

1 **VEHICLE SAFETY FLAGS ON OFF-HIGHWAY**

2 **VEHICLES**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Brent H. Goodfellow**

6 House Sponsor: Larry B. Wiley

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Off-Highway Vehicles Code by amending provisions relating to
11 off-highway vehicle equipment requirements.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ provides that a safety flag may be attached to the protective headgear of a person
15 operating a motorcycle rather than attaching the safety flag to the motorcycle as
16 required when operating on certain sand dunes.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **41-22-10.7**, as last amended by Laws of Utah 2008, Chapter 382

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

26 Section 1. Section **41-22-10.7** is amended to read:

27 **41-22-10.7. Vehicle equipment requirements -- Rulemaking -- Exceptions.**

28 (1) Except as provided under Subsection (3), an off-highway vehicle shall be equipped
29 with:

30 (a) brakes adequate to control the movement of and to stop and hold the vehicle under
31 normal operating conditions;

32 (b) headlights and taillights when operated between sunset and sunrise;

33 (c) a noise control device and except for a snowmobile, a spark arrestor device; and

34 (d) when operated on sand dunes designated by the board, a safety flag[;] that is:

35 (i) red or orange in color [~~and~~];

36 (ii) a minimum of six by 12 inches[;]; and

37 (iii) attached to:

38 (A) the off-highway vehicle so that the safety flag is at least eight feet above the
39 surface of level ground[~~, when operated on sand dunes designated by the board~~]; or

40 (B) the protective headgear of a person operating a motorcycle so that the safety flag is
41 at least 18 inches above the top of the person's head.

42 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
43 the board may make rules which set standards for the equipment and which designate sand
44 dunes where safety flags are required under Subsection (1).

45 (3) An off-highway implement of husbandry used only in agricultural operations and
46 not operated on a highway, is exempt from the provisions of this section.