

**321.234A All-terrain vehicles highway use.**

1. All-terrain vehicles shall not be operated on a highway unless one or more of the following conditions apply:

*a.* The operation is between sunrise and sunset and is incidental to the vehicle's use for agricultural purposes.

*b.* The operation is incidental to the vehicle's use for the purpose of surveying by a licensed engineer or land surveyor.

*c.* The all-terrain vehicle is operated by an employee or agent of a political subdivision or public utility for the purpose of construction or maintenance on or adjacent to the highway.

*d.* The all-terrain vehicle is operated by an employee or agent of a public agency as defined in section 34.1 for the purpose of providing emergency services or rescue.

2. A person operating an all-terrain vehicle on a highway shall have a valid driver's license and the vehicle shall be operated at speeds of thirty-five miles per hour or less.

3. An all-terrain vehicle that is owned by the owner of land adjacent to a highway, other than an interstate road, may be operated by the owner of the all-terrain vehicle, or by a member of the owner's family, on the portion of the highway right-of-way that is between the shoulder of the roadway, or at least five feet from the edge of the roadway, and the owner's property line.

4. A person convicted of a violation of this section is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 3, paragraph "f".

85 Acts, ch 35, §3; 90 Acts, ch 1230, § 65; 98 Acts, ch 1073, §9; 99 Acts, ch 108, §4; 2000 Acts, ch 1203, §9; 2001 Acts, ch 137, §5; 2002 Acts, ch 1001, §1; 2004 Acts, ch 1132, §81