# Chapter 22
# Off-highway Vehicles

## 41-22-1 Policy declaration.

It is the policy of this state to promote safety and protection for persons, property, and the environment connected with the use, operation, and equipment of off-highway vehicles, to promote uniformity of laws, to adopt and pursue a safety education program, and to develop trails and other facilities for the use of these vehicles.

Amended by Chapter 163, 1987 General Session

## 41-22-2 Definitions.

As used in this chapter:

(1) "Advisory council" means an advisory council appointed by the Division of Outdoor Recreation that has within the advisory council's duties advising on policies related to the use of off-highway vehicles.

(2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having a shipping weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of travel over unimproved terrain.

(3)

(a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width, traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a rollover protection system, and designed for or capable of travel over unimproved terrain, and is:

(i) an electric-powered vehicle; or

(ii) a vehicle powered by an internal combustion engine and has a shipping weight of 3,500 pounds or less.

(b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed or modified primarily for recreational use on unimproved terrain, or farm tractors as defined under Section 41-1a-102.

(4)

(a) "All-terrain type III vehicle" means any other motor vehicle, not defined in Subsection (2), (3), (13), or (24), designed for or capable of travel over unimproved terrain.

(b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed or modified primarily for recreational use on unimproved terrain, or farm tractors as defined under Section 41-1a-102.

(5) "Commission" means the Outdoor Adventure Commission.

(6) "Cross-country" means across natural terrain and off an existing highway, road, route, or trail.

(7) "Dealer" means a person engaged in the business of selling off-highway vehicles at wholesale or retail.

(8) "Division" means the Division of Outdoor Recreation.

(9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

(10) "Manufacturer" means a person engaged in the business of manufacturing off-highway vehicles.

(11)

(a) "Motor vehicle" means every vehicle which is self-propelled.
(b) "Motor vehicle" includes an off-highway vehicle.
(12) "Motorcycle" means the same as that term is defined in Section 41-6a-102.
(13) "Off-highway implement of husbandry" means every all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, off-highway motorcycle, or snowmobile that is used by the owner or the owner's agent for agricultural operations.
(14) "Off-highway motorcycle" means an off-highway vehicle that is a motorcycle and is designed for use primarily off-highway.
(15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.
(16)
(a) "Off-highway vehicle facility" means a facility or area designated for use by an off-highway vehicle.
(b) "Off-highway vehicle facility" includes a trail, trailhead, storage shed, water and electric infrastructure, or other infrastructure that provides or increases access to an area designated for use by an off-highway vehicle.
(17) "Operate" means to control the movement of or otherwise use an off-highway vehicle.
(18) "Operator" means the person who is in actual physical control of an off-highway vehicle.
(19) "Organized user group" means an off-highway vehicle organization incorporated as a nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, for the purpose of promoting the interests of off-highway vehicle recreation.
(20) "Owner" means a person, other than a person with a security interest, having a property interest or title to an off-highway vehicle and entitled to the use and possession of that vehicle.
(21) "Public land" means land owned or administered by any federal or state agency or any political subdivision of the state.
(22) "Register" means the act of assigning a registration number to an off-highway vehicle.
(23) "Roadway" is used as defined in Section 41-6a-102.
(24) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires, and equipped with a saddle or seat for the use of the rider.
(25) "Street or highway" means the entire width between boundary lines of every way or place of whatever nature, when any part of it is open to the use of the public for vehicular travel.
(26) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as defined in Section 41-6a-102.

Amended by Chapter 295, 2026 General Session

**41-22-3 Registration of vehicles -- Application -- Issuance of sticker and card -- Proof of property tax payment -- Records.**
(1)
(a) Unless exempted under Section 41-22-9, a person may not operate or place and an owner may not give another person permission to operate or place any off-highway vehicle on any public land, trail, street, or highway in this state unless the off-highway vehicle is registered under this chapter for the current year.
(b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway vehicle which can be used on any public land, trail, street, or highway in this state, unless the off-highway vehicle is registered or is in the process of being registered under this chapter for the current year.

(c) Unless specifically provided in this chapter, the division shall administer license plates, decals, and registration of off-highway vehicles in accordance with Chapter 1a, Motor Vehicle Act.

(2)

(a) The owner of an off-highway vehicle subject to registration under this chapter shall apply to the Motor Vehicle Division for registration on forms approved by the Motor Vehicle Division.

(b) An owner of an off-highway vehicle may apply for automatic registration renewal as described in Section 41-1a-216.

(c) A person may register an off-highway vehicle or street-legal all-terrain vehicle for a 24-month period as described in Section 41-1a-215.5.

(3) Each application for registration of an off-highway vehicle shall be accompanied by:

(a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of sale showing ownership, make, model, horsepower or displacement, and serial number;

(b) the past registration card; or

(c) the fee for a duplicate.

(4)

(a)

(i) Beginning on January 1, 2023, except as provided in Subsection (4)(e), the first time an off-highway vehicle is registered, the Motor Vehicle Division shall issue one off-highway vehicle license plate, a registration decal, and a registration card.

(ii) If an off-highway vehicle has been registered previously in this state but has not been issued an off-highway vehicle license plate, beginning on January 1, 2023, upon application for registration renewal, the Motor Vehicle Division shall issue one off-highway vehicle license plate, a registration decal, and a registration card.

(b) Upon each annual registration, the Motor Vehicle Division shall issue a registration decal and a registration card for each off-highway vehicle registered.

(c) The off-highway vehicle license plate:

(i) shall contain a unique five-digit number, using numbers, letters, or a combination of numbers and letters, to identify the off-highway vehicle for which it is issued;

(ii) shall be affixed to the rear of the off-highway vehicle for which it is issued in a plainly visible and upright position as prescribed by rule of the division under Section 41-22-5.1;

(iii) shall be maintained free of foreign materials and in a condition to be clearly legible;

(iv) shall be a distinct tan color with black lettering to identify the license plate as an off-highway vehicle license plate;

(v) shall have a location to attach the registration decal; and

(vi) may not be a personalized license plate or a special group license plate.

(d)

(i) At all times, proof of registration shall be kept with the off-highway vehicle and shall be available for inspection by a law enforcement officer.

