

# House Amendment 1294

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1 1 Amend House File 799 as follows:  
1 2 #1. By striking everything after the enacting  
1 3 clause and inserting the following:  
1 4 <Section 1. Section 321.1, subsection 4, Code  
1 5 2009, is amended to read as follows:  
1 6 4. "All-terrain vehicle" means a motor vehicle  
1 7 designed to travel on three or more wheels and  
1 8 designed primarily for off-road recreational use but  
1 9 not including farm tractors or equipment, construction  
1 10 equipment, forestry vehicles, or lawn and grounds  
1 11 maintenance vehicles. "All-terrain vehicle" includes  
1 12 off-road utility vehicles.  
1 13 Sec. 2. Section 321.1, Code 2009, is amended by  
1 14 adding the following new subsection:  
1 15 NEW SUBSECTION. 47A. "Off-road utility vehicle"  
1 16 means a motorized flotation-tire vehicle with not less  
1 17 than four and not more than eight low-pressure tires  
1 18 that is limited in engine displacement to less than  
1 19 one thousand five hundred cubic centimeters and in  
1 20 total dry weight to not more than two thousand pounds  
1 21 and that has a seat that is of bucket or bench design,  
1 22 not intended to be straddled by the operator, and a  
1 23 steering wheel or control levers for control.  
1 24 Sec. 3. Section 321.234A, subsection 1, Code 2009,  
1 25 is amended by adding the following new paragraph:  
1 26 NEW PARAGRAPH. f. The all-terrain vehicle is an  
1 27 off-road utility vehicle operated in accordance with  
1 28 section 321.238.  
1 29 Sec. 4. Section 321.236, Code 2009, is amended by  
1 30 adding the following new subsection:  
1 31 NEW SUBSECTION. 15. Regulating the operation of  
1 32 off-road utility vehicles as provided in section  
1 33 321.238.  
1 34 Sec. 5. NEW SECTION. 321.238 OPERATION OF  
1 35 OFF-ROAD UTILITY VEHICLES.  
1 36 1. Local authorities, with respect to streets or  
1 37 highways under their jurisdiction, may allow the  
1 38 operation of off-road utility vehicles during any  
1 39 period between sunrise and sunset by a person having a  
1 40 valid driver's license.  
1 41 2. Except as provided in section 321.234A, an  
1 42 off-road utility vehicle shall not be operated on a  
1 43 primary highway or on a city street which is a primary  
1 44 road extension through a city, except to cross the  
1 45 primary highway or city street.  
1 46 3. Off-road utility vehicles are not subject to  
1 47 the registration requirements of this chapter.  
1 48 4. A person convicted of a violation under this  
1 49 section is guilty of a simple misdemeanor punishable  
1 50 as a scheduled violation under section 805.8A,  
2 1 subsection 3, paragraph "f".  
2 2 Sec. 6. Section 321I.1, subsection 1, paragraph c,  
2 3 Code 2009, is amended to read as follows:  
2 4 c. Off-road utility vehicles shall be considered  
2 5 all-terrain vehicles for the purpose of registration,  
2 6 but are exempt from the dealer registration  
2 7 requirements and the titling requirements of this  
2 8 chapter. An operator of an off-road utility vehicle  
2 9 is subject to provisions governing the operation of  
2 10 all-terrain vehicles in ~~section~~ sections 321.234A and  
2 11 321.238 and this chapter, but is exempt from the  
2 12 safety instruction and certification program  
2 13 requirements of sections 321I.25 and 321I.26. A  
2 14 motorized vehicle that was previously titled or is  
2 15 currently titled under chapter 321 shall not be  
2 16 registered or operated as an off-road utility vehicle.  
2 17 Sec. 7. Section 321I.10, subsection 1, Code 2009,  
2 18 is amended to read as follows:  
2 19 1. A person shall not operate an all-terrain  
2 20 vehicle upon roadways or highways except as provided  
2 21 in ~~section~~ sections 321.234A and 321.238 and this  
2 22 section.  
2 23 Sec. 8. Section 805.8A, subsection 3, paragraph f,  
2 24 Code 2009, is amended to read as follows:

2 25 f. For violations under sections 321.234A,  
2 26 ~~321.238~~, 321.247, 321.381, and 321.381A, the scheduled  
2 27 fine is fifty dollars.  
2 28 Sec. 9. Section 321I.1, subsection 16, paragraph  
2 29 b, if enacted by 2009 Iowa Acts, House File 722, is  
2 30 amended to read as follows:  
2 31 b. An owner of an off=road utility vehicle may  
2 32 register or title an off=road utility vehicle in order  
2 33 to legally operate the off=road vehicle on public ice,  
2 34 a designated riding area, or a designated riding  
2 35 trail. The operator of an off=road utility vehicle is  
2 36 subject to provisions governing the operation of  
2 37 all=terrain vehicles in ~~section~~ sections 321.234A, and  
2 38 ~~321.238~~ and this chapter, but is exempt from the  
2 39 safety instruction and certification program  
2 40 requirements of sections 321I.25 and 321I.26. An  
2 41 operator of an off=road utility vehicle shall not  
2 42 operate the vehicle on a designated riding area or  
2 43 designated riding trail unless the department has  
2 44 posted signage indicating the riding area or trail is  
2 45 open to the operation of off=road utility vehicles.  
2 46 Off=road utility vehicles are exempt from the dealer  
2 47 registration and titling requirements of this chapter.  
2 48 A motorized vehicle that was previously titled or is  
2 49 currently titled under chapter 321 shall not be  
2 50 registered or operated as an off=road utility  
3 1 vehicle.>  
3 2 #2. Title page, by striking lines 1 through 3 and  
3 3 inserting the following: <An Act concerning the  
3 4 operation of off=road utility vehicles on roads under  
3 5 the jurisdiction of local authorities and providing a  
3 6 penalty.>  
3 7 #3. By renumbering as necessary.  
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3 11 MAY of Dickinson  
3 12 HF 799.701 83  
3 13 dea/dea/12510