

Senate Amendment 3387

Amendment Text

PAG LIN

1 1 Amend [House File 340](#), as passed by the House, as
1 2 follows:
1 3 #1. Page 1, line 2, by striking the word
1 4 "subsection:" and inserting the following:
1 5 "subsections:".
1 6 #2. Page 1, by inserting after line 2 the
1 7 following:
1 8 NEW SUBSECTION. 6A. "Freeway" means a highway
1 9 constructed as a fully controlled access facility with
1 10 no access to the facility except at established
1 11 interchanges.
1 12 NEW SUBSECTION. 8A. "Median" means the portion of
1 13 a divided highway separating opposing lanes of
1 14 traffic. Medians may be depressed, raised, or
1 15 painted."
1 16 #3. Page 1, by inserting after line 6 the
1 17 following:
1 18 "Sec. _____. Section 321G.8, subsection 5, Code
1 19 1995, is amended to read as follows:
1 20 5. All-terrain vehicles

~~used in accordance with~~

1 21

~~section 321.234A~~

~~only when operated on a highway~~

1 22 between sunrise and sunset and the operation is
1 23 incidental to the vehicle's use for agricultural
1 24 purposes.

1 25 Sec. _____. Section [321G.9](#), unnumbered paragraph 1,
1 26 Code 1995, is amended to read as follows:

1 27 A person shall not operate an all-terrain vehicle
1 28 or snowmobile upon roadways or highways, as defined in
1 29 section 321.1, except as provided in

~~section 321.234A~~

1 30

~~and~~

~~this chapter.~~

1 31 Sec. _____. Section [321G.9](#), subsection 1, Code 1995,
1 32 is amended to read as follows:

1 33 1. An all-terrain vehicle or snowmobile shall not
1 34 be operated at any time within the right of way of any
1 35

~~interstate highway or~~

~~freeway or freeway ramp within~~

1 36 this state except

~~under either of the following~~

1 37

~~circumstances:~~

-
1 38

~~a. As provided in section 321.234A.~~

-
1 39

~~b. When~~

- when using an underpass located on

~~an~~

-
1 40

~~interstate highway or~~

- a freeway if all of the

1 41 following apply:

1 42

~~(1)~~

- a. The underpass has been abandoned and is no

1 43 longer being used by motor vehicles or trains.

1 44

~~(2)~~

- b. Use of the underpass is the only

1 45 alternative to the use of a traveled roadway.

1 46

~~(3)~~

- c. Notwithstanding the provisions of chapter

1 47 321, use of the underpass does not conflict with any

1 48 rules or regulations adopted by a federal governmental

1 49 entity or this state or a political subdivision of

1 50 this state.

2 1 Sec. ____ Section [321G.9](#), subsection 3, Code 1995,

2 2 is amended to read as follows:

2 3 3. An all-terrain vehicle or snowmobile shall not

2 4 be operated

~~on public highways~~

- under any of the

2 5 following circumstances:

2 6 a. On the roadway portion of a highway and

2 7 adjacent shoulder, or at least five feet on either

2 8 side of the roadway, except as provided in subsection

2 9 4 of this section

~~, and~~

-
2 10

~~b. On limited access highways and approaches, and~~

-
2 11

~~c.~~

- b. For racing any moving object

~~, and~~

- on a

2 12 public highway.

2 13

~~d.~~

- c. Abreast with one or more other all-terrain

2 14 vehicles or snowmobiles on a city highway.

2 15 d. In highway medians.
2 16 Sec. _____. Section [321G.9](#), subsection 6, Code 1995,
2 17 is amended by adding the following new paragraph:
2 18 NEW PARAGRAPH. c. A person operating an all-
2 19 terrain vehicle pursuant to section 321G.8, subsection
2 20 5, shall have a valid all-terrain vehicle safety
2 21 certificate as provided by this subsection or a valid
2 22 motor vehicle license. The vehicle shall be operated
2 23 at speeds of less than thirty miles per hour.
2 24 Sec. _____. Section 321G.13, subsection 10, Code
2 25 1995, is amended to read as follows:
2 26 10. On public land without a measurable snow cover
2 27 except as provided in

~~section 321.234A~~

- this chapter or
2 28 in specific areas permitted by the commission, such as
2 29 "all-terrain vehicle parks" which are designated and
2 30 intended for use with or without snow.
2 31 Sec. _____. REPEAL. Section [321.234A](#), Code 1995, is
2 32 repealed."
2 33 #4. Title page, line 2, by striking the words "by
2 34 defining public land" and inserting the following:
2 35 "on roads and public land and applying penalties".
2 36 #5. By renumbering as necessary.
2 37
2 38
2 39 _____
2 40 DON E. [GETTINGS](#)
2 41 [HF 340](#).701 76
2 42 ec/sc