

House File 800 - Introduced

HOUSE FILE 800
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 245)

A BILL FOR

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

1 Section 1. Section 321.234A, subsection 1, paragraph f,
2 Code 2021, is amended to read as follows:

3 *f.* The all-terrain vehicle is operated on a noninterstate
4 primary highway, a county roadway ~~in accordance with section~~
5 ~~321I.10, subsection 2~~ highway, or a city street, in accordance
6 with section 321I.10, subsection 1A, 2, or 3.

7 Sec. 2. Section 321I.10, Code 2021, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 1A. A registered all-terrain vehicle or
10 off-road utility vehicle may be operated on a primary highway
11 that is not part of the interstate road system over the most
12 direct and accessible route between an all-terrain vehicle park
13 or trail, a county highway designated under subsection 2, and a
14 city street designated under subsection 3.

15 Sec. 3. Section 321I.10, subsection 2, Code 2021, is amended
16 to read as follows:

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

29 Sec. 4. Section 331.301, Code 2021, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 18. A county shall not adopt an ordinance,
32 motion, resolution, or amendment, or use any other means, that
33 prohibits or regulates the operation of registered all-terrain
34 vehicles or off-road utility vehicles on county highways within
35 its jurisdiction, unless otherwise authorized by state law. An

1 ordinance, motion, resolution, or amendment adopted prior to
2 the effective date of this Act, that violates this subsection
3 is void and unenforceable on and after the effective date of
4 this Act.

5 Sec. 5. Section 331.362, subsection 9, Code 2021, is amended
6 to read as follows:

7 9. A county may regulate traffic on and use of the secondary
8 roads, in accordance with sections 321.236 through 321.250,
9 321.254, 321.255, 321.285, subsection 4, sections 321.352,
10 321.471 through 321.473, and other applicable provisions of
11 chapter 321, chapter 321E, and sections 321G.9, ~~321H.10~~, and
12 327G.15.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 Under current law, a registered all-terrain vehicle (ATV)
17 or off-road utility vehicle (UTV) may be operated on a county
18 highway designated by the county board of supervisors for such
19 use during a specified period. The county board of supervisors
20 is required to evaluate the traffic conditions on all county
21 highways and designate roadways on which ATVs and UTVs may be
22 operated for the specified period without unduly interfering
23 with or constituting an undue hazard to conventional motor
24 vehicle traffic. In designating such roadways, the board is
25 allowed but not required to authorize ATVs and UTVs to stop
26 at service stations or convenience stores along a designated
27 roadway. Registered ATVs and UTVs are also authorized to make
28 a direct crossing of a highway under certain conditions.

29 This bill allows registered ATVs and UTVs to operate on
30 noninterstate primary highways over the most direct and
31 accessible route between an ATV park or trail, a county
32 highway, and a city street designated for use by ATVs and UTVs.

33 The bill allows registered ATVs and UTVs to operate on all
34 county highways. The bill strikes the authority of a county
35 board of supervisors to regulate the operation of registered

H.F. 800

1 ATVs and UTVs and prohibits a county from adopting an
2 ordinance, motion, resolution, or amendment, or using any other
3 means, that prohibits or regulates the operation of registered
4 ATVs and UTVs on county highways within its jurisdiction,
5 unless otherwise authorized by state law. Any ordinance,
6 motion, resolution, or amendment adopted prior to the effective
7 date of the bill that violates this prohibition is void and
8 unenforceable on and after the effective date of the bill.