(ii) An individual may show proof of registration by displaying:

(A) a digital copy or photograph of the registration card on a mobile electronic device;

(B) proof of registration on a mobile electronic device through a mobile application approved by the relevant state agency; or

(C) an original registration card issued by the Motor Vehicle Division.

(e) An off-highway vehicle that is an off-highway motorcycle or a snowmobile is:

(i) not required to obtain or display an off-highway vehicle license plate; and

(ii) required to obtain and display an off-highway vehicle registration sticker.

(5)

(a) Except as provided by Subsection (5)(c), an applicant for a registration card and registration decal shall provide the Motor Vehicle Division a certificate, described under Subsection (5)(b), from the county assessor of the county in which the off-highway vehicle has situs for taxation.
(b) The certificate required under Subsection (5)(a) shall state one of the following:
(i) the property tax on the off-highway vehicle for the current year has been paid;
(ii) in the county assessor's opinion, the tax is a lien on real property sufficient to secure the payment of the tax; or
(iii) the off-highway vehicle is exempt by law from payment of property tax for the current year.
(c) An off-highway vehicle for which an off-highway implement of husbandry sticker has been issued in accordance with Section 41-22-5.5 is:
(i) exempt from the requirement under this Subsection (5);
(ii) not required to obtain or purchase an off-highway vehicle license plate; and
(iii) required to obtain and display an off-highway vehicle registration sticker.
(6)
(a) All records of the division made or kept under this section shall be classified by the Motor Vehicle Division in the same manner as motor vehicle records are classified under Section 41-1a-116.
(b) Division records are available for inspection in the same manner as motor vehicle records under Section 41-1a-116.
(7) A violation of this section is an infraction.

Amended by Chapter 279, 2025 General Session

**41-22-3.5 Staggered registration dates -- Registration renewal.**
(1) Unless exempted under Section 41-22-9, or unless the off-highway vehicle or street-legal all-terrain vehicle is registered for a 24-month period as provided in Section 41-1a-215.5, an off-highway vehicle registration, a registration card, and a registration sticker issued under this chapter for the first registration of the off-highway vehicle in this state, continues in effect for a period of 12 months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.
(2) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the off-highway vehicle is extended to midnight of the next business day.
(3)
(a) The Motor Vehicle Division may receive applications for registration renewal and issue new registration cards at any time before the expiration of the registration, subject to the availability of renewal materials.
(b) An application for registration renewal shall be made in accordance with Section 41-22-3.
(4)
(a) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.
(b) The year of registration expiration shall be changed to reflect the renewed registration period.
(5) If the registration renewal application is an application generated by the Motor Vehicle Division through its automated system, the owner need not surrender the last registration card or duplicate.

Amended by Chapter 334, 2026 General Session

**41-22-4 Falsification of documents unlawful -- Alteration or removal of serial number unlawful -- Display of sticker.**

(1) A person may not:
  (a) knowingly falsify an application for registration, affidavit of ownership, or bill of sale for any off-highway vehicle;
  (b) alter, deface, or remove any manufacturer's serial number on any off-highway vehicle;
  (c) use or permit the use or display of any registration sticker, registration card, or permit upon an off-highway vehicle or in the operation of any off-highway vehicle other than the vehicle for which it was issued; or
  (d) alter or deface a registration sticker, registration card, or permit issued to an off-highway vehicle.
(2) A violation of this section is a class C misdemeanor.

Amended by Chapter 412, 2015 General Session

**41-22-5.1 Rules of division relating to display of registration stickers.**

In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division, after notifying the commission, shall make rules for the display of an off-highway vehicle license plate and registration decal on an off-highway vehicle in accordance with
Section 41-22-3.

Amended by Chapter 11, 2023 General Session

**41-22-5.5 Off-highway husbandry vehicles.**

(1)
  (a)
    (i) The owner of an all-terrain type I vehicle, off-highway motorcycle, all-terrain type II vehicle, all-terrain type III vehicle, or snowmobile used for agricultural purposes may apply to the Motor Vehicle Division for an off-highway implement of husbandry sticker.
    (ii) Each application under Subsection (1)(a)(i) shall be accompanied by:
      (A) evidence of ownership;
      (B) a title or a manufacturer's certificate of origin; and
      (C) a signed statement certifying that the off-highway vehicle is used for agricultural purposes.
    (iii) The owner shall receive an off-highway implement of husbandry sticker upon production of:
      (A) the documents required under this Subsection (1); and
      (B) payment of an off-highway implement of husbandry sticker fee established by the division, after notifying the commission, not to exceed $10.
  (b) If the vehicle is also used for recreational purposes on public lands, trails, streets, or highways, it shall also be registered under Section 41-22-3.
  (c) The off-highway implement of husbandry sticker shall be displayed in a manner prescribed by the division and shall identify the all-terrain type I vehicle, off-highway motorcycle, all-terrain type II vehicle, all-terrain type III vehicle, or snowmobile as an off-highway implement of husbandry.
(2) The off-highway implement of husbandry sticker is valid only for the life of the ownership of the all-terrain type I vehicle, off-highway motorcycle, all-terrain type II vehicle, all-terrain type III vehicle, or snowmobile and is not transferable.

(3) The off-highway implement of husbandry sticker is valid for an all-terrain type I vehicle, off-highway motorcycle, all-terrain type II vehicle, all-terrain type III vehicle, or snowmobile that is being operated adjacent to a roadway:
  (a) when the all-terrain type I vehicle, off-highway motorcycle, all-terrain type II vehicle, all-terrain type III vehicle, or snowmobile is only being used to travel from one parcel of land owned, operated, permitted, or leased for agricultural purposes by the owner of the vehicle to another parcel of land owned, operated, permitted, or leased for agricultural purposes by the owner; and
  (b) when this operation is necessary for the furtherance of agricultural purposes.
(4) If the operation of an off-highway implement of husbandry adjacent to a roadway is impractical, it may be operated on the roadway if the operator exercises due care towards conventional motor vehicle traffic.
(5) It is unlawful to operate an off-highway implement of husbandry along, across, or within the boundaries of an interstate freeway.
(6) A violation of this section is an infraction.

