

Representative Michael E. Noel proposes the following substitute bill:

STREET-LEGAL ALL-TERRAIN VEHICLE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends provisions related to the operation of a street-legal all-terrain vehicle.

Highlighted Provisions:

This bill:

- ▶ amends provisions in the Traffic Code relating to operation of a street-legal all-terrain vehicle; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1509, as last amended by Laws of Utah 2015, Chapters 412 and 454

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

Section 1. Section **41-6a-1509** is amended to read:

41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --



26 **Registration and licensing requirements -- Equipment requirements.**

27 (1) (a) ~~[Except as provided in Subsection (1)(b), an]~~ An all-terrain type I vehicle, utility
28 type vehicle, or full-sized all-terrain vehicle that meets the requirements of this section may be
29 operated as a street-legal ATV on a street or highway unless ~~[the highway]:~~

30 (i) the highway is an interstate freeway as defined in Section 41-6a-102[-]; or

31 ~~[(b) Unless a street or highway is designated as open for street-legal ATV use by the~~
32 ~~controlling highway authority in accordance with Section 41-22-10.5, a person may not operate~~
33 ~~a street-legal ATV on a street or highway in accordance with Subsection (1)(a) if the highway~~
34 ~~is under the jurisdiction of:]~~

35 ~~[(i) a county of the first class; or]~~

36 ~~[(ii) a municipality that is within a county of the first class.]~~

37 (ii) (A) the highway is in a county of the first class;

38 (B) the highway is near a grade separated portion of the highway;

39 (C) the highway has a posted speed limit of 50 miles per hour or greater; and

40 (D) the highway authority with jurisdiction over the highway has designated a portion
41 of a highway as closed to street-legal ATVs.

42 (b) The restriction to street-legal ATVs described in Subsection (1)(a)(ii) is effective
43 when appropriate signs giving notice are erected on the highway or portion of the highway.

44 (2) A street-legal ATV shall comply with the same requirements as:

45 (a) a motorcycle for:

46 (i) traffic rules under Title 41, Chapter 6a, Traffic Code;

47 (ii) registration, titling, odometer statement, vehicle identification, license plates, and
48 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

49 (iii) fees in lieu of property taxes or in lieu of fees under Section 59-2-405.2; and

50 (iv) the county motor vehicle emissions inspection and maintenance programs under
51 Section 41-6a-1642;

52 (b) a motor vehicle for:

53 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

54 (ii) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of
55 Motor Vehicle Owners and Operators Act; and

56 (iii) safety inspection requirements under Title 53, Chapter 8, Part 2, Motor Vehicle

57 Safety Inspection Act, except that a street-legal ATV shall be subject to a safety inspection:

58 (A) when registered for the first time; and

59 (B) subsequently, on the same frequency as described in Subsection 53-8-205(2) based
60 on the age of the vehicle as determined by the model year identified by the manufacturer; and

61 (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title
62 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business
63 Regulation Act, unless otherwise specified in this section.

64 (3) (a) An all-terrain type I vehicle and a utility type vehicle being operated as a
65 street-legal ATV shall be equipped with:

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

67 (ii) one or more tail lamps;

68 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
69 with a white light;

70 (iv) one or more red reflectors on the rear;

71 (v) one or more stop lamps on the rear;

72 (vi) amber or red electric turn signals, one on each side of the front and rear;

73 (vii) a braking system, other than a parking brake, that meets the requirements of
74 Section 41-6a-1623;

75 (viii) a horn or other warning device that meets the requirements of Section
76 41-6a-1625;

77 (ix) a muffler and emission control system that meets the requirements of Section
78 41-6a-1626;

79 (x) rearview mirrors on the right and left side of the driver in accordance with Section
80 41-6a-1627;

81 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;

82 (xii) a speedometer, illuminated for nighttime operation;

83 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
84 seat designed for passengers, including a footrest and handhold for each passenger;

85 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and

86 (xv) tires that:

87 (A) are not larger than the tires that the all-terrain vehicle manufacturer made available

88 for the all-terrain vehicle model; and

89 (B) have at least 2/32 inches or greater tire tread.

90 (b) A full-sized all-terrain vehicle being operated as a street-legal all-terrain vehicle
91 shall be equipped with:

92 (i) two headlamps that meet the requirements of Section 41-6a-1603;

93 (ii) two tail lamps;

94 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
95 with a white light;

96 (iv) one or more red reflectors on the rear;

97 (v) two stop lamps on the rear;

98 (vi) amber or red electric turn signals, one on each side of the front and rear;

99 (vii) a braking system, other than a parking brake, that meets the requirements of

100 Section 41-6a-1623;

101 (viii) a horn or other warning device that meets the requirements of Section

102 41-6a-1625;

103 (ix) a muffler and emission control system that meets the requirements of Section

104 41-6a-1626;

105 (x) rearview mirrors on the right and left side of the driver in accordance with Section

106 41-6a-1627;

107 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;

108 (xii) a speedometer, illuminated for nighttime operation;

109 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
110 seat designed for passengers, including a footrest and handhold for each passenger;

111 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and

112 (xv) tires that:

113 (A) do not exceed 44 inches in height; and

114 (B) have at least 2/32 inches or greater tire tread.

115 (c) A street-legal all-terrain vehicle is not required to be equipped with wheel covers,
116 mudguards, flaps, or splash aprons.

117 (4) (a) Subject to the requirement in Subsection (4)(b), an operator of a street-legal
118 all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may not

119 exceed the lesser of:

120 (i) the posted speed limit; or

121 (ii) 50 miles per hour.

122 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
123 all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

124 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
125 roadway; and

126 (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the front
127 and back of both sides of the vehicle.

128 (5) (a) A nonresident operator of an off-highway vehicle that is authorized to be
129 operated on the highways of another state has the same rights and privileges as a street-legal
130 ATV that is granted operating privileges on the highways of this state, subject to the
131 restrictions under this section and rules made by the Board of Parks and Recreation, if the other
132 state offers reciprocal operating privileges to Utah residents.

133 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
134 Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating
135 privileges for nonresident users granted under Subsection (5)(a).

136 (6) Nothing in this chapter shall restrict the operation of an off-highway vehicle in
137 accordance with Section [41-22-10.5](#).

138 (7) A violation of this section is an infraction.