

FILED MAR 8 1995

SENATE FILE 283  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 97)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles and  
2 snowmobiles on roads and applying penalties.

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

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S.F. 283

1 Section 1. Section 321G.1, Code 1995, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 6A. "Freeway" means a highway constructed  
4 as a fully controlled access facility with no access to the  
5 facility except at established interchanges.

6 NEW SUBSECTION. 8A. "Median" means the portion of a  
7 divided highway separating opposing lanes of traffic. Medians  
8 may be depressed, raised, or painted.

9 Sec. 2. Section 321G.8, subsection 5, Code 1995, is  
10 amended to read as follows:

11 5. All-terrain vehicles ~~used-in-accordance-with-section~~  
12 ~~321-234A~~ only when operated on a highway between sunrise and  
13 sunset and the operation is incidental to the vehicle's use  
14 for agricultural purposes.

15 Sec. 3. Section 321G.9, unnumbered paragraph 1, Code 1995,  
16 is amended to read as follows:

17 A person shall not operate an all-terrain vehicle or  
18 snowmobile upon roadways or highways, as defined in section  
19 321.1, except as provided in ~~section-321-234A~~ and this  
20 chapter.

21 Sec. 4. Section 321G.9, subsection 1, Code 1995, is  
22 amended to read as follows:

23 1. An all-terrain vehicle or snowmobile shall not be  
24 operated at any time within the right of way of any interstate  
25 highway ~~or freeway~~ or freeway ramp within this state except  
26 ~~under-either-of-the-following-circumstances:~~

27 ~~a--As-provided-in-section-321-234A-~~

28 ~~b--When~~ when using an underpass located on an interstate  
29 highway ~~or a~~ a freeway if all of the following apply:

30 ~~{1}~~ a. The underpass has been abandoned and is no longer  
31 being used by motor vehicles or trains.

32 ~~{2}~~ b. Use of the underpass is the only alternative to the  
33 use of a traveled roadway.

34 ~~{3}~~ c. Notwithstanding the provisions of chapter 321, use  
35 of the underpass does not conflict with any rules or

1 regulations adopted by a federal governmental entity or this  
2 state or a political subdivision of this state.

3 Sec. 5. Section 321G.9, subsection 3, Code 1995, is  
4 amended to read as follows:

5 3. An all-terrain vehicle or snowmobile shall not be  
6 operated ~~on-public-highways~~ under any of the following  
7 circumstances:

8 a. On the roadway portion of a highway and adjacent  
9 shoulder, or at least five feet on either side of the roadway,  
10 except as provided in subsection 4 of this section~~7-and.~~

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

12 ~~c. b.~~ For racing any moving object~~7-and~~ on a public  
13 highway.

14 ~~d. c.~~ Abreast with one or more other all-terrain vehicles  
15 or snowmobiles on a city highway.

16 d. In highway medians.

17 Sec. 6. Section 321G.9, subsection 6, Code 1995, is  
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. c. A person operating an all-terrain  
20 vehicle pursuant to section 321G.8, subsection 5, shall have a  
21 valid all-terrain vehicle safety certificate as provided by  
22 this subsection or a valid motor vehicle license. The vehicle  
23 shall be operated at speeds of less than thirty miles per  
24 hour.

25 Sec. 7. Section 321G.13, subsection 10, Code 1995, is  
26 amended to read as follows:

27 10. On public land without a measurable snow cover except  
28 as provided in ~~section-321-234A~~ this chapter or in specific  
29 areas permitted by the commission, such as "all-terrain  
30 vehicle parks" which are designated and intended for use with  
31 or without snow.

32 Sec. 8. REPEAL. Section 321.234A, Code 1995, is repealed.

33 EXPLANATION

34 This bill concerns the operation of all-terrain vehicles  
35 and snowmobiles on roads. The bill defines freeways and

1 medians and provides that these vehicles cannot operate in  
2 medians or on freeways except under limited circumstances  
3 provided for by chapter 321G. The bill restricts all-terrain  
4 vehicles from operating on freeways and restricts all-terrain  
5 vehicles and snowmobiles from operating in any median of a  
6 divided highway at any time. The bill repeals section  
7 321.234A dealing with all-terrain vehicles and incorporates  
8 the provisions of that section within the chapter dealing  
9 exclusively with all-terrain vehicles and snowmobiles, chapter  
10 321G.

11 A person who violates any provision of chapter 321G is  
12 guilty of a simple misdemeanor. Violations of section 321G.9,  
13 subsections 1, 2, 3, 4, 5, and 7 are subject to a scheduled  
14 fine of \$20.

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SENATE FILE 283

S-3139

1 Amend Senate File 283 as follows:

2 1. Page 2, by striking line 32.

By DENNIS BLACK

S-3139 FILED MARCH 20, 1995

DEFERRED

SENATE FILE 283

S-3153

1 Amend Senate File 283 as follows:

2 1. Page 1, by striking lines 9 through 20.

3 2. Page 1, line 21, by inserting after the word  
4 and figure "subsection 1," the following: "unnumbered  
5 paragraph 1,".

6 3. Page 1, line 23, by striking the figure "1."

7 4. By striking page 1, line 26, through page 2,  
8 line 2, and inserting the following: "under either of  
9 the following circumstances:".

10 5. Page 2, line 28, by striking the word and  
11 figure "~~section-321-234A~~" and inserting the following:  
12 "section 321.234A,".

13 6. Page 2, by striking line 32.

14 7. By renumbering as necessary.

By DENNIS H. BLACK

S-3153 FILED MARCH 21, 1995

Black-ch  
Fink  
Douglas

SSB-97  
Transportation  
Succeeded By  
SF/HF 283

SENATE/HOUSE FILE  
BY (PROPOSED DEPARTMENT OF  
TRANSPORTATION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
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5 facility except at established interchanges.

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26 ~~under-either-of-the-following-circumstances:~~

27 ~~a.--As-provided-in-section-321-234A.~~

28 ~~b.--When~~ when using an underpass located on ~~an-interstate~~  
29 ~~highway-or~~ a freeway if all of the following apply:

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31 being used by motor vehicles or trains.

32 ~~(2)~~ b. Use of the underpass is the only alternative to the  
33 use of a traveled roadway.

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13 subsections 1, 2, 3, 4, 5, and 7 are subject to a scheduled  
14 fine of \$20.

15 BACKGROUND STATEMENT

16 SUBMITTED BY THE AGENCY

17 The bill concerns the operation of all-terrain vehicles and  
18 snowmobiles on roads. The bill defines "freeway" as a fully  
19 controlled access highway where access is available only at  
20 interchanges. The bill also defines "median" as the portion  
21 of a divided highway separating the traveled ways from  
22 opposing traffic.

23 To be consistent with current snowmobile regulations, all-  
24 terrain vehicles will not be allowed to operate on a freeway  
25 except under extremely limited circumstances.

26 Currently, snowmobiles and all-terrain vehicles can operate  
27 within the median of a four-lane divided highway during the  
28 daytime but are prohibited at night. In the interest of  
29 safety for all vehicular and recreational traffic, this bill  
30 prohibits snowmobiles and all-terrain vehicles from operating  
31 in medians of all four-lane divided highways at all times.

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