Amended by Chapter 285, 2025 General Session

**41-22-7 Duplicate registration cards and registration stickers.**
(1) If a registration card is lost or destroyed, or if an owner changes the owner's address from the address shown on the owner's registration card, the owner shall, within 15 days, apply for a duplicate registration card.
(2) If a registration sticker is lost, stolen, or becomes illegible, the owner of the off-highway vehicle shall immediately apply for and obtain a replacement registration sticker.

Amended by Chapter 159, 2004 General Session

**41-22-8 Registration fees.**
(1) Subject to Subsection (4), the division, after notifying the commission, shall establish the fees that shall be paid in accordance with this chapter, subject to the following:
  (a)
    (i) Except as provided in Subsection (1)(a)(ii) or (iii), the fee for each off-highway vehicle registration may not exceed $35.
    (ii) The fee for each snowmobile registration may not exceed $26.
    (iii) The fee for each street-legal all-terrain vehicle may not exceed $72.
  (b) The fee for each duplicate registration card may not exceed $3.
  (c) The fee for each duplicate registration sticker may not exceed $5.
(2) A fee may not be charged for an off-highway vehicle that is owned and operated by the United States Government, this state, or its political subdivisions.
(3)
  (a) In addition to the fees under this section, Section 41-22-33, and Section 41-22-34, the Motor Vehicle Division shall require a person to pay one dollar to register an off-highway vehicle under Section 41-22-3.
  (b) The Motor Vehicle Division shall deposit the fees the Motor Vehicle Division collects under Subsection (3)(a) into the Brain and Spinal Cord Injury Fund described in Section 26B-1-318.
(4) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the fee amounts are double the amounts due for the same vehicle registered for a 12-month period.

Amended by Chapter 279, 2025 General Session

**41-22-9 Vehicles exempt from registration.**

(1) The following off-highway vehicles are exempt from the registration requirements of this chapter:
  (a) vehicles that are currently registered for highway use, have a valid motor vehicle safety inspection sticker or certificate, and on which the required safety equipment has not been subsequently modified;
  (b) except as provided in Subsection (2), a street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509;
  (c) off-highway vehicles that are owned by a nonresident and that are displaying a current annual off-highway vehicle user decal in accordance with Section 41-22-35;
  (d) off-highway vehicles sold by a dealer to a person who is not a resident of this state;
  (e) off-highway implements of husbandry operated in the manner prescribed by Subsections 41-22-5.5(3) through (5); and
  (f) new off-highway vehicles being transported to an off-highway vehicle dealership by the dealer, employee of the dealership, or agent for the dealership.
(2) In addition to the registration requirements imposed under Section 41-6a-1509, a street-legal all-terrain vehicle is subject to the fees under Sections 41-22-8, 41-22-33, 41-22-34, and 41-22-36.

Amended by Chapter 36, 2008 General Session

**41-22-10 Powers of division relating to off-highway vehicles.**

The division may:
(1) appoint and seek recommendations from the advisory council representing the various off-highway vehicle, conservation, and other appropriate interests; and
(2) adopt a uniform marker and sign system for use by agents of appropriate federal, state, county, and city agencies in areas of off-highway vehicle use.

Amended by Chapter 68, 2022 General Session

**41-22-10.1 Vehicles operated on posted public land.**

(1) Currently registered off-highway vehicles may be operated on public land, trails, streets, or highways that are posted by sign or designated by map or description as open to off-highway vehicle use by the controlling federal, state, county, or municipal agency.
(2) The controlling federal, state, county, or municipal agency may:
  (a) provide a map or description showing or describing land, trails, streets, or highways open to off-highway vehicle use; or
  (b) post signs designating lands, trails, streets, or highways open to off-highway vehicle use.
(3) Liability may not be imposed on any federal, state, county, or municipality relating to the designation or maintenance of any land, trail, street, or highway open for off-highway vehicle use.
(4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-22-10.2 Off-highway vehicles -- Prohibited on interstate freeway.**

(1) It is unlawful for an off-highway vehicle to operate along, across, or within the boundaries of an interstate freeway, as defined in Section 41-6a-102.
(2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session
Amended by Chapter 454, 2015 General Session

**41-22-10.3 Operation of vehicles on highways -- Limits.**

A person may not operate an off-highway vehicle upon any street or highway, not designated as open to off-highway vehicle use, except:
(1) when crossing a street or highway and the operator comes to a complete stop before crossing, proceeds only after yielding the right of way to oncoming traffic, and crosses at a right angle;
(2) when loading or unloading an off-highway vehicle from a vehicle or trailer, which shall be done with due regard for safety, and at the nearest practical point of operation;
(3) when an emergency exists, during any period of time and at those locations when the operation of conventional motor vehicles is impractical or when the operation is directed by a peace officer or other public authority; or
(4) when operating a street-legal all-terrain vehicle or a street-legal novel vehicle on a highway in accordance with Section 41-6a-1509.
(5) A violation of this section is an infraction.

Amended by Chapter 459, 2024 General Session

**41-22-10.4 Snowmobiles.**

Snowmobiles may be operated on streets or highways which have been officially closed for the season to conventional motor vehicle traffic because snow removal is no longer provided for the season by the public authority having jurisdiction.

Enacted by Chapter 1, 1986 Special Session 2
Enacted by Chapter 1, 1986 Special Session 2

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

(1) A municipality or county may adopt ordinances:
  (a) designating certain streets and highways under its respective jurisdiction:
    (i) as open for general off-highway vehicle use; or
    (ii) as open for limited off-highway vehicle use to allow off-highway vehicle operators to gain direct access to or from a private or public area open for off-highway vehicle use; or
  (b) permitting the use of a street-legal all-terrain vehicle on a street or highway designated for:
    (i) general off-highway vehicle use under Subsection (1)(a)(i); or
    (ii) limited off-highway vehicle use under Subsection (1)(a)(ii).
(2) A municipality or county may not prohibit or restrict the use of a street-legal all-terrain vehicle on a street or highway where the use of another street-legal vehicle is permitted.
(3) A municipality or a county may adopt an ordinance requiring an operator who is under 16 years of age to be under the direct visual supervision of an adult who is at least 18 years of age while using a route designated under Subsection (1).
(4) A route designated under Subsection (1) may not be along, across, or within the boundaries of an interstate freeway.

