

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1332

By: Sterling

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to motor vehicles; amending 47 O.S.  
9 2011, Section 11-1116, as last amended by Section 9,  
10 Chapter 4, O.S.L. 2014 (47 O.S. Supp. 2018, Section  
11 11-1116), which relates to vehicle operation on  
12 roadways; allowing all-terrain vehicles to be driven  
13 on certain municipal and county roadways; and  
14 providing an effective date.

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 2018, 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 within a municipality if the municipal governing  
10 body has adopted an ordinance governing the operation of golf carts,  
11 utility vehicles or all-terrain vehicles on streets and highways  
12 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~~ those roadways are not part of the state  
18 highway system or the National System of Interstate and Defense  
19 Highways; provided, however, that the driver is a licensed driver.

20 SECTION 2. This act shall become effective November 1, 2019.

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22 57-1-8390 JBH 02/28/19  
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