

House File 762 - Introduced

HOUSE FILE 762
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 73)

A BILL FOR

1 An Act requiring persons twelve years of age or older to pass
2 a written test and obtain an education certificate prior to
3 operating an all-terrain vehicle or off-road utility vehicle
4 on streets, highways, certain land, ice, and trails, providing
5 fees, and making penalties applicable.

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

unofficial

1 Section 1. Section 321I.1, subsection 17, paragraph b, Code
2 2025, is amended to read as follows:

3 b. The operator of an off-road utility vehicle is subject
4 to provisions governing the operation of all-terrain vehicles in
5 section 321.234A, this chapter, and administrative rules, ~~but is~~
6 ~~exempt from the education instruction and certification program~~
7 ~~requirements of sections 321I.25 and 321I.26.~~ An operator of
8 an off-road utility vehicle shall not operate the vehicle on
9 a designated riding area or designated riding trail unless the
10 department has posted signage indicating the riding area or
11 trail is open to the operation of off-road utility vehicles.
12 Off-road utility vehicles are subject to the dealer registration
13 and titling requirements of this chapter. A motorized vehicle
14 that was previously titled or is currently titled under chapter
15 321 shall not be registered or operated as an off-road utility
16 vehicle.

17 Sec. 2. Section 321I.25, subsection 3, Code 2025, is amended
18 to read as follows:

19 3. Upon completion of the course of instruction, the
20 commission shall provide for the administration of ~~either a~~
21 ~~written test or the demonstration of adequate riding skills~~ to
22 any student who wishes to qualify for an education certificate.

23 Sec. 3. Section 321I.26, subsections 1 and 3, Code 2025, are
24 amended to read as follows:

25 1. A person twelve years of age or older ~~but less than~~
26 ~~eighteen years of age~~ shall not operate an all-terrain vehicle
27 or off-road utility vehicle on a street or highway, public
28 land, public ice, a designated riding trail, or land purchased
29 with all-terrain vehicle registration funds in this state
30 without obtaining a valid education certificate approved by the
31 department and having the certificate in the person's possession.
32 This subsection does not apply if the operation is part of
33 a prescribed education training course and the operation is
34 under the direct supervision of a certified all-terrain vehicle
35 education instructor.

1 3. Any person who is required to have an education
2 certificate under this chapter and who has completed a course
3 of instruction established under section 321I.2, subsection 1,
4 paragraph "i", including the successful passage of an examination
5 which includes ~~either a written test relating to such course of~~
6 ~~instruction or the demonstration of adequate riding skills~~, shall
7 be considered qualified to receive an education certificate.

8 EXPLANATION

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

11 Under current law, a person 12 years of age or older but
12 less than 18 years of age is required to obtain a valid
13 education certificate approved by the department of natural
14 resources (DNR) prior to, and have the certificate in the
15 person's possession while, operating an all-terrain vehicle (ATV)
16 on public land, public ice, a designated riding trail, or land
17 purchased with ATV registration funds in Iowa. Persons under
18 12 years of age are prohibited from operating an ATV on public
19 land unless the person is under direct supervision. Persons
20 operating an off-road motorcycle or off-road utility vehicle
21 (UTV) are excepted from the education instruction, certificate,
22 and associated fee requirements.

23 This bill strikes such exceptions for UTVs and adds streets
24 and highways to the locations where a person operating an ATV
25 or UTV must possess an education certificate. As a result, the
26 bill requires every person 12 years of age or older to obtain a
27 valid education certificate approved by DNR prior to, and have
28 the certificate in the person's possession while, operating an
29 ATV or UTV on a street or highway, public land, public ice, a
30 designated riding trail, or land purchased with ATV registration
31 funds in Iowa. A person is not required to possess an education
32 certificate if the operation is part of a prescribed education
33 training course and the operation is under the direct supervision
34 of a certified ATV education instructor.

35 Under current law, the fee for an education certificate is

1 \$5 and an education certificate must be issued to a qualified
2 applicant who successfully completes an education course and pays
3 the fee. The fees are credited to the special ATV fund and must
4 be used for educational programs. Any person who has completed
5 a course of instruction established under DNR rules, including
6 the successful passage of an examination which includes either
7 a written test relating to such course of instruction or the
8 demonstration of adequate riding skills, is considered qualified
9 to receive an education certificate. An education certificate
10 does not expire and remains valid until the certificate is
11 suspended or revoked by the DNR director as a result of a Code
12 chapter 321I (ATVs) law or rule violation.

13 The bill strikes the ability of a person who wishes to obtain
14 an education certificate to do so by demonstrating adequate
15 riding skills, thus requiring all such persons to successfully
16 complete a written test. This aligns these provisions with
17 the written test requirements for students qualifying for a
18 snowmobile education certificate under current law.

19 A person who is required to have a valid education certificate
20 and who operates an ATV or UTV without a valid education
21 certificate commits a simple misdemeanor punishable by a \$70
22 scheduled fine.