(5) Except as provided under Section 41-22-10.3, a person may not operate an off-highway vehicle on any street or highway that is not designated or posted as open for off-highway vehicle use in accordance with Subsection (1) or Section 41-22-10.1.
(6) Subsection (5) does not apply to off-highway implements of husbandry used in accordance with Section 41-22-5.5.

Amended by Chapter 454, 2015 General Session

**41-22-10.6 Requiring compliance with traffic laws.**
(1) Any person operating an off-highway vehicle is subject to the provisions of Title 41, Chapter 6a, Traffic Code, unless specifically excluded.
(2) An off-highway vehicle accident shall be reported in accordance with the requirements of Section 41-6a-402.

Amended by Chapter 308, 2010 General Session

**41-22-10.7 Vehicle equipment requirements -- Rulemaking -- Exceptions.**
(1) Except as provided under Subsection (3), an off-highway vehicle shall be equipped with:
  (a) brakes adequate to control the movement of and to stop and hold the vehicle under normal operating conditions;
  (b) headlights and taillights when operated between sunset and sunrise;
  (c) a noise control device and except for a snowmobile, a spark arrestor device; and
  (d) when operated on sand dunes designated by the division, a safety flag that is:
    (i) a minimum of six by 12 inches; and
    (ii) attached to:
      (A) the off-highway vehicle so that the safety flag is at least eight feet above the surface of level ground; or
      (B) the protective headgear of a person operating an off-highway motorcycle so that the safety flag is at least 18 inches above the top of the person's head.
(2) A violation of Subsection (1) is an infraction.
(3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules, after notifying the commission, which set standards for the equipment and which designate sand dunes where safety flags are required under Subsection (1).
(4) An off-highway implement of husbandry used only in agricultural operations and not operated on a highway, is exempt from the provisions of this section.

Amended by Chapter 200, 2026 General Session

**41-22-10.8 Protective headgear requirements -- Owner duty -- Penalty for violation.**
(1) A person under the age of 18 may not operate or ride on an all-terrain type I vehicle, a snowmobile, or an off-highway motorcycle on public land unless the person is wearing a properly fitted and fastened, United States Department of Transportation safety-rated protective headgear designed for motorized vehicle use.
(2) The owner of an off-highway vehicle or any other person may not give permission to a person who is under 18 years old to operate or ride on an off-highway vehicle in violation of this section.

(3) An operator and passengers of off-highway implements of husbandry operated in the manner prescribed by Subsections 41-22-5.5(3) and (4) are exempt from the requirements of this section.
(4) Any person convicted of violations of this section is guilty of an infraction and shall be fined not more than $50 per offense.
(5) A court shall waive $8 of a fine charged for a violation of Title 41, Chapter 22, Off-highway Vehicles, to a person operating an off-highway vehicle on public land if the person was:
  (a) 18 years old or older at the time of operation; and
  (b) wearing protective headgear that complies with the requirements described under Subsection (1) at the time of operation.
(6) The failure to wear protective headgear:
  (a) does not constitute contributory or comparative negligence on the part of a person seeking recovery for injuries; and
  (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages.
(7) Notwithstanding Subsection (5), a court may not waive $8 of a fine charged to a person operating an off-highway vehicle on public land for a driving under the influence violation of Section 41-6a-502.

Amended by Chapter 285, 2025 General Session

**41-22-11 Agencies authorized to erect regulatory signs on public land.**
(1) No person, except an agent of an appropriate federal, state, county, or city agency, operating within that agency's authority, may place a regulatory sign governing off-highway vehicle use on any public land.
(2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-22-12 Restrictions on use of public lands.**
(1) Except as provided in Section 79-4-203 , federal agencies are encouraged and agencies of the state and its subdivisions shall pursue opportunities to open public land to responsible off-highway vehicle use and cross-country motor vehicle travel.
(2) A person may not tear down, mutilate, deface, or destroy:
  (a) a sign, signboard, or other notice that prohibits or regulates the use of an off-highway vehicle on public land; or
  (b) a fence or other enclosure or a gate or bars belonging to the fence or other enclosure.
(3) A violation of Subsection (2) is an infraction.

Amended by Chapter 507, 2024 General Session

**41-22-12.1 Restrictions on use of snowmobile trails.**
(1) A person may not operate a wheeled vehicle with a gross vehicle weight of 800 pounds or more on any snowmobile trail that the division has marked, posted, designated, or maintained as a snowmobile trail.
(2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-22-12.2 Unlawful cross-country motor vehicle travel on public land.**

(1) A person may not operate and an owner of a motor vehicle may not give another person permission to operate a motor vehicle cross-country on any public land not designated for that use by the controlling agency.

(2) A person who violates this section is guilty of an infraction.

(3)

(a)

(i) As part of any sentence for a conviction of a violation of this section, the court shall order the person to perform community service in the form of repairing any damage to the public land caused by the unlawful cross-country motor vehicle travel, with a minimum sentence calculated as described in Subsection (3)(b).

(ii) The court shall order the community service described in Subsection (3)(a)(i) to occur at the location or locations where the person caused damage to the public land.

(b) For the community service required in Subsection (3)(a), the court shall:

(i) determine the approximate value of the damage caused by the unlawful cross-country motor vehicle travel; and

(ii) calculate the number of hours of community service required to cover the cost of the damage caused by dividing the approximate value determined pursuant to Subsection (3)(b)(i) by a rate of $25 per hour.

Amended by Chapter 143, 2022 General Session

**41-22-12.5 Restrictions on use of privately-owned lands without permission -- Unlawful for person to tamper with signs or fencing on privately-owned land.**

(1)

(a) A person may not operate or accompany a person operating a motor vehicle on privately-owned land of any other person, firm, or corporation without permission from the owner or person in charge.

(b) A person operating or accompanying a person operating a motor vehicle may not refuse to immediately leave private land upon request of the owner or person in charge of the land.

(c) Subsections (1)(a) and (b) do not apply to prescriptive easements on privately owned land.

(d) A person who violates Subsection (1)(a) is guilty of an infraction.

