

Senate File 50 - Introduced

SENATE FILE 50
BY KETTERING

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles on
2 highways, providing a registration fee, and making a penalty
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.117, Code 2011, is amended to read
2 as follows:

3 321.117 Motorcycle, all-terrain vehicle, motorized bicycle,
4 ambulance, and hearse fees.

5 ~~For all motorcycles the annual registration fee shall~~
6 ~~be twenty dollars. For all motorized bicycles the annual~~
7 ~~registration fee shall be seven dollars. When the motorcycle~~
8 ~~is more than five model years old, the annual registration fee~~
9 ~~shall be ten dollars.~~

10 1. The annual registration fee for a motorcycle is twenty
11 dollars. When the motorcycle is more than five model years
12 old, the fee is ten dollars. Notwithstanding section 321.1,
13 subsection 40, for purposes of registration under this section,
14 "motorcycle" includes an all-terrain vehicle as provided in
15 section 321.234A, subsection 4A.

16 2. The annual registration fee for a motorized bicycle is
17 seven dollars.

18 3. The annual registration fee for ambulances and hearses
19 ~~shall be~~ is fifty dollars. Passenger car plates shall be
20 issued for ambulances and hearses.

21 Sec. 2. Section 321.234A, subsection 2, Code 2011, is
22 amended to read as follows:

23 2. a. A person operating an all-terrain vehicle on a
24 highway shall have a valid driver's license and the; however, a
25 person operating an all-terrain vehicle registered pursuant to
26 subsection 4A is not required to have a license valid for the
27 operation of a motorcycle.

28 b. Unless registered pursuant to subsection 4A, an
29 all-terrain vehicle shall be operated at speeds of thirty-five
30 miles per hour or less.

31 Sec. 3. Section 321.234A, Code 2011, is amended by adding
32 the following new subsection:

33 NEW SUBSECTION. 4A. a. An all-terrain vehicle with four or
34 more wheels and a combustion engine having a piston or rotor
35 displacement of two hundred centimeters or more may be issued

1 a certificate of title under this chapter and registered as
2 a motorcycle pursuant to section 321.117 to be operated on
3 highways. An all-terrain vehicle registered as a motorcycle is
4 subject to the lighting and equipment requirements applicable
5 to motorcycles under this chapter.

6 *b.* A person shall not operate an all-terrain vehicle
7 registered as a motorcycle on an interstate.

8 Sec. 4. Section 321I.1, subsection 16, paragraph b, Code
9 2011, is amended to read as follows:

10 *b.* An owner of an off-road utility vehicle may register or
11 title an off-road utility vehicle in order to legally operate
12 the off-road vehicle on public ice, a designated riding area,
13 or a designated riding trail or as provided in section 321I.10.
14 The operator of an off-road utility vehicle is subject to
15 provisions governing the operation of all-terrain vehicles
16 in section 321.234A and this chapter, but is exempt from the
17 safety instruction and certification program requirements of
18 sections 321I.25 and 321I.26. An operator of an off-road
19 utility vehicle shall not operate the vehicle on a designated
20 riding area or designated riding trail unless the department
21 has posted signage indicating the riding area or trail is
22 open to the operation of off-road utility vehicles. Off-road
23 utility vehicles are exempt from the dealer registration and
24 titling requirements of this chapter. A motorized vehicle that
25 was previously titled under chapter 321, other than section
26 321.234A, subsection 4A, or is currently titled under chapter
27 321 shall not be registered or operated as an off-road utility
28 vehicle.

29 Sec. 5. Section 321I.9, unnumbered paragraph 1, Code 2011,
30 is amended to read as follows:

31 Registration under this chapter shall not be required for
32 the following described all-terrain vehicles:

33 Sec. 6. Section 321I.9, Code 2011, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 4. All-terrain vehicles, as defined in

1 section 321.1, which are titled and registered in accordance
2 with section 321.234A, subsection 4A.

3 Sec. 7. Section 321I.10, subsections 1, 2, and 3, Code 2011,
4 are amended to read as follows:

5 1. A person shall not operate an all-terrain vehicle ~~or~~
6 ~~off-road utility vehicle~~ upon roadways or highways except as
7 provided in section 321.234A and this section.

