## Senate File 2123 - Introduced

# SENATE FILE 2123 BY KETTERING

### A BILL FOR

- 1 An Act relating to the operation of all-terrain vehicles on
- 2 highways, providing a registration fee, and making a penalty
- 3 applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 321.117, Code 2009, is amended to read
- 2 as follows:
- 3 321.117 Motorcycle, all-terrain vehicle, motorized
- 4 bicycle, ambulance, and hearse fees.
- 5 For all motorcycles the annual registration fee shall
- 6 be twenty dollars. For all motorized bicycles the annual
- 7 registration fee shall be seven dollars. When the motorcycle
- 8 is more than five model years old, the annual registration fee
- 9 shall be ten dollars.
- 10 1. The annual registration fee for a motorcycle is twenty
- 11 dollars. When the motorcycle is more than five model years
- 12 old, the fee is ten dollars. For purposes of registration
- 13 under this section, "motorcycle" includes an all-terrain vehicle
- 14 as provided in section 321.234A, subsection 4A.
- 15 2. The annual registration fee for a motorized bicycle is
- 16 seven dollars.
- 3. The annual registration fee for ambulances and hearses
- 18 shall be is fifty dollars. Passenger car plates shall be
- 19 issued for ambulances and hearses.
- 20 Sec. 2. Section 321.234A, subsection 2, Code 2009, is
- 21 amended to read as follows:
- 22 2. A person operating an all-terrain vehicle on a highway
- 23 shall have a valid driver's license and the. Unless registered
- 24 pursuant to subsection 4A, an all-terrain vehicle shall be
- 25 operated at speeds of thirty-five miles per hour or less.
- Sec. 3. Section 321.234A, Code 2009, is amended by adding
- 27 the following new subsection:
- 28 NEW SUBSECTION. 4A. a. An all-terrain vehicle with four or
- 29 more wheels and a combustion engine having a piston or rotor
- 30 displacement of two hundred centimeters or more may be issued
- 31 a certificate of title under this chapter and registered as
- 32 a motorcycle pursuant to section 321.117 to be operated on
- 33 highways. An all-terrain vehicle registered as a motorcycle is
- 34 subject to the lighting and equipment requirements applicable
- 35 to motorcycles under this chapter.

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- 1 b. A person shall not operate an all-terrain vehicle
- 2 registered as a motorcycle on an interstate.
- 3 Sec. 4. Section 321I.9, unnumbered paragraph 1, Code 2009,
- 4 is amended to read as follows:
- 5 Registration under this chapter shall not be required for
- 6 the following described all-terrain vehicles:
- 7 Sec. 5. Section 321I.9, Code 2009, is amended by adding the
- 8 following new subsection:
- 9 NEW SUBSECTION. 4. All-terrain vehicles, as defined in
- 10 section 321.1, which are titled and registered in accordance
- 11 with section 321.234A, subsection 4A.
- 12 Sec. 6. Section 321I.31, subsection 1, Code 2009, is amended
- 13 to read as follows:
- 14 l. The owner of an all-terrain vehicle acquired on or
- 15 after January 1, 2000, other than an all-terrain vehicle used
- 16 exclusively as a farm implement or, an all-terrain vehicle
- 17 titled and registered in accordance with section 321.234A,
- 18 subsection 4A, or a motorcycle previously issued a title
- 19 pursuant to chapter 321, shall apply to the county recorder
- 20 of the county in which the owner resides for a certificate of
- 21 title for the all-terrain vehicle. The owner of an all-terrain
- 22 vehicle used exclusively as a farm implement may obtain
- 23 a certificate of title. A person who owns an all-terrain
- 24 vehicle that is not required to have a certificate of title
- 25 may apply for and receive a certificate of title for the
- 26 all-terrain vehicle and, subsequently, the all-terrain vehicle
- 27 shall be subject to the requirements of this chapter as if
- 28 the all-terrain vehicle were required to be titled. All
- 29 all-terrain vehicles that are titled shall be registered.
- 30 EXPLANATION
- 31 This bill allows all-terrain vehicles of a certain size to be
- 32 operated on noninterstate highways.
- 33 Under the bill, an all-terrain vehicle that has four or
- 34 more wheels and a combustion engine having a piston or rotor
- 35 displacement of 200 centimeters or more may be issued a

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- 1 certificate of title by the county treasurer and registered
- 2 as a motorcycle for operation on highways, subject to the
- 3 lighting and equipment requirements applicable to motorcycles.
- 4 The annual registration fee is \$20, and when the vehicle is
- 5 more than five model years old, the fee is reduced to \$10.
- 6 Pursuant to current law, a vehicle subject to registration is
- 7 also subject to a fee for new registration in the amount of 5
- 8 percent of the purchase price, payable upon application for a
- 9 new registration and certificate of title.
- 10 Currently, a person operating an all-terrain vehicle on
- ll a highway is required to have a valid driver's license and
- 12 limit the vehicle's speed to 35 miles per hour or less. The
- 13 bill specifies that an all-terrain vehicle registered as
- 14 a motorcycle is not subject to the 35-mile-per-hour speed
- 15 limitation, but operation is restricted to noninterstate
- 16 highways.
- 17 The bill makes conforming amendments to provide that
- 18 an all-terrain vehicle that is titled and registered as a
- 19 motorcycle for operation on highways under Code chapter 321
- 20 is exempt from the registration requirements for all-terrain
- 21 vehicles and off-road utility vehicles administered by the
- 22 department of natural resources under Code chapter 321I.
- 23 A violation of provisions governing the operation of
- 24 all-terrain vehicles on a highway is a simple misdemeanor,
- 25 punishable by a scheduled fine of \$50.