(e) A person who violates Subsection (1)(b) is guilty of a class C misdemeanor.

(f)

(i) As part of any sentence for a conviction of a violation of this Subsection (1), the court shall order the person to perform community service in the form of repairing any damage to the land or infrastructure caused by the unlawful motor vehicle travel, with a minimum sentence calculated as described in Subsection (1)(f)(iii).

(ii) The court shall order the community service described in Subsection (1)(f)(i) to occur at the location or locations where the person caused damage to the private land or infrastructure.

(iii) For the community service required in Subsection (1)(f)(i), the court shall:

(A) determine the approximate value of the damage caused by the unlawful cross-country motor vehicle travel; and

(B) calculate the number of hours of community service required to cover the cost of the damage caused by dividing the approximate value determined pursuant to Subsection (1)(f)(iii)(A) by a rate of $25 per hour.

(2) A person operating or accompanying a person operating a motor vehicle may not obstruct an entrance or exit to private property without the owner's permission.
(3) A person may not:
(a) tear down, mutilate, or destroy any sign, signboards, or other notice which regulates trespassing for purposes of operating a motor vehicle on land; or
(b) tear down, deface, or destroy any fence or other enclosure or any gate or bars belonging to the fence or enclosure.
(4)
(a) A violation of Subsection (2) is an infraction.
(b) A violation of Subsection (3) is a class C misdemeanor.
(5)
(a)
(i) As part of any sentence for a conviction of a violation of Subsection (2) or (3), the court shall order the person to perform community service in the form of repairing any damage to the land or infrastructure caused by the unlawful motor vehicle travel, with a minimum sentence calculated as described in Subsection (5)(b).
(ii) The court shall order the community service described in Subsection (5)(a)(i) to occur at the location or locations where the person caused damage to the land or infrastructure.
(b) For the community service required in Subsection (5)(a), the court shall:
(i) determine the approximate value of the damage caused by the unlawful cross-country motor vehicle travel; and
(ii) calculate the number of hours of community service required to cover the cost of the damage caused by dividing the approximate value determined pursuant to Subsection (5)(b)(i) by a rate of $25 per hour.

Amended by Chapter 143, 2022 General Session

**41-22-12.7 Enhanced penalties for unlawful motor vehicle use on public or private property.**
(1) A person is guilty of a class C misdemeanor for unlawful cross-country use of a motor vehicle on public land or unlawful motor vehicle use on private property if the person:
(a) violates Section 41-22-12.2, 41-22-12.5, or 41-22-13; and
(b)
(i) has been convicted of violating Section 41-22-12, 41-22-12.2, 41-22-12.5, or 41-22-13 within the last two years; or
(ii) knowingly, intentionally, or recklessly:
(A) damages vegetation, trees, wetlands, riparian areas, fences, structures, or improvements; or
(B) harasses wildlife or livestock.
(2) As part of any sentence for a conviction of a violation described in Subsection (1), the court may:
(a) impose a fine not to exceed $300;
(b) require the person to pay restitution not to exceed $1,000 for damage caused by the unlawful motor vehicle use; and
(c) require the person to perform community service in the form of repairing any damage to the public land caused by the unlawful motor vehicle use.
(3) As part of any sentence for a conviction described in Subsection (1) that is within five years of a prior conviction described in Subsection (1), the court may:
(a) impose a fine not to exceed $1,000;

(b) require the person to pay restitution not to exceed $2,000 for damage caused by the unlawful motor vehicle use; and
(c) require the person to perform community service in the form of repairing any damage caused by the unlawful motor vehicle use.

Amended by Chapter 412, 2015 General Session

**41-22-12.8 Exceptions to off-highway vehicle use restrictions.**

The cross-country motor vehicle and off-highway vehicle restrictions in Sections 41-22-12.1, 41-22-12.2, 41-22-12.5, and 41-22-12.7 do not apply to:
(1) a law enforcement officer or emergency services personnel acting within the course and scope of their employment;
(2) an employee of the landowner or land manager acting within the course and scope of their employment;
(3) a person otherwise authorized to use a motor vehicle in a closed area by legal right or by permission of the landowner or land manager; and
(4) a person operating a motor vehicle on an R.S. 2477 right-of-way recorded or asserted by the state or a local highway authority.

Enacted by Chapter 289, 2009 General Session

**41-22-13 Prohibited uses.**

(1) No person may operate an off-highway vehicle in connection with acts of vandalism, harassment of wildlife or domestic animals, burglaries or other crimes, or damage to the environment which includes excessive pollution of air, water, or land, abuse of the watershed, impairment of plant or animal life, or excessive mechanical noise.
(2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-22-15 Permission required for race or organized event.**

(1) No person may organize, promote, or hold an off-highway vehicle race or other organized event on any land or highway within this state, except as permitted by the appropriate agency or landowner having jurisdiction over the land or highway.
(2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-22-16 Authorized peace officers -- Arrest provisions.**

(1) Any peace officer authorized under Title 53, Chapter 13, Peace Officer Classifications, may enforce the provisions of this chapter and the rules made under this chapter.
(2) Whenever any individual is arrested for any violation of the provisions of this chapter or a rule made under this chapter, the procedure for the arrest is the same as described in Sections 77-7-23 and 77-7-24.

Amended by Chapter 150, 2018 General Session

**41-22-17 Penalties for violations.**

(1) Except as otherwise provided, a person who violates the provisions of this chapter is guilty of an infraction.
(2) The division may revoke or suspend the registration of any off-highway vehicle whose application for registration has been falsified. The owner shall surrender to the division, within 15 days of suspension or revocation, the suspended or revoked registration card and registration sticker.

Amended by Chapter 412, 2015 General Session

**41-22-18 Ordinances or local laws relating to operation and equipment of vehicles.**

The provisions of this chapter and other applicable laws of this state govern the operation, equipment, registration, and all other matters relating to the use of off-highway vehicles on public land. Nothing in this chapter may be construed to prevent the adoption of any ordinance or local law relating to the operation and equipment of off-highway vehicles in which the provisions are identical to the provisions of this chapter or the rules promulgated under this chapter, but these ordinances or local laws shall be operative only as long as and to the extent that they continue to be identical to the provisions of this chapter or the rules promulgated under this chapter.

