

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 129

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY
2 OFF-HIGHWAY VEHICLES AND MOTORBIKES; AMENDING SECTION 49-426, IDAHO
3 CODE, TO PROVIDE AN EXCEPTION TO A PROHIBITION OF OPERATION OF CERTAIN
4 VEHICLES AND MOTORBIKES ON CONTROLLED ACCESS HIGHWAYS, TO PROVIDE THAT
5 THE IDAHO TRANSPORTATION BOARD MAY DESIGNATE SECTIONS OF STATE HIGHWAYS
6 OVER WHICH SPECIFIED VEHICLES AND MOTORBIKES MAY TRAVEL, TO PROVIDE
7 THAT SPECIFIED VEHICLES AND MOTORBIKES MAY TRAVEL UPON AND CROSS CER-
8 TAIN PORTIONS OF NON-FULL ACCESS-CONTROLLED STATE HIGHWAYS UNLESS
9 CLOSED AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 49-426, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 49-426. EXEMPTIONS FROM OPERATING FEES. The provisions of this chap-
15 ter with respect to operating fees shall not apply to:

16 (1) Motor vehicles owned or leased by the United States, the state, a
17 city, a county, any department thereof, any political subdivision or munic-
18 ipal corporation of the state, any taxing district of the state, any state
19 registered nonprofit subscription fire protection unit, or any organiza-
20 tion, whether incorporated or unincorporated, organized for the operation,
21 maintenance, or management of an irrigation project or irrigation works or
22 system or for the purpose of furnishing water to its members or shareholders,
23 but in other respects shall be applicable.

24 (2) Farm tractors, implements of husbandry, those manufactured homes
25 which qualify for an exemption under the provisions of section 49-422, Idaho
26 Code, road rollers, wheel mounted tar buckets, portable concrete and/or
27 mortar mixers, wheel mounted compressors, tow dollies, portable toilet
28 trailers, street sweepers, other construction equipment, forestry equip-
29 ment, lawn and grounds equipment and similar devices as determined by the
30 department which are temporarily operated or moved upon the highways need
31 not be registered under the provisions of this chapter, nor shall implements
32 of husbandry be considered towed units under registration of vehicle combi-
33 nations as defined in section 49-108(2), Idaho Code. In addition, self-pro-
34 pelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf
35 carts, lawn mowers, and scooters operated by persons who by reason of phys-
36 ical disability are otherwise unable to move about as pedestrians shall be
37 exempt from registration requirements under the provisions of this chapter.
38 Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles
39 need not be licensed under the provisions of this chapter or numbered pur-
40 suant to the provisions of section 67-7122, Idaho Code, if they are being
41 used exclusively in connection with agricultural, horticultural, dairy and
42 livestock growing and feeding operations or used exclusively for snow re-

1 moval purposes. Travel upon the public highways shall be limited to travel
2 between farm or ranch locations. Motorcycles, motorbikes, utility type ve-
3 hicles and all-terrain vehicles used for this purpose shall meet the emblem
4 requirements of section 49-619, Idaho Code.

5 (3) Any political subdivision of the state of Idaho may, but only after
6 sufficient public notice is given and a public hearing held, adopt local or-
7 dinances or resolutions designating highways or sections of highways under
8 its jurisdiction which are closed to all-terrain vehicles, utility type ve-
9 hicles, specialty off-highway vehicles and motorbikes licensed pursuant to
10 this chapter and numbered pursuant to section 67-7122, Idaho Code. The oper-
11 ation of licensed and numbered all-terrain vehicles, utility type vehicles
12 and motorbikes and those vehicles exempt from licensing and numbering pur-
13 suant to subsection (2) of this section shall not be permitted on controlled
14 access highways, except as provided in subsection (4) of this section. The
15 requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14, title 49,
16 Idaho Code, shall apply to the operation of any all-terrain vehicle, util-
17 ity type vehicle or motorbike upon highways. Costs related to the posting of
18 signs on highways or sections of highways that are closed to such vehicles,
19 indicating the ordinance, are eligible for reimbursement through the motor-
20 bike recreation account created in section 67-7126, Idaho Code.

21 (4) The Idaho transportation board may designate sections of state
22 highways over which all-terrain vehicles, utility type vehicles, specialty
23 off-highway vehicles and motorbikes may travel upon and cross. All-ter-
24 rain vehicles, utility type vehicles, specialty off-highway vehicles and
25 motorbikes shall be permitted to travel upon and cross that portion of
26 any non-full access-controlled state highway with a speed limit less than
27 forty-five (45) miles per hour lying within the boundaries of a municipality
28 unless closed as provided in subsection (3) of this section. The require-
29 ments of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14, title 49, Idaho Code,
30 shall apply to the operation of all-terrain vehicles, utility type vehicles,
31 specialty off-highway vehicles and motorbikes when using designated cross-
32 ings ~~on~~ or traveling upon state highways.

33 (5) All-terrain vehicles, utility type vehicles, specialty off-high-
34 way vehicles and motorbikes may be used on highways located on state lands or
35 federal lands which are not part of the highway system of the state of Idaho,
36 provided the numbering requirements of section 67-7122, Idaho Code, are met.