

1 **SENATE FLOOR VERSION**

2 February 18, 2019

3 SENATE BILL NO. 643

By: Silk

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6 An Act relating to all-terrain vehicles; amending 47
7 O.S. 2011, Section 11-1116, as last amended by
8 Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
9 2018, Section 11-1116), which relates to operation of
10 all-terrain vehicles; modifying certain areas in
11 which all-terrain vehicles are allowed to operate;
12 and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1116, as
15 last amended by Section 9, Chapter 4, O.S.L. 2014 (47 O.S. Supp.
16 2018, Section 11-1116), is amended to read as follows:

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

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

1. When used in a parade; or

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

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

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

15 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
16 and Recreation Department, and operated by employees or agents of
17 the Department or employees of independent management companies
18 working on behalf of the Department, may be operated on the streets
19 and highways of this state during daylight hours or under rules
20 developed by the Oklahoma Tourism and Recreation Commission, when
21 the streets and highways are located within the boundaries of a
22 state park. The Department shall have warning signs placed at the
23 entrance and other locations at those state parks allowing golf
24 carts or utility vehicles to be operated on the streets and highways

1 of this state located within the boundaries of those state parks.
2 The warning signs shall state that golf carts and utility vehicles
3 may be operating on streets and highways and that motor vehicle
4 operators shall take special precautions to be alert for the
5 presence of golf carts or utility vehicles on the streets and
6 highways;

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

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

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

- 19 a. the roadway has a posted speed limit of twenty-five
20 (25) miles per hour or less,
21 b. the roadway is located in an unincorporated area, and
22 c. appropriate signage, cautioning motorists of the
23 possibility of golf cart or utility vehicle traffic,
24 is erected by the board of county commissioners.

1 D. 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; and

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

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

15 5. In a street or highway ditch if the vehicle is operated as
16 close as possible to the outer edge of the street or highway right-
17 of-way. However, no person may operate an all-terrain vehicle in a
18 highway ditch along the interstate highway system.

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

20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
21 February 18, 2019 - DO PASS
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