Amended by Chapter 1, 1986 Special Session 2
Amended by Chapter 1, 1986 Special Session 2

**41-22-19 Off-highway Vehicle Account -- Deposit and use of funds -- Grants and matching funds.**

(1)
(a) Except as provided under Subsections (3) through (5) and Sections 41-22-34 and 41-22-36, registration fees and related money collected by the Motor Vehicle Division or any agencies designated to act for the Motor Vehicle Division under this chapter shall be deposited as restricted revenue into the Off-highway Vehicle Account in the General Fund less the costs incurred by the Motor Vehicle Division for collecting off-highway vehicle registration fees.
(b) The balance of the money may be used by the division:
(i) for the construction, improvement, operation, acquisition, or maintenance of publicly owned or administered off-highway vehicle facilities, including public access facilities;
(ii) for the mitigation of impacts associated with off-highway vehicle use;
(iii) for the education of off-highway vehicle users;
(iv) for off-highway vehicle access protection;
(v) to support off-highway vehicle search and rescue activities and programs;
(vi) to promote and encourage off-highway vehicle tourism;
(vii) for other uses that further the policy set forth in Section 41-22-1;
(viii) as grants or matching funds with a federal agency, state agency, political subdivision of the state, or organized user group for any of the uses described in Subsections (1)(b)(i) through (vii); and
(ix) for the administration and enforcement of this chapter.
(2)
(a) An agency or political subdivision requesting matching funds shall submit plans for proposed off-highway vehicle facilities to the division for review and approval.
(b) The division may award an upfront grant from the Off-highway Vehicle Account to cover the entire projected cost of a project or program to:
(i) a political subdivision of the state that:

(A) is a county of the third through sixth class; and
(B) submits a plan for a project or program consistent with a use described in Subsection (1)(b); and
(ii) an organized user group or agency that submits a plan for a project or program:
(A) located in a county of the third through sixth class; and
(B) consistent with a use described in Subsection (1)(b).
(c) In awarding a grant under Subsection (2)(b), the division may evaluate a grant application submitted on or after January 1, 2025.
(3)
(a) One dollar and 50 cents of each annual registration fee collected under Subsection 41-22-8(1) and each off-highway vehicle user fee collected under Subsection 41-22-35(2) shall be deposited into the Land Grant Management Fund created under Section 53C-3-101.
(b) The Utah School and Institutional Trust Lands Administration shall use the money deposited under Subsection (3)(a) for costs associated with off-highway vehicle use of legally accessible lands within its jurisdiction as follows:
(i) to improve recreational opportunities on trust lands by constructing, improving, maintaining, or perfecting access for off-highway vehicle trails; and
(ii) to mitigate impacts associated with off-highway vehicle use.
(c) An unused balance of the money deposited under Subsection (3)(a) exceeding $350,000 at the end of each fiscal year shall be deposited into the Off-highway Vehicle Account under Subsection (1).
(4) One dollar of each off-highway vehicle registration fee collected under Subsection 41-22-8(1) shall be deposited into the Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.
(5)
(a) The Motor Vehicle Division shall collect a fee for any new or replacement license plate issued under this chapter.
(b) The fee described in Subsection (5)(a) shall be an amount equal to the fee for a new or replacement license plate as established in accordance with Section 63J-1-504.
(c) The Motor Vehicle Division shall deposit the fee described in Subsection (5)(a) into the License Plate Restricted Account created under Section 41-1a-122.
(6) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the deposited amounts described in this section shall be double the amount for the same vehicle registered for a 12-month period.
(7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division, after notifying the commission, shall make rules as necessary to implement this section.

Amended by Chapter 279, 2025 General Session

**41-22-20 Public land administrating agencies to develop facilities and programs.**

All public land administering agencies are encouraged:
(1) to develop and maintain trails, parking areas, rest rooms, and other related facilities appropriate to off-highway vehicle use; and
(2) to promote the safety, enjoyment, and responsible use of all forms of this recreational activity.

Amended by Chapter 363, 1997 General Session

**41-22-21 Publication of rules and amendments.**

The rules promulgated under this chapter and any amendments to those rules shall be published as required by the Utah Administrative Rulemaking Act.

Amended by Chapter 1, 1986 Special Session 2
Amended by Chapter 1, 1986 Special Session 2

**41-22-30 Supervision, safety certificate, or driver license required -- Penalty.**

(1) As used in this section, "direct supervision" means oversight at a distance:
  (a) of no more than 300 feet; and
  (b) within which:
    (i) visual contact is maintained; and
    (ii) advice and assistance can be given and received.
(2) A person may not operate and an owner may not give that person permission to operate an off-highway vehicle on any public land, trail, street, or highway of this state unless the person:
  (a) is able to reach and operate each control necessary to safely operate the off-highway vehicle;
  (b)
    (i) is under the direct supervision of an off-highway vehicle safety instructor during a scheduled safety training course approved by the division in accordance with Section 41-22-32 ; or
    (ii) possesses a safety certificate issued or approved by the division in accordance with Section 41-22-31; and
  (c) is under the direct supervision of a person who is at least 18 years old if the person operating the off-highway vehicle:
    (i) is under 18 years old;
    (ii) does not possess a valid license to operate a motor vehicle issued in accordance with Title 53, Chapter 3, Uniform Driver License Act; and
    (iii) is operating the off-highway vehicle on a public highway that is:
      (A) open to motor vehicles; and
      (B) not exclusively reserved for off-highway vehicle use.
(3)
  (a) A person convicted of a violation of this section is guilty of an infraction and shall be fined not more than $100 per offense.
  (b) It is a defense to a charge under this section, if the person charged:
    (i) produces in court a license or safety certificate described in Subsection (2)(b) that was:
      (A) valid at the time of the citation or arrest; and
      (B) issued to the person operating the off-highway vehicle; and
    (ii) can show that the direct supervision requirement under Subsection (2)(b) was not violated at the time of citation or arrest.
(4) The requirements of this section do not apply to an operator of an off-highway implement of husbandry.
(5) Nothing in this section allows an individual without a valid driver license issued in accordance with Title 53, Chapter 3, Uniform Driver License Act, to operate a street-legal all-terrain vehicle on a roadway.

