

FILED FEB 24 1999

SENATE FILE

215

BY FLYNN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to all-terrain vehicles used for hunting and  
2 fishing activities.

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

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SF 215 NAT. RES. & ENVIRONMENT

1 Section 1. Section 321.234A, Code 1999, is amended to read  
2 as follows:

3 321.234A ALL-TERRAIN VEHICLES -- BICYCLE SAFETY FLAG  
4 REQUIRED.

5 All-terrain vehicles shall be operated on a highway only  
6 between sunrise and sunset and only when the operation on the  
7 highway is incidental to the vehicle's use for agricultural  
8 purposes or for hunting or fishing activities. A person  
9 operating an all-terrain vehicle on a highway shall have a  
10 valid driver's license and the vehicle shall be operated at  
11 speeds of less than thirty miles per hour. When operated on a  
12 highway, an all-terrain vehicle shall have a bicycle safety  
13 flag which extends not less than five feet above the ground  
14 attached to the rear of the vehicle. The bicycle safety flag  
15 shall be triangular in shape with an area of not less than  
16 thirty square inches, be Day-Glo in color, and shall be in  
17 lieu of the reflective equipment required by section 321.383.

18 Sec. 2. Section 321G.8, subsection 5, Code 1999, is  
19 amended to read as follows:

20 5. All-terrain vehicles used in accordance with section  
21 321.234A, except all-terrain vehicles used for hunting or  
22 fishing activities pursuant to that section.

23 EXPLANATION

24 This bill amends Code section 321.234A to provide that an  
25 all-terrain vehicle (ATV) may be operated on a highway if such  
26 operation is incidental to the ATV's use for hunting or  
27 fishing activities and if the operator of the ATV complies  
28 with certain requirements. The requirements include operating  
29 the ATV on the highway only between sunrise and sunset,  
30 possessing a valid driver's license, operating the ATV at  
31 speeds of less than 30 miles per hour, and equipping the ATV  
32 with a bicycle safety flag. Currently, Code section 321.234A  
33 only allows an ATV to be operated on a highway if such  
34 operation is incidental to the ATV's use for agricultural  
35 purposes.

1 The bill also amends Code section 321G.8 to provide that  
2 ATVs which are used for hunting or fishing activities pursuant  
3 to Code section 321.234A, as amended, are not exempt from ATV  
4 registration requirements under Code chapter 321G. Code  
5 section 321G.8 currently exempts ATVs used for agricultural  
6 purposes pursuant to Code section 321.234A from the ATV  
7 registration requirements in Code chapter 321G.

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