

1 **SENATE FLOOR VERSION**

2 February 28, 2023

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 427

6 By: Newhouse and Coleman

7 An Act relating to utility vehicles; amending 47 O.S.  
8 2021, Section 11-1116, which relates to self-  
9 propelled or motor-driven and operated vehicles on  
10 streets, highways, and roadways within unincorporated  
11 areas; modifying statutory reference; prohibiting  
12 certain vehicles exceeding specific speed when  
13 operated on streets and highways; requiring certain  
14 vehicles to have certain safety features to operate  
15 in this state; requiring certain inspection;  
16 modifying where certain vehicles may be operated; and  
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-1116, is  
20 amended to read as follows:

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

B. Self-propelled or motor-driven cycles, known and commonly  
referred to as "minibikes" and other similar trade names, shall be

1 prohibited from operating on the streets and highways of this state,  
2 except:

3 1. When used in a parade; or

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

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

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

18 1. Golf carts or utility vehicles owned by the Oklahoma Tourism  
19 and Recreation Department, and operated by employees or agents of  
20 the Department or employees of independent management companies  
21 working on behalf of the Department, may be operated on the streets  
22 and highways of this state during daylight hours or under rules  
23 developed by the Oklahoma Tourism and Recreation Commission, when  
24 the streets and highways are located within the boundaries of a

1 state park. The Department shall have warning signs placed at the  
2 entrance and other locations at those state parks allowing golf  
3 carts or utility vehicles to be operated on the streets and highways  
4 of this state located within the boundaries of those state parks.  
5 The warning signs shall state that golf carts and utility vehicles  
6 may be operating on streets and highways and that motor vehicle  
7 operators shall take special precautions to be alert for the  
8 presence of golf carts or utility vehicles on the streets and  
9 highways;

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

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

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

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

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

1 c. appropriate signage, cautioning motorists of the  
2 possibility of golf cart or utility vehicle traffic,  
3 is erected by the board of county commissioners; or

4 5. Street-legal utility vehicles that are registered as a motor  
5 vehicle pursuant to ~~subsection B of~~ Section ~~±~~ 1-171.1 of this ~~act~~  
6 title may be operated on the streets and highways of this state.  
7 Provided, however, when traveling on U.S. highways street-legal  
8 utility vehicles are restricted to those posted at thirty-five (35)  
9 miles per hour or less. Street-legal utility vehicles shall not be  
10 operated on the National System of Interstate and Defense Highways  
11 ~~or U.S. highways.~~ Street-legal utility vehicles shall be required  
12 to have interstate tires, seat belts, windshields, and doors to  
13 operate in this state. All street-legal utility vehicles shall be  
14 inspected annually at a Department-of-Transportation-approved  
15 facility.

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

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

21 2. On highways if:

22 a. the vehicle needs to make a direct crossing of the  
23 highway while the vehicle is traveling upon a  
24 regularly traveled trail and needs to continue travel

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

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

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

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

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

23 4. On roadways within unincorporated areas of a county if those  
24 roadways are not part of the state highway system or the National

1 System of Interstate and Defense Highways; provided, however, that  
2 the driver is a licensed driver.

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

5 1. The municipal governing body has adopted an ordinance  
6 governing the operation of mopeds on city streets; provided, such  
7 ordinances shall include necessary vehicle lighting and safety  
8 requirements; or

9 2. The board of county commissioners of a county has approved  
10 the operation of mopeds on roadways within the county, not including  
11 roadways within a municipality.

12 SECTION 2. This act shall become effective November 1, 2023.

13 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION  
14 February 28, 2023 - DO PASS AS AMENDED BY CS  
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