

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 ENGROSSED HOUSE
4 BILL NO. 2261

By: Sterling of the House

and

Weaver of the Senate

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8 An Act relating to motor vehicles; amending 47 O.S.
9 2021, Section 1-171.1, which relates to street-legal
10 utility vehicle; modifying definition; amending 47
11 O.S. 2021, Section 11-1116, which relates to self-
12 propelled or motor-driven cycles; updating statutory
13 reference; allowing street-legal utility vehicles to
14 operate on certain stretches of U.S. highways;
15 deleting divided highway crossing prohibition for
16 all-terrain vehicles; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1-171.1, is
20 amended to read as follows:

21 Section 1-171.1 A. A "street-legal utility vehicle" is any
22 motor vehicle having:

- 23 1. A bench seat or side-by-side seat for the use of each rider;
- 24 2. Four wheels in contact with the ground, but excluding a
tractor;

1 3. A combustion engine with a piston or rotor displacement of
2 four hundred cubic centimeters (400 cc) or greater and capable of
3 maintaining speeds of forty-five (45) miles per hour or greater;

4 4. For each occupant, safety belts or safety shoulder harnesses
5 which shall be of a type and shall be installed pursuant to 49
6 C.F.R., Section 571.208 et seq.; and

7 5. All equipment required by the provisions of Sections 12-201
8 through 12-232 of Title 47 of the Oklahoma Statutes, with respect to
9 equipment on vehicles; and

10 6. A windshield; however, street-legal utility vehicles shall
11 be exempt from the glass windshield requirements of Section 12-406
12 of this Title.

13 B. A street-legal utility vehicle operated on the streets and
14 highways of this state shall be registered as a motor vehicle.

15 C. The operator of a street-legal utility vehicle shall not be
16 required to have an "M" endorsement on the Class D license pursuant
17 to Section 6-110.1 of Title 47 of the Oklahoma Statutes. The
18 operator shall be at least sixteen (16) years of age and hold a
19 valid Oklahoma driver license.

20 SECTION 2. AMENDATORY 47 O.S. 2021, Section 11-1116, is
21 amended to read as follows:

22 A. The self-propelled or motor-driven and operated vehicles
23 described in this section shall be prohibited from operating or
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1 shall be limited in operation on the streets and highways of this
2 state.

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

7 1. When used in a parade; or

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

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

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

22 1. Golf carts or utility vehicles owned by the Oklahoma Tourism
23 and Recreation Department, and operated by employees or agents of
24 the Department or employees of independent management companies

1 working on behalf of the Department, may be operated on the streets
2 and highways of this state during daylight hours or under rules
3 developed by the Oklahoma Tourism and Recreation Commission, when
4 the streets and highways are located within the boundaries of a
5 state park. The Department shall have warning signs placed at the
6 entrance and other locations at those state parks allowing golf
7 carts or utility vehicles to be operated on the streets and highways
8 of this state located within the boundaries of those state parks.
9 The warning signs shall state that golf carts and utility vehicles
10 may be operating on streets and highways and that motor vehicle
11 operators shall take special precautions to be alert for the
12 presence of golf carts or utility vehicles on the streets and
13 highways;

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

18 3. Golf carts or utility vehicles may operate on state highways
19 only if making a perpendicular crossing of a state highway located
20 within the boundaries of a municipality which has adopted an
21 ordinance governing the operation of golf carts and/or utility
22 vehicles;

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

4 a. the roadway has a posted speed limit of twenty-five
5 (25) miles per hour or less,

6 b. the roadway is located in an unincorporated area, and

7 c. appropriate signage, cautioning motorists of the
8 possibility of golf cart or utility vehicle traffic,
9 is erected by the board of county commissioners; or

10 5. Street-legal utility vehicles that are registered as a motor
11 vehicle pursuant to ~~subsection B of~~ Section ~~±~~ 1-171.1 of this ~~act~~
12 title may be operated on the streets and highways of this state.

13 Provided, however, when traveling on U.S. highways, street-legal
14 utility vehicles are restricted to those highways with a posted
15 speed limit of forty-five (45) miles per hour or less. Street-legal
16 utility vehicles shall not be operated on the National System of
17 Interstate and Defense Highways ~~or U.S. highways.~~

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

20 1. On unpaved roads which are located within the boundaries of
21 any property of the Forest Service of the United States Department
22 of Agriculture;

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

13 b. the vehicle needs to travel on a highway in order to
14 cross a railroad track. In that event, the all-
15 terrain vehicle may travel for not more than three
16 hundred (300) feet on a highway to cross a railroad
17 track,

18 c. the operator of the all-terrain vehicle making the
19 crossing at a highway has a valid driver license, and

20 d. the operator of the vehicle makes a crossing on a
21 highway during daylight hours only;

22 3. On streets and highways within a municipality if the
23 municipal governing body has adopted an ordinance governing the
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1 operation of golf carts, utility vehicles or all-terrain vehicles on
2 streets and highways within the municipality; or

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

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

9 1. The municipal governing body has adopted an ordinance
10 governing the operation of mopeds on city streets; provided, such
11 ordinances shall include necessary vehicle lighting and safety
12 requirements; or

13 2. The board of county commissioners of a county has approved
14 the operation of mopeds on roadways within the county, not including
15 roadways within a municipality.

16 SECTION 3. This act shall become effective November 1, 2023.

17 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
18 April 11, 2023 - DO PASS

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