

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL 427

By: Newhouse and Coleman

COMMITTEE SUBSTITUTE

An Act relating to utility vehicles; amending 47 O.S. 2021, Section 11-1116, which relates to self-propelled or motor-driven and operated vehicles on streets, highways, and roadways within unincorporated areas; modifying statutory reference; prohibiting certain vehicles exceeding specific speed when operated on streets and highways; modifying where certain vehicles may be operated; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-1116, is amended to read as follows:

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

B. Self-propelled or motor-driven cycles, known and commonly 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;

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; or

4 5. Street-legal utility vehicles that are registered as a motor
5 vehicle pursuant to ~~subsection B of~~ Section ~~±~~ 1-171.1 of this ~~act~~
6 title may be operated on the streets and highways of this state.
7 Provided, however, when traveling on U.S. highways street-legal
8 utility vehicles are restricted to those posted at fifty (50) miles
9 per hour or less. Street-legal utility vehicles shall not be
10 operated on the National System of Interstate and Defense Highways
11 ~~or U.S. highways.~~

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

14 1. On unpaved roads which are located within the boundaries of
15 any property of the Forest Service of the United States Department
16 of Agriculture;

17 2. On highways if:

18 a. the vehicle needs to make a direct crossing of the
19 highway while the vehicle is traveling upon a
20 regularly traveled trail and needs to continue travel
21 from one area of the trail to another and, if the
22 vehicle comes to a complete stop, yields the right-of-
23 way to all oncoming traffic that constitutes an
24 immediate hazard, and crosses the highway at an angle

1 of approximately ninety (90) degrees to the direction
2 of the street or highway. This exception shall not
3 apply to divided highways or highways with a posted
4 speed limit of more than thirty-five (35) miles per
5 hour in the area of the crossing,

6 b. the vehicle needs to travel on a highway in order to
7 cross a railroad track. In that event, the all-
8 terrain vehicle may travel for not more than three
9 hundred (300) feet on a highway to cross a railroad
10 track,

11 c. the operator of the all-terrain vehicle making the
12 crossing at a highway has a valid driver license, and

13 d. the operator of the vehicle makes a crossing on a
14 highway during daylight hours only;

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

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

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

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

5 2. The board of county commissioners of a county has approved
6 the operation of mopeds on roadways within the county, not including
7 roadways within a municipality.

8 SECTION 2. This act shall become effective November 1, 2023.

9
10 59-1-1958 KR 2/28/2023 4:26:19 PM

11
12
13
14
15
16
17
18
19
20
21
22
23
24