Amended by Chapter 143, 2022 General Session

**41-22-31 Division to set standards for safety program -- Safety certificates issued -- Cooperation with public and private entities -- State immunity from suit.**

(1)

(a) The division shall:
(i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules, after notifying the commission, that establish curriculum standards for a comprehensive off-highway vehicle safety education and training program as described in this section; and
(ii) implement the program.
(b)
(i) The division shall design the program to develop and instill the knowledge, attitudes, habits, and skills necessary for the safe and ethical operation of an off-highway vehicle.
(ii) Components of the program shall include:
(A) the preparation and dissemination of off-highway vehicle information and safety advice to the public;
(B) the training of off-highway vehicle operators;
(C) education concerning the importance of gates and fences used in agriculture and how to properly close a gate; and
(D) education concerning respectful, sustainable, and on-trail off-highway vehicle operation, and respect for communities affected by off-highway vehicle operation.
(iii) Off-highway vehicle safety certificates shall be issued to those who successfully complete training or pass the knowledge and skills test established under the program and described in Subsections (2) and (3).
(iv) The division shall ensure that an individual has the option to complete the program online.
(2) Except as provided in Subsection (4)(b), an individual under 18 years old may not operate an off-highway vehicle on public lands in this state unless the individual has completed the requirements of the program established in accordance with this section and rules made in accordance with Subsection (1) by completing:
(a) an in-person safety and skills course offered by the division; or
(b) a safety and skills course approved by the division that is offered online.
(3) Except as provided in Subsection (4)(a), an individual who is 18 years old or older may not operate an off-highway vehicle on public lands in this state unless the individual has completed the requirements of the program established in accordance with this section and rules made in accordance with Subsection (1) by completing:
(a) a course described in Subsection (2); or
(b) a one-time course offered or approved by the division.
(4) The requirements described in this section do not apply to:
(a) an individual who is 18 years old or older operating:
(i) a snowmobile;
(ii) an off-highway implement of husbandry; or
(iii) an off-highway vehicle as part of a guided tour or a sanctioned off-highway vehicle event; or
(b) an individual under 18 years old operating an off-highway implement of husbandry.
(5) A person may not rent an off-highway vehicle to an individual until the individual who will operate the off-highway vehicle presents a certificate of completion of the off-highway vehicle safety education and training program established in accordance with this section and rules made under Subsection (1).
(6) The division may cooperate with appropriate private organizations and associations, private and public corporations, and local government units to implement the program established under this section.
(7) In addition to the governmental immunity granted in Title 63G, Chapter 7, Governmental Immunity Act of Utah, the state is immune from suit for any act, or failure to act, in any capacity relating to the off-highway vehicle safety education and training program. The state is also

not responsible for any insufficiency or inadequacy in the quality of training provided by this program.

(8) A person convicted of a violation of this section is guilty of an infraction and shall be fined not more than $150 per offense.

Amended by Chapter 88, 2024 General Session

**41-22-32 Approval of safety courses.**

(1)

(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules, after consultation with the commission, that establish standards for an off-highway vehicle safety course for instruction on the safe operation of an off-highway vehicle.

(b) The division shall require that the information described in Subsection 41-22-31(1)(b)(ii) be part of an off-highway vehicle safety course for instruction on the safe operation of an off-highway vehicle.

(2) If a private organization meets the standards set by the division under Subsection (1), the division shall approve the off-highway vehicle safety course as compliant with the standards and purposes of this chapter.

Amended by Chapter 11, 2023 General Session

**41-22-33 Fees for safety and education program -- Penalty -- Unlawful acts.**

(1) A fee set by the division, after notifying the commission, in accordance with Section 63J-1-504 shall be added to the registration fee required to register an off-highway vehicle under Section 41-22-8 to help fund the off-highway vehicle safety and education program.

(2) If the division modifies the fee under Subsection (1), the modification shall take effect on the first day of the calendar quarter after 90 days from the day on which the division provides the State Tax Commission:

(a) notice from the division stating that the division will modify the fee; and

(b) a copy of the fee modification.

(3) The division shall require a person registering an off-highway vehicle or a street-legal all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5 to pay double the amount of the fee described in Subsection (1) for the same vehicle registered for a 12-month period.

Amended by Chapter 279, 2025 General Session

**41-22-34 Search and rescue fee -- Amount -- Deposition.**

(1) In addition to the fees imposed under Sections 41-22-8 and 41-22-33, there is imposed a search and rescue fee of 50 cents on each off-highway vehicle required to be registered or renewed under Section 41-22-3.

(2) The fees imposed under this section shall be collected in the same manner and by the same agency designated to collect the fees imposed under this chapter.

(3) The fees collected under this section shall be deposited into the General Fund as dedicated credits for the Search and Rescue Financial Assistance Program created under Section 53-2a-1101.

(4) The division shall require a person registering an off-highway vehicle or a street-legal all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5 to pay double the

amount of the fee described in Subsection (1) for the same vehicle registered for a 12-month period.

Amended by Chapter 279, 2025 General Session

**41-22-35 Off-highway vehicle user fee -- Decal -- Agents -- Penalty for fraudulent issuance of decal -- Deposit and use of fee revenue.**

