

MAR 15 2001
TRANSPORTATION

HOUSE FILE 621
BY RAYHONS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles on
2 public roads, providing a penalty, and making other penalties
3 applicable.

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

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HF 621

1 Section 1. NEW SECTION. 321.36 REGISTRATION OF ALL-
2 TERRAIN VEHICLES -- OPERATION.

3 1. Notwithstanding section 321.234A, section 321G.9, or
4 any other provision of chapter 321 or 321G to the contrary, a
5 person shall not operate an all-terrain vehicle on public
6 roads of this state other than as provided in section 321.234A
7 or chapter 321G unless the all-terrain vehicle is registered
8 under this section, in addition to being registered and titled
9 as provided in chapter 321G. An owner of an all-terrain
10 vehicle subject to registration under this section shall make
11 application to the county treasurer of the county of the
12 owner's residence, or if the owner is a nonresident, to the
13 county treasurer of the county in which the all-terrain
14 vehicle is primarily used.

15 2. An application for registration under this section
16 shall be accompanied by a registration fee of twenty-five
17 dollars and a copy of the current registration certificate
18 issued for the all-terrain vehicle under section 321G.4. The
19 application shall contain the information required under
20 section 321.20, subsections 1 through 3. The department shall
21 adopt rules providing for the registration under this section
22 of all-terrain vehicles that are exempt from the registration
23 requirements of chapter 321G pursuant to section 321G.8.

24 3. Upon receipt of the application, the county treasurer
25 shall, when satisfied as to the application's genuineness and
26 regularity, issue a registration receipt, and file the
27 application. The registration receipt shall be delivered to
28 the owner and shall contain the date issued, the name and
29 address of the owner, the registration number assigned to the
30 vehicle, and a description of the all-terrain vehicle as
31 determined by the department.

32 4. The county treasurer shall maintain in the county
33 record system information contained on the registration
34 receipt. The information shall be accessible by registration
35 number and shall be open for public inspection during

1 reasonable business hours. Copies the department requires
2 shall be sent to the department in the manner and at the time
3 the department requests.

4 5. An all-terrain vehicle registered under this section
5 shall be registered for the registration year. The provisions
6 of this chapter applicable to the registration of other motor
7 vehicles under this chapter shall also apply to the
8 registration of all-terrain vehicles under this section, as
9 provided by rule of the department.

10 6. The county treasurer, upon receiving an application for
11 registration under this section, shall issue to the owner one
12 registration plate for the all-terrain vehicle. The
13 provisions of this chapter applicable to other motor vehicle
14 registration plates issued under this chapter shall also apply
15 to registration plates issued under this section, as provided
16 by rule of the department.

17 7. The operator of an all-terrain vehicle registered under
18 this section shall possess a driver's license valid for
19 operation of the all-terrain vehicle on public roads of the
20 state and shall obey all traffic laws applicable to motor
21 vehicles when operating the motor vehicle on such public
22 roads, as provided by rule of the department.

23 8. The department shall adopt rules to implement this
24 section.

25 Sec. 2. Section 321G.3, Code 2001, is amended to read as
26 follows:

27 321G.3 REGISTRATION AND NUMBERING REQUIRED.

28 1. Each all-terrain vehicle and snowmobile used on public
29 land or ice of this state shall be currently registered and
30 numbered. A person shall not operate, maintain, or give
31 permission for the operation or maintenance of an all-terrain
32 vehicle or snowmobile on public land or ice unless the all-
33 terrain vehicle or snowmobile is numbered in accordance with
34 this chapter, or in accordance with applicable federal laws,
35 or in accordance with an approved numbering system of another

1 state, and unless the identifying number set forth in the
2 registration is displayed on each side of the forward half of
3 the snowmobile and on the rear fender of the all-terrain
4 vehicle.

5 2. A registration number shall be assigned, without
6 payment of fee, to all-terrain vehicles and snowmobiles owned
7 by the state of Iowa or its political subdivisions upon
8 application for the number, and the assigned registration
9 number shall be displayed on the all-terrain vehicle or
10 snowmobile as required under section 321G.5.

11 3. In addition to registering an all-terrain vehicle
12 pursuant to this chapter, a person shall register an all-
13 terrain vehicle as provided in section 321.36 for operation of
14 the all-terrain vehicle on public roads other than as provided
15 in section 321.234A or this chapter.

16 EXPLANATION

17 This bill creates new Code section 321.36, providing for
18 the registration of all-terrain vehicles for operation on
19 public roads in this state in a manner other than already
20 allowed by law. Currently, Code section 321.234A allows all-
21 terrain vehicles to be operated on a public road during
22 daylight when the operation on the public road is incidental
23 to the vehicle's use for agricultural purposes and if the
24 vehicle operator follows the speed and safety flag
25 requirements. In addition, Code section 321G.9 currently
26 allows all-terrain vehicles to be operated on public roads in
27 limited circumstances, such as direct crossings of public
28 roads, operation on city or county roads that have not been
29 plowed during the snow season, and operation on roads in an
30 emergency when snow on the road renders travel by conventional
31 motor vehicles impractical.

32 The bill requires an all-terrain vehicle to be registered
33 with the appropriate county treasurer essentially in the same
34 manner as motor vehicles are registered under Code chapter 321
35 if the all-terrain vehicle is to be operated on public roads

1 in a manner other than allowed under Code section 321.234A or
2 321G.9, or Code chapter 321G, in addition to being registered
3 and titled under Code chapter 321G. The registration and
4 vehicle operation provisions of Code chapter 321 apply to
5 operation of an all-terrain vehicle on public roads, as
6 provided by rule of the state department of transportation.

7 A violation of any of the bill's provisions is a simple
8 misdemeanor punishable by confinement for no more than 30 days
9 or a fine of at least \$50 but not more than \$500 or by both.

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