8 2. A registered all-terrain vehicle ~~or off-road utility~~
9 ~~vehicle~~ may be operated on the roadways of that portion of
10 county highways designated by the county board of supervisors
11 for such use during a specified period. The county board of
12 supervisors shall evaluate the traffic conditions on all county
13 highways and designate roadways on which all-terrain vehicles
14 ~~or off-road utility vehicles~~ may be operated for the specified
15 period without unduly interfering with or constituting an undue
16 hazard to conventional motor vehicle traffic. In designating
17 such roadways, the board may authorize all-terrain vehicles
18 ~~and off-road utility vehicles~~ to stop at service stations or
19 convenience stores along a designated roadway.

20 3. Cities may designate streets under the jurisdiction
21 of cities within their respective corporate limits which may
22 be used for the operation of registered all-terrain vehicles
23 ~~or registered off-road utility vehicles~~. In designating
24 such streets, the city may authorize all-terrain vehicles
25 ~~and off-road utility vehicles~~ to stop at service stations or
26 convenience stores along a designated street.

27 Sec. 8. Section 321I.31, subsection 1, Code 2011, is amended
28 to read as follows:

29 1. The owner of an all-terrain vehicle acquired on or
30 after January 1, 2000, other than an all-terrain vehicle used
31 exclusively as a farm implement ~~or~~, an all-terrain vehicle
32 titled and registered in accordance with section 321.234A,
33 subsection 4A, or a motorcycle previously issued a title
34 pursuant to chapter 321, shall apply to the county recorder
35 of the county in which the owner resides for a certificate of

1 title for the all-terrain vehicle. The owner of an all-terrain
2 vehicle used exclusively as a farm implement may obtain
3 a certificate of title. A person who owns an all-terrain
4 vehicle that is not required to have a certificate of title
5 may apply for and receive a certificate of title for the
6 all-terrain vehicle and, subsequently, the all-terrain vehicle
7 shall be subject to the requirements of this chapter as if
8 the all-terrain vehicle were required to be titled. All
9 all-terrain vehicles that are titled shall be registered.

10

EXPLANATION

11 This bill allows all-terrain vehicles of a certain size to be
12 operated on noninterstate highways.

13 Under the bill, an all-terrain vehicle that has four or
14 more wheels and a combustion engine having a piston or rotor
15 displacement of 200 centimeters or more may be issued a
16 certificate of title by the county treasurer and registered
17 as a motorcycle for operation on highways, subject to the
18 lighting and equipment requirements applicable to motorcycles.
19 The annual registration fee is \$20, and when the vehicle is
20 more than five model years old, the fee is reduced to \$10.
21 Pursuant to current law, a vehicle subject to registration is
22 also subject to a fee for new registration in the amount of 5
23 percent of the purchase price, payable upon application for a
24 new registration and certificate of title.

25 Currently, a person operating an all-terrain vehicle on a
26 highway is required to have a valid driver's license. The
27 bill specifies that a person who operates an all-terrain
28 vehicle registered as a motorcycle is required to have
29 a driver's license but is not required to be licensed to
30 operate a motorcycle. The bill specifies that an all-terrain
31 vehicle registered as a motorcycle is not subject to the
32 35-mile-per-hour speed limitation applicable to unregistered
33 all-terrain vehicles, but operation is restricted to
34 noninterstate highways.

35 The bill makes conforming amendments to provide that

1 an all-terrain vehicle that is titled and registered as a
2 motorcycle for operation on highways under Code chapter 321
3 is exempt from the registration requirements for all-terrain
4 vehicles administered by the department of natural resources
5 under Code chapter 321I.

6 Provisions in Code chapter 321I concerning the regulation
7 of all-terrain vehicle and off-road utility vehicle operation
8 on city and county roads are amended by the bill to eliminate
9 unnecessary references to off-road utility vehicles. Under
10 Code chapter 321I, unless specified otherwise, off-road utility
11 vehicles are subject to provisions governing the operation of
12 all-terrain vehicles.

13 A violation of provisions governing the operation of
14 all-terrain vehicles on a highway is a simple misdemeanor,
15 punishable by a scheduled fine of \$50.