

House Study Bill 617 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON QUIRK)

A BILL FOR

- 1 An Act relating to the operation of off-road utility vehicles
- 2 on highways and making a penalty applicable.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, subsection 4, Code Supplement
2 2009, is amended to read as follows:

3 4. "*All-terrain vehicle*" means a motor vehicle designed
4 to travel on three or more wheels and designed primarily for
5 off-road recreational use ~~but not including~~. "*All-terrain*
6 *vehicle*" includes off-road utility vehicles as defined
7 in section 321I.1, but does not include farm tractors or
8 equipment, construction equipment, forestry vehicles, or lawn
9 and grounds maintenance vehicles.

10 Sec. 2. Section 321I.10, subsections 1, 2, and 3, Code
11 Supplement 2009, are amended to read as follows:

12 1. A person shall not operate an all-terrain vehicle or
13 off-road utility vehicle upon roadways or highways except as
14 provided in section 321.234A and this section.

15 2. A registered all-terrain vehicle or off-road utility
16 vehicle may be operated on the roadways of that portion of
17 county highways designated by the county board of supervisors
18 for such use during a specified period. The county board of
19 supervisors shall evaluate the traffic conditions on all county
20 highways and designate roadways on which all-terrain vehicles
21 and off-road utility vehicles may be operated for the specified
22 period without unduly interfering with or constituting an undue
23 hazard to conventional motor vehicle traffic. In designating
24 such roadways, the board may authorize all-terrain vehicles
25 and off-road utility vehicles to stop at service stations or
26 convenience stores along a designated roadway.

27 3. Cities may designate streets under the jurisdiction
28 of cities within their respective corporate limits which may
29 be used for the sport of driving all-terrain vehicles or for
30 the operation of off-road utility vehicles. In designating
31 such streets, the city may authorize all-terrain vehicles
32 and off-road utility vehicles to stop at service stations or
33 convenience stores along a designated street.

34 Sec. 3. Section 322D.1, subsection 1, Code 2009, is amended
35 to read as follows:

1 1. ~~"All-terrain vehicle" means the same as defined in~~
2 ~~section 321I.1 a motor vehicle designed to travel on three or~~
3 ~~more wheels and designed primarily for off-road recreational~~
4 ~~use but not including farm tractors or equipment, construction~~
5 ~~equipment, forestry vehicles, or lawn and grounds maintenance~~
6 ~~vehicles.~~

7 EXPLANATION

8 This bill amends the definition of "all-terrain vehicle"
9 in Code chapter 321 to include off-road utility vehicles.
10 This change allows off-road utility vehicles to be operated
11 on highways by a licensed driver at speeds of 35 miles per
12 hour or less under the following conditions as provided
13 for all-terrain vehicles: between sunrise and sunset for
14 agricultural purposes; by a licensed engineer or land surveyor
15 for the purpose of land surveying; by an employee or agent
16 of a political subdivision for the purpose of construction;
17 by an employee or agent of a public agency for the purpose
18 of providing emergency services or rescue; or for mowing,
19 installing trail signs, or providing maintenance on designated
20 snowmobile and all-terrain vehicle trails. Under current
21 law, "off-road utility vehicle" is defined as a motorized
22 flotation-tire vehicle with not less than four and not more
23 than eight low-pressure tires that is limited in engine
24 displacement to less than 1,500 cubic centimeters and in total
25 dry weight to not more than 1,800 pounds and that has a seat
26 that is of bucket or bench design, not intended to be straddled
27 by the operator, and a steering wheel or control levers for
28 control.

29 Under existing law, a county board of supervisors may
30 designate certain roadways for use by all-terrain vehicles
31 during a specified period. In addition, cities may designate
32 streets within their corporate limits which may be used by
33 all-terrain vehicles. The bill allows counties and cities to
34 include off-road utility vehicles in such designations and
35 to allow all-terrain vehicles and off-road utility vehicles

1 to stop at service stations and convenience stores along a
2 designated roadway or street.

3 Under existing law, the penalty for unlawful operation of
4 an all-terrain vehicle on a highway is a simple misdemeanor
5 punishable by a scheduled fine of \$50. That same penalty
6 applies to a similar violation by the operator of an off-road
7 utility vehicle under the bill.

8 Because the definition of "all-terrain vehicle" in Code
9 chapter 321 is referred to in Code chapter 322D, the bill makes
10 a conforming amendment to Code section 322D.1 to preserve the
11 current definition of "all-terrain vehicle" applicable for
12 provisions relating to vehicle franchises.