



# SENATE BILL 617: ATV Safety Course Warning Label Exception.

2023-2024 General Assembly

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	April 27, 2023
<b>Introduced by:</b>	Sens. Jarvis, Johnson	<b>Prepared by:</b>	Kellette Wade
<b>Analysis of:</b>	Second Edition		Committee Co-Counsel

**OVERVIEW:** *Senate Bill 617 would allow a parent or legal guardian of a person less than 16 years old to permit that person to operate an all-terrain vehicle (ATV) that does not correspond with the Age Restriction Warning label if an instructor of an authorized safety course under law determines the height or weight of the person under the age of 16 requires the use of an ATV that does not comply with the warning label and the person successfully completes an approved ATV safety course under law, receiving required documentation.*

*Senate Bill 617 would also direct the Commissioner of Insurance to research and approve an ATV safety course and submit a report on the findings and approved course to the General Assembly.*

**CURRENT LAW:** An ATV is a motorized vehicle 50 inches or less in width, designed to travel on three or more low-pressure tires, and manufactured for off-highway use.

Current law prohibits parents or legal guardians of persons less than eight years old from allowing them to operate an ATV. It is also unlawful for a parent or guardian of a person less than 16 years old to allow that person to operate an ATV in violation of the Age Restriction Warning label affixed by the manufacturer as required by the applicable American National Standards Institute/Specialty Vehicle Institute of America (ANSI/SVIA) design standard.

Any ATV operator born after January 1, 1990, is required to have a safety certificate that indicates their successful completion of an ATV safety course sponsored or approved by the All-Terrain Vehicle Safety Institute or by an ATV safety course approved by the Commissioner of Insurance.

**BILL ANALYSIS:** Senate Bill 617 allow a parent or legal guardian of a person less than 16 years old to permit that person to operate an ATV that does not correspond with the Age Restriction Warning label if:

- An instructor of an authorized safety course under law determines the height or weight of a person under the age of 16 requires the use of an ATV that does not comply with the warning label; and
- The person successfully completes an approved ATV safety course under law and receives a safety certificate that indicates their successful completion of the safety training course and indicates the type of ATV used and approved for use by the safety course instructor.

Senate Bill 617 would also direct the Commissioner of Insurance to research and approve an ATV safety course and submit a report on the findings and approved course to the General Assembly and the chairs of the Joint Legislative Transportation Oversight Committee within six months of the effective date of the act.

**EFFECTIVE DATE:** The act would be effective when it becomes law.

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