

STREET-LEGAL ATV AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill modifies provisions related to street-legal all-terrain vehicles.

Highlighted Provisions:

This bill:

- ▶ addresses the circumstances under which an all-terrain type I vehicle, utility type vehicle, or full-sized all-terrain vehicle may operate as a street-legal ATV on a highway in a county of the first class; and

- ▶ makes technical changes.

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 2017, Chapters 393 and 406

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



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

32 (b) An individual may not operate an all-terrain type I vehicle, utility type vehicle, or
33 full-sized all-terrain vehicle as a street-legal ATV on a highway if:

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

35 (ii) ~~[(A)]~~ the highway is in a county of the first class[;] and each of the following
36 criterion is met:

37 ~~[(B)]~~ (A) the highway is near a grade separated portion of the highway; and

38 ~~[(C)]~~ (B) the highway has a posted speed limit [of] higher than 50 miles per hour [or
39 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 (c) Nothing in this section authorizes the operation of a street-legal ATV in an area that
45 is not open to motor vehicle use.

46 (2) A street-legal ATV shall comply with Subsection 41-1a-205(1), Subsection
47 53-8-205(1)(b), and the same requirements as:

48 (a) a motorcycle for:

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

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

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

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

55 (b) a motor vehicle for:

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

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

59 (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title
60 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business
61 Regulation Act, unless otherwise specified in this section.

62 (3) (a) The owner of an all-terrain type I vehicle or a utility type vehicle being operated
63 as a street-legal ATV shall ensure that the vehicle is equipped with:

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

65 (ii) one or more tail lamps;

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

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

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

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

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

73 (viii) a horn or other warning device that meets the requirements of Section
74 41-6a-1625;

75 (ix) a muffler and emission control system that meets the requirements of Section
76 41-6a-1626;

77 (x) rearview mirrors on the right and left side of the driver in accordance with Section
78 41-6a-1627;

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

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

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

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

84 (xv) tires that:

85 (A) are not larger than the tires that the all-terrain vehicle manufacturer made available
86 for the all-terrain vehicle model; and

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

88 (b) The owner of a full-sized all-terrain vehicle being operated as a street-legal
89 all-terrain vehicle shall ensure that the vehicle is equipped with:

- 90 (i) two headlamps that meet the requirements of Section 41-6a-1603;
- 91 (ii) two tail lamps;
- 92 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
93 with a white light;
- 94 (iv) one or more red reflectors on the rear;
- 95 (v) two stop lamps on the rear;
- 96 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 97 (vii) a braking system, other than a parking brake, that meets the requirements of
98 Section 41-6a-1623;
- 99 (viii) a horn or other warning device that meets the requirements of Section
100 41-6a-1625;
- 101 (ix) a muffler and emission control system that meets the requirements of Section
102 41-6a-1626;
- 103 (x) rearview mirrors on the right and left side of the driver in accordance with Section
104 41-6a-1627;
- 105 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- 106 (xii) a speedometer, illuminated for nighttime operation;
- 107 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
108 seat designed for passengers, including a footrest and handhold for each passenger;
- 109 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
- 110 (xv) tires that:
 - 111 (A) do not exceed 44 inches in height; and
 - 112 (B) have at least 2/32 inches or greater tire tread.
- 113 (c) The owner of a street-legal all-terrain vehicle is not required to equip the vehicle
114 with wheel covers, mudguards, flaps, or splash aprons.
- 115 (4) (a) Subject to the requirements of Subsection (4)(b), an operator of a street-legal
116 all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may not
117 exceed the lesser of:
 - 118 (i) the posted speed limit; or
 - 119 (ii) 50 miles per hour.
- 120 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal

121 all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

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

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

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

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

134 (6) Nothing in this chapter restricts the owner of an off-highway vehicle from operating
135 the off-highway vehicle in accordance with Section [41-22-10.5](#).

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

Legislative Review Note
Office of Legislative Research and General Counsel