

Senate Amendment to  
House File 2130

H-8400

1 Amend House File 2130, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. Section 321.234A, subsection 1, paragraph f,  
6 Code 2022, is amended to read as follows:

7 f. The all-terrain vehicle is operated on a ~~county roadway~~  
8 primary highway in accordance with section 321I.10, subsection  
9 1A, a secondary road in accordance with section 321I.10,  
10 subsection 2, or a city street in accordance with section  
11 321I.10, subsection 3.

12 Sec. 2. Section 321.234A, subsection 2, Code 2022, is  
13 amended to read as follows:

14 2. A person operating an all-terrain vehicle on a highway  
15 shall have a valid driver's license and ~~the vehicle shall be~~  
16 ~~operated~~ operate the vehicle at speeds of thirty-five miles per  
17 hour or less. In addition, a person operating an all-terrain  
18 vehicle on a highway pursuant to subsection 1, paragraphs "b"  
19 through "g", shall be at least eighteen years of age and have  
20 financial liability coverage in effect for the vehicle and  
21 carry proof of such financial liability coverage in accordance  
22 with section 321.20B.

23 Sec. 3. Section 321.234A, Code 2022, is amended by adding  
24 the following new subsection:

25 NEW SUBSECTION. 2A. As provided in section 321.1, an  
26 all-terrain vehicle is a motor vehicle for purposes of this  
27 chapter. Therefore, an all-terrain vehicle operated on a  
28 highway shall be equipped with the parts, lamps, and other  
29 equipment in proper condition and adjustment as required under  
30 this chapter for motor vehicles, including but not limited  
31 to the parts, lamps, and equipment required under sections  
32 321.386, 321.387, 321.404, 321.432, and 321.437.

33 Sec. 4. Section 321.384, subsection 1, Code 2022, is amended  
34 to read as follows:

35 1. Every motor vehicle upon a highway within the state,

1 at any time from sunset to sunrise, and at such other times  
2 when conditions such as fog, snow, sleet, or rain provide  
3 insufficient lighting to render clearly discernible persons  
4 and vehicles on the highway at a distance of five hundred feet  
5 ahead, shall display lighted headlamps as provided in section  
6 321.415, subject to exceptions with respect to parked vehicles  
7 as provided in [this chapter](#). However, an all-terrain vehicle  
8 shall display lighted headlamps as provided in section 321.415  
9 at all times while the vehicle is operated on a highway.

10 Sec. 5. Section 321.385, Code 2022, is amended to read as  
11 follows:

12 **321.385 Headlamps on motor vehicles.**

13 Every motor vehicle other than a motorcycle, ~~or~~ motorized  
14 bicycle, or all-terrain vehicle shall be equipped with at least  
15 two headlamps with at least one on each side of the front  
16 of the motor vehicle, which headlamps shall comply with the  
17 requirements and limitations set forth in [this chapter](#).

18 Sec. 6. Section 321.386, Code 2022, is amended to read as  
19 follows:

20 **321.386 Headlamps on motorcycles, and motorized bicycles, and**  
21 **all-terrain vehicles.**

22 Every motorcycle, ~~and~~ motorized bicycle, and all-terrain  
23 vehicle shall be equipped with at least one and not more than  
24 two headlamps which shall comply with the requirements and  
25 limitations of [this chapter](#).

26 Sec. 7. Section 321I.8, subsection 2, Code 2022, is amended  
27 to read as follows:

28 2. The department shall remit the fees, including user  
29 fees collected pursuant to [section 321I.5](#), to the treasurer  
30 of state, who shall place the money in a special all-terrain  
31 vehicle fund. The money is appropriated to the department for  
32 the all-terrain vehicle programs of the state. The programs  
33 shall include grants, subgrants, contracts, or cost-sharing  
34 of all-terrain vehicle programs with political subdivisions  
35 or incorporated private organizations or both in accordance

1 with rules adopted by the commission. All-terrain vehicle fees  
2 may be used for the establishment, maintenance, and operation  
3 of all-terrain vehicle recreational riding areas through  
4 the awarding of grants administered by the department, but  
5 shall not be used for law enforcement purposes outside of a  
6 designated off-highway vehicle recreational riding area or for  
7 purchasing, installing, or maintaining signs along a highway  
8 outside of a designated off-highway vehicle recreational  
9 riding area. All-terrain vehicle recreational riding areas  
10 established, maintained, or operated by the use of such  
11 grants shall not be operated for profit. All programs using  
12 cost-sharing, grants, subgrants, or contracts shall establish  
13 and implement an education instruction program either singly  
14 or in cooperation with other all-terrain vehicle programs.  
15 All-terrain vehicle fees may be used to support all-terrain  
16 vehicle programs on a usage basis. At least fifty percent of  
17 the special fund shall be available for political subdivisions  
18 or incorporated private organizations or both. Moneys from  
19 the special fund not used by the political subdivisions or  
20 incorporated private organizations or both shall remain in the  
21 fund and may be used by the department for the administration  
22 of the all-terrain vehicle programs. Notwithstanding  
23 section 8.33, moneys in the special fund shall not revert to  
24 the general fund of the state at the end of a fiscal year.  
25 Notwithstanding [section 12C.7, subsection 2](#), interest or  
26 earnings on moneys in the special fund shall remain in the  
27 fund.

