

ENROLLED ACT NO. 38, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to motor vehicles; authorizing operation of off-road recreational vehicles as specified; providing a definition; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 31-5-1601(a)(intro), (i), (b) and by creating a new subsection (c) is amended to read:

31-5-1601. Operation on highways.

(a) An off-road recreational vehicle may be operated upon any public road rights-of-way, streets, roads or highways within Wyoming subject to the following conditions:

(i) Off-road recreational vehicles may be operated on main-traveled roadways only upon that portion of a public road right-of-way, street, road or highway designated open by the state, local or federal agency with jurisdiction over the roadway and designated a Wyoming off-road recreational vehicle trail pursuant to W.S. 31-2-701 through 31-2-707 by the department of state parks and cultural resources. No portion of a public road right-of-way, street, road or highway shall be designated as a Wyoming off-road recreational vehicle trail by the department without the consent of the state, local or federal agency with jurisdiction over the roadway. Off-road recreational vehicles operated upon roadways designated as trails shall be subject only to the user registration fee prescribed by W.S. 31-2-703 and shall not be deemed a motorcycle as defined in W.S. 31-1-101(a)(xv)(E)(I) and 31-5-102(a)(xxii). Nothing in this paragraph shall be deemed to authorize the department to acquire or expand any public road right-of-way in order to accommodate the operation of off-road recreational vehicles;

ORIGINAL SENATE
FILE NO. SF0070

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(b) Nothing in this section authorizes the operation of an off-road recreational vehicle upon a public road right-of-way, street, road or highway within Wyoming by a person who has not been issued a valid driver's license or permit.

(c) As used in this section, "public road right-of-way" means the entire right-of-way of a street, road or highway within Wyoming, including the traveled portions, banks, ditches, shoulders and medians of a street, road or highway.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk