

1 **STREET-LEGAL ATV AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lincoln Fillmore**

5 House Sponsor: Mark A. Strong

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to the operation of street-legal all-terrain vehicles.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ addresses circumstances under which certain all-terrain vehicles may operate as a
- 13 street-legal all-terrain vehicle on a highway; and
- 14 ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **41-6a-1509**, as last amended by Laws of Utah 2018, Chapters 166 and 373

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

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

25 **41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --**  
26 **Registration and licensing requirements -- Equipment requirements.**

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

30 [~~unless~~].

31 (b) An individual may not operate an all-terrain type I vehicle, all-terrain type II  
32 vehicle, or all-terrain type III vehicle as a street-legal ATV on a highway if:

33 (i) the highway is an interstate [~~freeway~~] system as defined in Section [~~41-6a-102~~]  
34 72-1-102; or

35 (ii) [~~(A)~~] the highway is in a county of the first class[;] and both 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 Section 59-2-405.2, Subsection  
47 41-1a-205(1), Subsection 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) titling, odometer statement, vehicle identification, license plates, and registration,  
51 excluding registration fees, under Title 41, Chapter 1a, Motor Vehicle Act; and

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

54 (b) a motor vehicle for:

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

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

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

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

- 63 (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
- 64 (ii) one or more tail lamps;
- 65 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate  
66 with a white light;
- 67 (iv) one or more red reflectors on the rear;
- 68 (v) one or more stop lamps on the rear;
- 69 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 70 (vii) a braking system, other than a parking brake, that meets the requirements of  
71 Section 41-6a-1623;
- 72 (viii) a horn or other warning device that meets the requirements of Section  
73 41-6a-1625;
- 74 (ix) a muffler and emission control system that meets the requirements of Section  
75 41-6a-1626;
- 76 (x) rearview mirrors on the right and left side of the driver in accordance with Section  
77 41-6a-1627;
- 78 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- 79 (xii) a speedometer, illuminated for nighttime operation;
- 80 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a  
81 seat designed for passengers[~~including a footrest and handhold for each passenger~~]; and
- 82 (xiv) tires that:
  - 83 (A) are not larger than the tires that the all-terrain vehicle manufacturer made available  
84 for the all-terrain vehicle model; and
  - 85 (B) have at least 2/32 inches or greater tire tread.

- 86 (b) The owner of an all-terrain type II vehicle or all-terrain type III vehicle being  
87 operated as a street-legal all-terrain vehicle shall ensure that the vehicle is equipped with:
- 88 (i) two headlamps that meet the requirements of Section 41-6a-1603;
  - 89 (ii) two tail lamps;
  - 90 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate  
91 with a white light;
  - 92 (iv) one or more red reflectors on the rear;
  - 93 (v) two stop lamps on the rear;
  - 94 (vi) amber or red electric turn signals, one on each side of the front and rear;
  - 95 (vii) a braking system, other than a parking brake, that meets the requirements of  
96 Section 41-6a-1623;
  - 97 (viii) a horn or other warning device that meets the requirements of Section  
98 41-6a-1625;
  - 99 (ix) a muffler and emission control system that meets the requirements of Section  
100 41-6a-1626;
  - 101 (x) rearview mirrors on the right and left side of the driver in accordance with Section  
102 41-6a-1627;
  - 103 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
  - 104 (xii) a speedometer, illuminated for nighttime operation;
  - 105 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a  
106 seat designed for passengers;
  - 107 (xiv) for vehicles with side-by-side or tandem seating, seatbelts for each vehicle  
108 occupant;
  - 109 (xv) a seat with a height between 20 and 40 inches when measured at the forward edge  
110 of the seat bottom; and
  - 111 (xvi) tires that:
    - 112 (A) do not exceed 44 inches in height; and
    - 113 (B) have at least 2/32 inches or greater tire tread.

114 (c) The owner of a street-legal all-terrain vehicle is not required to equip the vehicle  
115 with wheel covers, mudguards, flaps, or splash aprons.

116 (4) (a) Subject to the requirements of Subsection (4)(b), an operator of a street-legal  
117 all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may not  
118 exceed the lesser of:

119 (i) the posted speed limit; or

120 (ii) 50 miles per hour.

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

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

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

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

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

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

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