

House Study Bill 245 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to the operation of registered all-terrain
2 vehicles and off-road utility vehicles on county 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 county roadway
4 highway in accordance with [section 321I.10, subsection 2](#), or a
5 city street in accordance with [section 321I.10, subsection 3](#).

6 Sec. 2. Section 321I.10, subsection 2, Code 2021, is amended
7 to read as follows:

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

20 Sec. 3. Section 331.301, Code 2021, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 18. A county shall not adopt an ordinance,
23 motion, resolution, or amendment, or use any other means, that
24 prohibits or regulates the operation of registered all-terrain
25 vehicles or off-road utility vehicles on county highways within
26 its jurisdiction, unless otherwise authorized by state law. An
27 ordinance, motion, resolution, or amendment adopted prior to
28 the effective date of this Act, that violates this subsection
29 is void and unenforceable on and after the effective date of
30 this Act.

31 Sec. 4. Section 331.362, subsection 9, Code 2021, is amended
32 to read as follows:

33 9. A county may regulate traffic on and use of the secondary
34 roads, in accordance with [sections 321.236 through 321.250](#),
35 [321.254, 321.255, 321.285, subsection 4, sections 321.352,](#)

1 321.471 ~~to~~ through 321.473, and other applicable provisions of
2 chapter 321, chapter 321E, and sections 321G.9, ~~321I.10,~~ and
3 327G.15.

4 EXPLANATION

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

7 Under current law, a registered all-terrain vehicle (ATV)
8 or off-road utility vehicle (UTV) may be operated on a county
9 highway designated by the county board of supervisors for such
10 use during a specified period. The county board of supervisors
11 is required to evaluate the traffic conditions on all county
12 highways and designate roadways on which ATVs and UTVs may be
13 operated for the specified period without unduly interfering
14 with or constituting an undue hazard to conventional motor
15 vehicle traffic. In designating such roadways, the board is
16 allowed but not required to authorize ATVs and UTVs to stop
17 at service stations or convenience stores along a designated
18 roadway.

19 This bill allows registered ATVs and UTVs to operate on all
20 county highways. The bill strikes the authority of a county
21 board of supervisors to regulate the operation of registered
22 ATVs and UTVs and prohibits a county from adopting an
23 ordinance, motion, resolution, or amendment, or using any other
24 means, that prohibits or regulates the operation of registered
25 ATVs and UTVs on county highways within its jurisdiction,
26 unless otherwise authorized by state law. Any ordinance,
27 motion, resolution, or amendment adopted prior to the effective
28 date of the bill that violates this prohibition is void and
29 unenforceable on and after the effective date of the bill.