

1 ENGROSSED SENATE
2 BILL NO. 643

By: Silk and Bullard of the
Senate

3 and

4 Humphrey of the House
5

6
7 An Act relating to all-terrain vehicles; amending 47
8 O.S. 2011, Section 11-1116, as last amended by
9 Section 2, Chapter 315, O.S.L. 2019 (47 O.S. Supp.
10 2019, Section 11-1116), which relates to operation of
11 all-terrain vehicles; and modifying certain areas in
12 which all-terrain vehicles are allowed to operate.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-116, as
15 last amended by Section 2, Chapter 315, O.S.L. 2019 (47 O.S. Supp.
16 2019, Section 11-1116), is amended to read as follows:

17 Section 11-1116. A. The self-propelled or motor-driven and
18 operated vehicles described in this section shall be prohibited from
19 operating or shall be limited in operation on the streets and
20 highways of this state.

21 B. Self-propelled or motor-driven cycles, known and commonly
22 referred to as "minibikes" and other similar trade names, shall be
23 prohibited from operating on the streets and highways of this state,
24 except:

1. When used in a parade; or

1 2. When registered, as required by subsection E of Section 1151
2 of this title, and operated in this state by food vendor services
3 upon streets having a speed limit of thirty (30) miles per hour or
4 less.

5 All minibikes offered for sale in this state shall bear the
6 following notice to the customer: "This machine is not manufactured
7 or sold for operation on the public streets or highways. Since it
8 is not provided with equipment required by law for street or highway
9 use, all persons are cautioned that any operation of this vehicle
10 upon a public street or highway will be in violation of the motor
11 vehicle laws of this state and will subject the violator to arrest."

12 C. Golf carts and utility vehicles, as defined by Section 1102
13 of this title, shall not be operated on the streets and highways of
14 this state except:

15 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
16 and Recreation Department, and operated by employees or agents of
17 the Department or employees of independent management companies
18 working on behalf of the Department, may be operated on the streets
19 and highways of this state during daylight hours or under rules
20 developed by the Oklahoma Tourism and Recreation Commission, when
21 the streets and highways are located within the boundaries of a
22 state park. The Department shall have warning signs placed at the
23 entrance and other locations at those state parks allowing golf
24 carts or utility vehicles to be operated on the streets and highways

1 of this state located within the boundaries of those state parks.
2 The warning signs shall state that golf carts and utility vehicles
3 may be operating on streets and highways and that motor vehicle
4 operators shall take special precautions to be alert for the
5 presence of golf carts or utility vehicles on the streets and
6 highways;

7 2. The municipal governing body has adopted an ordinance
8 governing the operation of golf carts and/or utility vehicles on
9 city streets; provided, such ordinances shall include necessary
10 vehicle lighting and safety requirements;

11 3. Golf carts or utility vehicles may operate on state highways
12 only if making a perpendicular crossing of a state highway located
13 within the boundaries of a municipality which has adopted an
14 ordinance governing the operation of golf carts and/or utility
15 vehicles; or

16 4. The board of county commissioners of a county has approved
17 the operation of golf cart and/or utility vehicle traffic on
18 roadways within the county, and:

- 19 a. the roadway has a posted speed limit of twenty-five
20 (25) miles per hour or less,
21 b. the roadway is located in an unincorporated area, and
22 c. appropriate signage, cautioning motorists of the
23 possibility of golf cart or utility vehicle traffic,
24 is erected by the board of county commissioners.

1 D. All-terrain vehicles shall not be operated on the streets
2 and highways of this state, except:

3 1. On unpaved roads which are located within the boundaries of
4 any property of the Forest Service of the United States Department
5 of Agriculture;

6 2. On highways if:

7 a. the vehicle needs to make a direct crossing of the
8 highway while the vehicle is traveling upon a
9 regularly traveled trail and needs to continue travel
10 from one area of the trail to another and, if the
11 vehicle comes to a complete stop, yields the right-of-
12 way to all oncoming traffic that constitutes an
13 immediate hazard, and crosses the highway at an angle
14 of approximately ninety (90) degrees to the direction
15 of the street or highway. This exception shall not
16 apply to divided highways or highways with a posted
17 speed limit of more than thirty-five (35) miles per
18 hour in the area of the crossing,

19 b. the vehicle needs to travel on a highway in order to
20 cross a railroad track. In that event, the all-
21 terrain vehicle may travel for not more than three
22 hundred (300) feet on a highway to cross a railroad
23 track,

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- 1 c. the operator of the all-terrain vehicle making the
2 crossing at a highway has a valid driver license, and
3 d. the operator of the vehicle makes a crossing on a
4 highway during daylight hours only;

5 3. On streets and highways within a municipality if the
6 municipal governing body has adopted an ordinance governing the
7 operation of golf carts, utility vehicles or all-terrain vehicles on
8 streets and highways within the municipality; ~~or~~

9 4. On roadways within unincorporated areas of a county if those
10 roadways are not part of the state highway system or the National
11 System of Interstate and Defense Highways; provided, however, that
12 the driver is a licensed driver; or

13 5. In a street or highway ditch if the vehicle is operated as
14 close as possible to the outer edge of the street or highway right-
15 of-way. However, no person may operate an all-terrain vehicle in a
16 highway ditch along the interstate highway system.

17 E. Mopeds, as defined by Section 1-133.2 of this title, may be
18 operated on the streets and highways of this state if:

19 1. The municipal governing body has adopted an ordinance
20 governing the operation of mopeds on city streets; provided, such
21 ordinances shall include necessary vehicle lighting and safety
22 requirements; or
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2. The board of county commissioners of a county has approved the operation of mopeds on roadways within the county, not including roadways within a municipality.

Passed the Senate the 9th day of March, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2020.

Presiding Officer of the House
of Representatives