

# An Act

ENROLLED HOUSE  
BILL NO. 1686

By: Nations, Sullivan, Roan,  
Collins, Wesselhoft,  
McAffrey and Lindley of the  
House

and

Rice of the Senate

An Act relating to motor vehicles; requiring use of certain helmet for certain all-terrain vehicle operators; prohibiting passengers on certain all-terrain vehicles; providing penalty and court costs; directing deposit of certain monies; directing fine to certain responsible persons; defining term; limiting applicability to public lands; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-1117 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. It shall be unlawful for a person less than eighteen (18) years of age to operate or to be carried as a passenger upon an all-terrain vehicle unless the person wears a crash helmet of a type which complies with standards established by 49 C.F.R., Section 571.218.

B. It shall be unlawful for the operator of an all-terrain vehicle to carry a passenger unless that all-terrain vehicle has been specifically designed by the manufacturer to carry passengers in addition to the operator.

C. Fine and court costs for violating the provisions of this section shall not exceed Twenty-five Dollars (\$25.00). Any peace officer of this state including, but not limited to, park rangers, is authorized to enforce the provisions of this section. All monies collected pursuant to a citation for a violation of this section shall be deposited in the Oklahoma Tourism and Recreation Department Revolving Fund for credit to the cost center of the state park or public recreation area where such citation was issued.

D. Any parent, legal guardian or person having actual responsibility for a person under eighteen (18) years of age, or who is the owner of the all-terrain vehicle operated by a person under eighteen (18) years of age, who knows, or should have known, that the person operating the all-terrain vehicle is not in compliance with the provisions of this section, shall be punishable according to the provisions of subsection C of this section.

E. As used in this section, "all-terrain vehicle" means a motorized vehicle manufactured and used exclusively for off-highway use which is forty-eight (48) inches or less in width, with an unladen dry weight of eight hundred (800) pounds or less, traveling on two or more low-pressure tires, having a seat designed to be straddled by the operator, and which is steered by the use of handlebars.

F. The provisions of this section shall apply only to persons operating all-terrain vehicles on public lands.

G. The provisions of this section shall not apply to persons operating an all-terrain vehicle on privately owned property.

SECTION 2. This act shall become effective November 1, 2007.

Passed the House of Representatives the 7th day of May, 2007.

*Gus Blackwell*

Presiding Officer of the House of Representatives

Passed the Senate the 24th day of April, 2007.

*Clay Kelley*

Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this 8  
day of May, 2007,  
at 2:00 o'clock P M.

By: Blain Yaddis

Approved by the Governor of the State of Oklahoma the 14 day of  
May, 2007, at 9:15 o'clock P M.

*Brendan Owens*  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_  
14th day of May, 2007,  
at 9:45 o'clock P M.

By: M. Susan Lewis