

1st Sub. S.B. 181

OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 1, Lines 22 through 23b*

Senate 3rd Reading Amendments

2-13-2008:

- 22 jurisdiction {~~§~~};
22a ~~_____~~ {~~§~~} as open to street-legal all-terrain {~~off-highway~~} vehicle use, general
23 off-highway vehicle use, or limited off-highway vehicle use; {~~§~~ or
23a ~~_____~~ where operating a street-legal all-terrain vehicle on the highway is prohibited;
23b ~~§~~} and

2. *Page 2, Line 41:*

- 41 41-22-10.5, as last amended by Laws of Utah 2004, Chapter 159
= 53-8-205, as last amended by Laws of Utah 2003, Chapter 108

3. *Page 4, Line 89:*

- 89 nonresident tuition or fees; or

4. *Page 6, Lines 170 through 171:*

- 170 (3) (a) The following motor vehicles are exempt from this section:
171 {~~(a)~~} (i) except as provided in Subsection (3) {~~(c)~~ (b)}, a new motor vehicle when
registered the

5. *Page 16, Lines 482 through 486*

a. Senate 3rd Reading Amendments

b. 2-13-2008:

- 482 (1) (a) Except as provided in Subsection (1)(b) {~~§~~ and Subsection 41-22-10.5(2) §} , an
482a all-terrain type I or type II vehicle
483 that meets the requirements of this section may be operated as a street-legal ATV on a street or
484 highway that {~~§~~
485 ~~_____~~ (i) is a highway with one lane in each direction {~~§~~ and
486 ~~_____~~ (ii) has a posted speed limit of no more than 50 miles per hour} .

6. Page 17, Lines 491 through 493:

- 491 (i) a county of the first class;
492 (ii) a municipality that is within a county of the first class; or
493 (iii) a municipality with a population of \$→ [20,000] {~~5,000~~} 7,500 ←\$ or more people.

7. Page 17, Line 513

Senate 3rd Reading Amendments
2-13-2008:

- 513 (a) one or more headlamps that meet the requirements of Section 41-6a-1603;

8. Page 17, Line 519

a. Senate 3rd Reading Amendments
b. 2-13-2008:

- 519 (f) amber electric turn signals . one each side of the front and rear;

9. Page 18, Line 525:

- 525 (j) rearview mirrors on the {~~rights~~} right and left side of the driver in accordance with Section

10. Page 18, Line 527:

- 527 (k) a windshield . unless the operator wears eye protection while operating the vehicle;

11. Page 18, Lines 531 through 532:

- 531 (n) for vehicles with side-by-side seating, seatbelts for each vehicle occupant.

(5) An operator of a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway in accordance with this section, may not exceed the lesser of:

(a) the posted speed limit; or

(b) 50 miles per hour.

- 532 {~~(5)~~} (6) (a) A nonresident operator of an off-highway vehicle that is authorized to be

12. Page 18, Line 539:

- 539 privileges for nonresident users granted under Subsection {~~(5)~~} (6) (a).

13. Page 25, Lines 762 through 762d

a. Senate 3rd Reading Amendments
b. 2-13-2008:

- 762 {~~(2)~~ \$→ Notwithstanding the provisions in Subsection 41-6a-1509(1)(a), a municipality
762a or county may adopt ordinances designating certain streets and highways under its respective

762b jurisdiction where operating a street-legal all-terrain vehicle on the street or highway is

762c prohibited.

762d ~~—(3)←§~~ } (2) A municipality or a county may adopt an ordinance requiring an operator who is

14. Page 25, Line 765

a. Senate 3rd Reading Amendments

b. 2-13-2008:

765 §→ {+} (3) {+} {~~(4)~~} ←§ A route designated under Subsection (1) may not be along, across,
or within the

15. Page 25, Line 767

a. Senate 3rd Reading Amendments

b. 2-13-2008:

767 §→ {+} (4) {+} {~~(5)~~} ←§ Except as provided under Section 41-22-10.3, a person may not
operate an

16. Page 26, Line 771:

771 accordance with Section 41-22-5.5.

Section 13. Section 53-8-205 is amended to read:

53-8-205. Safety inspection required -- Frequency of safety inspection -- Safety inspection certificate required -- Out-of-state permits.

(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a highway a motor vehicle required to be registered in this state unless the motor vehicle has passed a safety inspection.

(b) Subsection (1)(a) does not apply to:

(i) ~~{vehicles}~~ **a vehicle that is** exempt from registration under Section 41-1a-205; and

(ii) ~~{off-highway vehicles}~~ **an off-highway vehicle, unless the off-highway vehicle is being registered as a street-legal all-terrain vehicle in accordance with Section 41-6a-1509** .

(2) Except as provided in Subsection (3), the frequency of the safety inspection shall be determined based on the age of the vehicle determined by model year and shall:

(a) be required each year for a vehicle that is eight or more years old on January 1; or

(b) every two years for each vehicle that is less than eight years old on January 1 as follows:

(i) in odd-numbered years for a vehicle with an odd-numbered model year; and

(ii) in even-numbered years for a vehicle with an even-numbered model year;

(c) be made by a safety inspector certified by the division at a safety inspection station authorized by the division;

(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure proper adjustment and condition as required by department rules; and

(e) include an inspection for the display of license plates in accordance with Section 41-1a-404.

(3) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.

(b) After initial registration as a salvage vehicle, the frequency of the safety inspection shall correspond with the model year, as provided in Subsection (2).

(4) A safety inspection station shall issue a safety inspection certificate to the owner of ;

(a) each motor vehicle that passes a safety inspection under this section ; and

(b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section 41-6a-1509 .

(5) The division may:

(a) authorize the acceptance in this state of a safety inspection certificate issued in another state having a safety inspection law similar to this state; and

(b) extend the time within which a safety inspection certificate must be obtained by the resident owner of a vehicle that was not in this state during the time a safety inspection was required.