

1                                   **CLASSIFYING OFF-HIGHWAY VEHICLES AS**  
2                                   **ALLOWED ON DESIGNATED ROADS**

3                                   2005 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Thomas V. Hatch**

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7   **LONG TITLE**

8   **General Description:**

9           This bill modifies the Motor Vehicles Code to amend provisions related to off-highway  
10 vehicles.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ provides that an off-highway vehicle is allowed if it is being lawfully operated on  
14 designated streets or highways; and  
15           ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           None

20 **Utah Code Sections Affected:**

21 AMENDS:

22           **41-22-10.5**, as last amended by Chapter 159, Laws of Utah 2004

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24 *Be it enacted by the Legislature of the state of Utah:*

25           Section 1. Section **41-22-10.5** is amended to read:

26           **41-22-10.5. Local ordinances -- Designating routes -- Supervision.**

27           (1) A municipality or county may adopt ordinances designating certain streets and



28 highways under its respective jurisdiction as off-highway vehicle routes to allow off-highway  
29 vehicle operators to gain direct access to or from a private or public area open for off-highway  
30 vehicle use.

31 (2) A municipality or a county may adopt an ordinance requiring an operator who is  
32 under 16 years of age to be under the direct visual supervision of an adult who is at least 18  
33 years of age while using a route designated under Subsection (1).

34 (3) A route designated under Subsection (1) may not be along, across, or within the  
35 boundaries of an interstate freeway or limited access highway.

36 (4) Except as provided under Section 41-22-10.3, a person may not operate an  
37 off-highway vehicle on any street or highway that is not designated or posted as open for  
38 off-highway vehicle use in accordance with Subsection (1) or Section 41-22-10.1.

39 (5) Subsection (4) does not apply to off-highway implements of husbandry used in  
40 accordance with Section 41-22-5.5.

41 (6) If otherwise operated in compliance with this chapter, an off-highway vehicle being  
42 used on a street or highway designated under Subsection (1) is allowed.

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**Legislative Review Note**  
**as of 2-3-05 5:48 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0188**

**Classifying Off-Highway Vehicles as Allowed on Designated Roads**

*10-Feb-05*

*5:53 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**