

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE BILL 2261

 By: Sterling of the House

5 and

6 **Weaver** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to motor vehicles; amending 47 O.S.
11 2021, Section 1-171.1, which relates to street-legal
12 utility vehicle; modifying definition; amending 47
13 O.S. 2021, Section 11-1116, which relates to self-
14 propelled or motor-driven cycles; updating statutory
 reference; allowing street-legal utility vehicles to
15 operate on certain stretches of U.S. highways;
 deleting divided highway crossing prohibition for
16 all-terrain vehicles; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1-171.1, is
20 amended to read as follows:

21 Section 1-171.1 A. A "street-legal utility vehicle" is any
22 motor vehicle having:

23 1. A bench seat or side-by-side seat for the use of each rider;
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1 2. Four wheels in contact with the ground, but excluding a
2 tractor;

3 3. A combustion engine with a piston or rotor displacement of
4 four hundred cubic centimeters (400 cc) or greater and capable of
5 maintaining speeds of forty-five (45) miles per hour or greater;

6 4. For each occupant, safety belts or safety shoulder harnesses
7 which shall be of a type and shall be installed pursuant to 49
8 C.F.R., Section 571.208 et seq.; and

9 5. All equipment required by the provisions of Sections 12-201
10 through 12-232 of Title 47 of the Oklahoma Statutes, with respect to
11 equipment on vehicles; and

12 6. a windshield; however, street-legal utility vehicles shall
13 be exempt from the glass windshield requirements of Section 12-406
14 of this Title.

15 B. A street-legal utility vehicle operated on the streets and
16 highways of this state shall be registered as a motor vehicle.

17 C. The operator of a street-legal utility vehicle shall not be
18 required to have an "M" endorsement on the Class D license pursuant
19 to Section 6-110.1 of Title 47 of the Oklahoma Statutes. The
20 operator shall be at least sixteen (16) years of age and hold a
21 valid Oklahoma driver license.

22 SECTION 2. AMENDATORY 47 O.S. 2021, Section 11-1116, is
23 amended to read as follows:

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1 A. The self-propelled or motor-driven and operated vehicles
2 described in this section shall be prohibited from operating or
3 shall be limited in operation on the streets and highways of this
4 state.

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

9 1. When used in a parade; or

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

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

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

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1 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
2 and Recreation Department, and operated by employees or agents of
3 the Department or employees of independent management companies
4 working on behalf of the Department, may be operated on the streets
5 and highways of this state during daylight hours or under rules
6 developed by the Oklahoma Tourism and Recreation Commission, when
7 the streets and highways are located within the boundaries of a
8 state park. The Department shall have warning signs placed at the
9 entrance and other locations at those state parks allowing golf
10 carts or utility vehicles to be operated on the streets and highways
11 of this state located within the boundaries of those state parks.
12 The warning signs shall state that golf carts and utility vehicles
13 may be operating on streets and highways and that motor vehicle
14 operators shall take special precautions to be alert for the
15 presence of golf carts or utility vehicles on the streets and
16 highways;

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

21 3. Golf carts or utility vehicles may operate on state highways
22 only if making a perpendicular crossing of a state highway located
23 within the boundaries of a municipality which has adopted an
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1 ordinance governing the operation of golf carts and/or utility
2 vehicles;

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

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

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

9 c. appropriate signage, cautioning motorists of the
10 possibility of golf cart or utility vehicle traffic,
11 is erected by the board of county commissioners; or

12 5. Street-legal utility vehicles that are registered as a motor
13 vehicle pursuant to ~~subsection B~~ of Section ~~±~~ 1-171.1 of this ~~act~~
14 title may be operated on the streets and highways of this state.

15 Provided, however, when traveling on U.S. highways, street-legal
16 utility vehicles are restricted to those highways with a posted
17 speed limit of forty-five (45) miles per hour or less. Street-legal
18 utility vehicles shall not be operated on the National System of
19 Interstate and Defense Highways ~~or U.S. highways.~~

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

22 1. On unpaved roads which are located within the boundaries of
23 any property of the Forest Service of the United States Department
24 of Agriculture;

1 2. On highways if:

- 2 a. the vehicle needs to make a direct crossing of the
3 highway while the vehicle is traveling upon a
4 regularly traveled trail and needs to continue travel
5 from one area of the trail to another and, if the
6 vehicle comes to a complete stop, yields the right-of-
7 way to all oncoming traffic that constitutes an
8 immediate hazard, and crosses the highway at an angle
9 of approximately ninety (90) degrees to the direction
10 of the street or highway. This exception shall not
11 apply to ~~divided highways or~~ highways with a posted
12 speed limit of more than thirty-five (35) miles per
13 hour in the area of the crossing,
- 14 b. the vehicle needs to travel on a highway in order to
15 cross a railroad track. In that event, the all-
16 terrain vehicle may travel for not more than three
17 hundred (300) feet on a highway to cross a railroad
18 track,
- 19 c. the operator of the all-terrain vehicle making the
20 crossing at a highway has a valid driver license, and
- 21 d. the operator of the vehicle makes a crossing on a
22 highway during daylight hours only;

23 3. On streets and highways within a municipality if the
24 municipal governing body has adopted an ordinance governing the

1 operation of golf carts, utility vehicles or all-terrain vehicles on
2 streets and highways within the municipality; or

3 4. On roadways within unincorporated areas of a county if those
4 roadways are not part of the state highway system or the National
5 System of Interstate and Defense Highways; provided, however, that
6 the driver is a licensed driver.

7 E. Mopeds, as defined by Section 1-133.2 of this title, may be
8 operated on the streets and highways of this state if:

9 1. The municipal governing body has adopted an ordinance
10 governing the operation of mopeds on city streets; provided, such
11 ordinances shall include necessary vehicle lighting and safety
12 requirements; or

13 2. The board of county commissioners of a county has approved
14 the operation of mopeds on roadways within the county, not including
15 roadways within a municipality.

16 SECTION 3. This act shall become effective November 1, 2023.

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18 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
19 02/28/2023 - DO PASS, As Coauthored.

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