 operational areas; and providing an effective date.

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

18 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1116, as
19 last amended by Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
20 2016, Section 11-1116), is amended to read as follows:

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

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

5 1. When used in a parade; or

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

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

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

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

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

12 2. The municipal governing body has adopted an ordinance
13 governing the operation of golf carts and/or utility vehicles on
14 city streets; provided, such ordinances shall include necessary
15 vehicle lighting and safety requirements;

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

21 4. The board of county commissioners of a county has approved
22 the operation of golf cart and/or utility vehicle traffic on
23 roadways within the county, and:
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1 a. the roadway has a posted speed limit of twenty-five
2 (25) miles per hour or less,

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

4 c. appropriate signage, cautioning motorists of the
5 possibility of golf cart or utility vehicle traffic,
6 is erected by the board of county commissioners.

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

9 1. On unpaved roads which are located within the boundaries of
10 any property of the Forest Service of the United States Department
11 of Agriculture;

12 2. On public streets and highways if:

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

3 b. the vehicle needs to travel on a public street or
4 highway in order to cross a railroad track. In that
5 event, the all-terrain vehicle may travel for not more
6 than three hundred (300) feet on a public street or
7 highway to cross a railroad track,

8 c. the operator of the all-terrain vehicle making the
9 crossing at a street or highway has a valid driver
10 license, and

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

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

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

22 5. On roadway right-of-way along state highways and within
23 unincorporated areas within a county so long as the operation occurs
24 within daylight hours, provided that such use shall also authorize

1 the crossing over of a state highway from one right-of-way to
2 another.

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

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5 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 04/11/2017 -
6 DO PASS, As Amended.

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