

**VEHICLE SAFETY FLAGS ON OFF-HIGHWAY  
VEHICLES**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brent H. Goodfellow**

House Sponsor: Larry B. Wiley

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**LONG TITLE**

**Committee Note:**

The Transportation Interim Committee recommended this bill.

**General Description:**

This bill modifies the Off-Highway Vehicles Code by amending provisions relating to off-highway vehicle equipment requirements.

**Highlighted Provisions:**

This bill:

► provides that a safety flag may be attached to the protective headgear of a person operating ~~§→ [an off-highway vehicle]~~ a motorcycle ~~←§~~ rather than attaching the safety flag to the ~~§→ [off-highway vehicle]~~ motorcycle ~~←§~~ as required when operating on certain sand dunes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-22-10.7**, as last amended by Laws of Utah 2008, Chapter 382

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



28 Section 1. Section 41-22-10.7 is amended to read:

29 **41-22-10.7. Vehicle equipment requirements -- Rulemaking -- Exceptions.**

30 (1) Except as provided under Subsection (3), an off-highway vehicle shall be equipped  
31 with:

32 (a) brakes adequate to control the movement of and to stop and hold the vehicle under  
33 normal operating conditions;

34 (b) headlights and taillights when operated between sunset and sunrise;

35 (c) a noise control device and except for a snowmobile, a spark arrestor device; and

36 (d) ~~§~~ **when operated on sand dunes designated by the board,** ~~§~~ a safety flag ~~§~~ [;]

36a **that is:**

36b (i) ~~§~~ red or orange in color ~~§~~ [and];

36c (ii) ~~§~~ a minimum of six by 12 inches ~~§~~ [;] ; **and**

36d (iii) ~~§~~ attached to ~~§~~ :

37 (A) ~~§~~ the off-highway vehicle ~~§~~ **so that the safety flag is** ~~§~~ at least eight feet above  
37a the surface of level ground[;] ~~§~~ ; ~~§~~ or ~~§~~ **[to]**

37b (B) ~~§~~ the

38 protective headgear of a person operating ~~§~~ **[the off-highway vehicle] a motorcycle so that the**  
38a **safety flag is** ~~§~~

38a1 at least 18 inches above the

39 top of the person's head ~~§~~ [~~when operated on sand dunes designated by the board~~] ~~§~~ .

40 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
41 board may make rules which set standards for the equipment and which designate sand dunes  
42 where safety flags are required under Subsection (1).

43 (3) An off-highway implement of husbandry used only in agricultural operations and  
44 not operated on a highway, is exempt from the provisions of this section.

**Legislative Review Note**  
as of 11-18-09 4:47 PM

**Office of Legislative Research and General Counsel**

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**S.B. 19 - Vehicle Safety Flags on Off-highway Vehicles**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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