28 Sec. 8. Section 321I.10, Code 2022, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 1A. A registered all-terrain vehicle  
31 or off-road utility vehicle may be operated on an undivided  
32 two-lane primary highway that is not part of the interstate  
33 road system over the most direct and accessible route between  
34 any of the following locations:

35 a. An all-terrain vehicle park or trail.

1     *b.* A secondary road on which such vehicles are authorized  
2 to operate under subsection 2.

3     *c.* A city street on which such vehicles are authorized to  
4 operate under subsection 3.

5     *d.* The vehicle operator's residence.

6     Sec. 9. Section 321I.10, subsections 2 and 3, Code 2022, are  
7 amended to read as follows:

8     2. *a.* A registered all-terrain vehicle or off-road  
9 utility vehicle may be operated on any of the roadways of that  
10 portion of county highways designated by the county board of  
11 supervisors for such use during a specified period following  
12 secondary roads:

13         (1) An unpaved secondary road.

14         (2) A paved, undivided two-lane secondary road over the  
15 most direct and accessible route between any of the following  
16 locations:

17             (a) An all-terrain vehicle park or trail.

18             (b) Another secondary road on which such vehicles are  
19 authorized to operate under this paragraph.

20             (c) A city street on which such vehicles are authorized to  
21 operate under subsection 3.

22             (d) The vehicle operator's residence.

23         (3) A paved, undivided secondary road or segment thereof,  
24 if authorized by the county board of supervisors. The county  
25 board of supervisors shall evaluate the traffic conditions on  
26 all county highways such secondary roads under its jurisdiction  
27 and designate roadways on which all-terrain vehicles or  
28 off-road utility vehicles may be operated for the specified  
29 period without unduly interfering with or constituting an undue  
30 hazard to conventional motor vehicle traffic. In designating  
31 such roadways, the board may authorize all-terrain vehicles  
32 and off-road utility vehicles to stop at service stations or  
33 convenience stores along a designated roadway.

34     *b.* Notwithstanding paragraph "a", a county may prohibit the  
35 operation of all-terrain vehicles and off-road utility vehicles

1 on a secondary road or segment thereof under its jurisdiction  
2 as follows:

3 (1) When the secondary road or segment thereof is closed to  
4 motor vehicle traffic pursuant to section 306.41.

5 (2) When the secondary road or segment thereof is designated  
6 as a detour route pursuant to section 306.41.

7 (3) For any other secondary road or segment thereof, for no  
8 more than seven consecutive days and no more than thirty days  
9 in a calendar year when the prohibited days are established by  
10 ordinance.

11 3. Cities A city may regulate the operation of registered  
12 all-terrain vehicles and off-road utility vehicles and may  
13 designate streets under the jurisdiction of cities the city  
14 within their respective its corporate limits, and two-lane  
15 primary and secondary road extensions in the city, which may  
16 be used for the operation of registered all-terrain vehicles  
17 or registered off-road utility such vehicles. In designating  
18 such streets, the city may authorize all-terrain vehicles  
19 and off-road utility vehicles to stop at service stations or  
20 convenience stores along a designated street. However, a city  
21 shall not charge a fee to operate a registered all-terrain  
22 vehicle or off-road utility vehicle within the city.

23 Sec. 10. Section 321I.10, subsection 5, unnumbered  
24 paragraph 1, Code 2022, is amended to read as follows:

25 An all-terrain vehicle or off-road utility vehicle may  
26 make a direct crossing of a highway that is not part of the  
27 interstate road system provided all of the following occur:

28 Sec. 11. Section 321I.10, subsection 5, paragraph e, Code  
29 2022, is amended to read as follows:

30 e. The crossing is made from a street, roadway, or highway  
31 ~~designated as an all-terrain vehicle trail by a state agency,~~  
32 ~~county, or city~~ on which the all-terrain vehicle or off-road  
33 utility vehicle is authorized to operate to a street, roadway,  
34 or highway ~~designated as an all-terrain vehicle trail by~~  
35 ~~a state agency, county, or city~~ on which such vehicle is

1 authorized to operate.>