(1)
(a) Except as provided in Subsection (1)(b), any person owning or operating a nonresident off-highway vehicle who operates or gives another person permission to operate the nonresident off-highway vehicle on any public land, trail, street, or highway in this state shall:
(i) apply for an off-highway vehicle decal issued exclusively for an off-highway vehicle owned by a nonresident of the state;
(ii) pay an annual off-highway vehicle user fee;
(iii) provide evidence that the owner is a nonresident; and
(iv) provide evidence of completion of the safety course and program described in Section 41-22-31.
(b) The provisions of Subsection (1)(a) do not apply to an off-highway vehicle if the off-highway vehicle is:
(i) used exclusively as an off-highway implement of husbandry;
(ii) used exclusively for the purposes of a scheduled competitive event sponsored by a public or private entity or another event sponsored by a governmental entity under rules made by the division, after notifying the commission;
(iii) owned and operated by a state government agency and the operation of the off-highway vehicle within the boundaries of the state is within the course and scope of the duties of the agency;
(iv) used exclusively for the purpose of an off-highway vehicle manufacturer sponsored event within the state under rules made by the division; or
(v) operated as part of a sanctioned off-highway vehicle event or part of an official tour by a person licensed as a off-highway vehicle tour guide in this state.
(2) The division may:
(a) after notifying the commission, set a resident and nonresident off-highway vehicle user fee in accordance with Section 63J-1-504; and
(b) collect an electronic payment fee in accordance with Section 41-22-35.5.
(3) Upon compliance with Subsection (1)(a), the nonresident shall:
(a) receive a nonresident off-highway vehicle user decal indicating compliance with the provisions of Subsection (1)(a); and
(b) display the decal on the off-highway vehicle in accordance with rules made by the division.
(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division, after notifying the commission, shall make rules establishing:
(a) procedures for:
(i) the payment of off-highway vehicle user fees; and
(ii) the display of a decal on an off-highway vehicle as required under Subsection (3)(b);
(b) acceptable evidence indicating compliance with Subsection (1);
(c) eligibility for scheduled competitive events or other events under Subsection (1)(b)(ii); and
(d) eligibility for an off-highway vehicle manufacturer sponsored event under Subsection (1)(b)(iv).
(5)

(a) An off-highway vehicle user decal may be issued and the off-highway vehicle user fee may be collected by the division or agents of the division.
(b) An agent shall retain 10% of all off-highway vehicle user fees collected.
(c) The division may require agents to obtain a bond in a reasonable amount.
(d) On or before the tenth day of each month, each agent shall:
(i) report all sales to the division; and
(ii) submit all off-highway vehicle user fees collected less the remuneration provided in Subsection (5)(b).
(e)
(i) If an agent fails to pay the amount due, the division may assess a penalty of 20% of the amount due.
(ii) Delinquent payments shall bear interest at the rate of 1% per month.
(iii) If the amount due is not paid because of bad faith or fraud, the division shall assess a penalty of 100% of the total amount due together with interest.
(f) All fees collected by an agent, except the remuneration provided in Subsection (5)(b), shall:
(i) be kept separate and apart from the private funds of the agent; and
(ii) belong to the state.
(g) An agent may not issue an off-highway vehicle user decal to any person unless the person furnishes evidence of compliance with the provisions of Subsection (1)(a).
(h) A violation of any provision of this Subsection (5) is a class B misdemeanor and may be cause for revocation of the agent authorization.
(6) Revenue generated by off-highway vehicle user fees shall be deposited into the Off-highway Vehicle Account created in Section 41-22-19.

Amended by Chapter 88, 2024 General Session

**41-22-35.5 Electronic payment fee.**
(1) As used in this section:
(a) "Electronic payment" means use of a form of payment processed through electronic means, including use of a credit card, debit card, or automatic clearinghouse transaction.
(b) "Electronic payment fee" means the fee assessed to defray:
(i) a charge, discount fee, or process fee charged by a processing agent to process an electronic payment, including a credit card company; or
(ii) costs associated with the purchase of equipment necessary for processing an electronic payment.
(2)
(a) The division may impose and collect an electronic payment fee on an electronic payment related to an off-highway vehicle user fee.
(b) The division may charge an electronic payment fee under this section in an amount not to exceed 3% of the electronic payment.
(c) With regard to the electronic payment fee, the division is not required to separately identify the electronic payment fee from a fee imposed for an off-highway vehicle user fee.
(3) The division shall deposit the electronic payment fee into the Off-highway Vehicle Account described in Section 41-22-19.

Enacted by Chapter 88, 2024 General Session

**41-22-36 Fees to cover the costs of electronic payments.**

(1) As used in this section:
(a) "Electronic payment" has the same meaning as defined in Section 41-1a-1221.
(b) "Electronic payment fee" has the same meaning as defined in Section 41-1a-1221.
(2)
(a) The Motor Vehicle Division may collect an electronic payment fee on all registrations and renewals of registration under Section 41-22-8.
(b) The fee described in Subsection (2)(a) shall be imposed regardless of the method of payment for a particular transaction.
(3) The division shall establish the fee according to the procedures and requirements of Section 63J-1-504.
(4) A fee imposed under this section:
(a) shall be deposited in the Electronic Payment Fee Restricted Account created by Section 41-1a-121;
(b) is not subject to Subsection 63J-1-105(3) or (4); and
(c) need not be separately identified from the fees imposed on registrations and renewals of registration under Section 41-22-8.

Amended by Chapter 469, 2018 General Session

**41-22-37 Off-highway vehicle operator responsibilities.**
(1) An off-highway vehicle operator who is 18 years of age or older shall accept legal responsibility for injury or damage of any kind to the extent that the injury or damage results from risks inherent in the sport of off-highway vehicle use.
(2)
(a) An off-highway vehicle operator shall regulate personal conduct at all times so that injury to self or other persons or property that results from the risks inherent in the sport of off-highway vehicle operation is avoided.
(b) Risks inherent in the sport of off-highway vehicle operation under Subsection (1) include:
(i) variations in terrain;
(ii) surface or subsurface conditions;
(iii) crevices;
(iv) ravines;
(v) streams;
(vi) poor visibility;
(vii) rocks;
(viii) trees;
(ix) other forms of forest growth or debris; and
(x) any other natural hazard.
(3) An off-highway vehicle operator is responsible for:
(a) knowing the range of the operator's ability to navigate any slope, trail, or area for off-highway vehicle use, taking into consideration the conditions;
(b) maintaining control of speed and course at all times while operating the off-highway vehicle;
(c) heeding all posted warnings; and
(d) refraining from acting in a manner that may cause or contribute to the injury of any person.
(4) The provisions of this section do not affect a product liability cause of action based upon proper warning, design, or manufacture of off-highway equipment or products or safety equipment used incidental to the operation of an off-highway vehicle.

(5) The provisions of this section do not affect a passenger's cause of action or ability to recover for injuries.
(6) The provisions of this section do not affect an off-highway vehicle owner's liability for negligent entrustment.

Enacted by Chapter 150, 2011 General Session