

### **321I.14 Unlawful operation.**

1. A person shall not drive or operate an all-terrain vehicle:

*a.* At a rate of speed greater than reasonable or proper under all existing circumstances.

*b.* In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.

*c.* While under the influence of intoxicating liquor or narcotics or habit-forming drugs.

*d.* Without a lighted headlight and taillight from sunset to sunrise and at such other times when conditions provide insufficient lighting to render clearly discernible persons and vehicles at a distance of five hundred feet ahead.

*e.* In any tree nursery or planting in a manner which damages or destroys growing stock.

*f.* On any public land, ice, or snow, in violation of official signs of the commission prohibiting such operation in the interest of safety for persons, property, or the environment. Any officer appointed by the commission may post an official sign in an emergency for the protection of persons, property, or the environment.

*g.* In any park, wildlife area, preserve, refuge, game management area, or any portion of a meandered stream, or any portion of the bed of a nonmeandered stream which has been identified as a navigable stream or river by rule adopted by the department and which is covered by water, except on designated riding areas and designated riding trails. This paragraph does not prohibit the use of ford crossings of public roads or any other ford crossing when used for agricultural purposes; the operation of construction vehicles engaged in lawful construction, repair, or maintenance in a streambed; or the operation of all-terrain vehicles on ice.

*h.* Upon an operating railroad right-of-way. An all-terrain vehicle may be driven directly across a railroad right-of-way only at an established crossing and, notwithstanding any other provisions of law, may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic. This paragraph does not apply to a law enforcement officer or railroad employee in the lawful discharge of the officer's or employee's duties or to an employee of a utility with authority to enter upon the railroad right-of-way in the lawful performance of the employee's duties.

2. A person shall not operate or ride an all-terrain vehicle with a firearm in the person's possession unless it is unloaded and enclosed in a carrying case. However, a nonambulatory person may carry an uncased and unloaded firearm while operating or riding an all-terrain vehicle.

3. *a.* A person shall not operate an all-terrain vehicle with more persons on the vehicle than it was designed to carry.

*b.* Paragraph "*a*" does not apply to a person who operates an all-terrain vehicle as part of a farm operation as defined in section 352.2.

4. A person shall not operate an off-road utility vehicle on a designated riding area or designated riding trail unless the riding area or trail is signed by the department as open to off-road utility vehicle operation.

5. A person shall not operate a vehicle other than an all-terrain vehicle on a designated riding area or designated riding trail unless the riding area or trail is signed by the department as open to such other use.

**Footnotes**

For applicable scheduled fines, see §805.8B, subsection 2A, paragraph b