

2015 Regular Session

HOUSE BILL NO. 581

BY REPRESENTATIVE ARMES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Authorizes the use of "utility terrain vehicles" on certain roads

1 AN ACT

2 To enact R.S. 32:299.3, relative to off-road vehicles; to provide relative to "utility terrain
3 vehicles" as "off-road vehicles"; to provide relative to safety equipment required for
4 utility terrain vehicles; to provide for restrictions on speed and eligible roadways to
5 be used by utility terrain vehicles; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:299.3 is hereby enacted to read as follows:

8 §299.3. Off-road vehicles; utility terrain vehicles

9 A.(1) For purposes of this Section, "utility terrain vehicle" shall mean any
10 recreational motor vehicle designed for and capable of travel over designated roads,
11 traveling on four or more tires; a minimum width of fifty inches but not exceeding
12 seventy-four inches; a minimum weight of at least seven hundred pounds but not
13 exceeding two thousand pounds; and a minimum wheelbase of sixty-one inches but
14 not exceeding one hundred ten inches.

15 (2) Utility type vehicle does not include golf carts, vehicles specially
16 designed to carry a disabled person, or vehicles otherwise registered under R.S.
17 32:299. A "utility type vehicle" or "UTV" also means a recreational off-highway
18 vehicle or ROV.

19 B. A utility terrain vehicle may be operated at a speed not to exceed
20 twenty-five miles per hour on any roadway or street where the posted speed limit is
21 thirty-five miles per hour or less and may cross any divided highway, highway,

1 roadway, or street with a posted speed limit in excess of thirty-five miles per hour
2 at an intersection.

3 C. A utility terrain vehicle operated on any roadway or street shall be
4 equipped with the minimum motor vehicle equipment appropriate for motor vehicle
5 safety; including, headlamps, front and rear turn signal lamps, tail lamps, stop lamps,
6 reflex reflectors, including one on each side as far to the rear as practicable, and one
7 red reflector on the rear of the vehicle, an exterior mirror mounted on the driver's
8 side of the vehicle and either an exterior mirror mounted on the passenger's side of
9 the vehicle or an interior mirror, a parking brake, a windshield that conforms to the
10 American National Standard Institute's "Safety Code for Safety Glazing Materials
11 for Glazing Motor Vehicles Operating on Land Highways", a windshield wiper,
12 speedometer, odometer, braking for each wheel, a seat belt assembly installed at each
13 designated seating position, and a vehicle identification number.

14 D. Any utility terrain vehicle operated upon any roadway or street, including
15 any divided highway, highway, roadway, or street, shall be registered with the state
16 of Louisiana through the Department of Public Safety and Corrections, office of
17 motor vehicles, as an off-road vehicle and shall display a decal issued by the office
18 of motor vehicles.

19 E. No utility terrain vehicle shall be operated by an unlicensed driver.

20 F. Any utility terrain vehicle operated upon a highway of this state shall have
21 liability insurance with the same minimum limits as required by the provisions of
22 R.S. 32:900(B).

23 G.(1) Nothing contained in this Section shall be construed to prevent the
24 Department of Transportation and Development from prohibiting the operation of
25 any utility terrain vehicle on any state highway under its jurisdiction if the
26 department determines that such prohibition is necessary for the safety of the
27 motoring public.

28 (2) Nothing contained in this Section shall be construed to prevent parish or
29 municipal governments from prohibiting the operation of any utility terrain vehicle

1 on any parish or municipal road or highway under its jurisdiction if such parish or
2 municipal government determines that such prohibition is necessary for the safety
3 of the motoring public.

4 H. The Department of Public Safety and Corrections, office of motor
5 vehicles, may adopt rules and regulations in accordance with the Administrative
6 Procedure Act, subject to oversight by the House and Senate committees on
7 transportation, highways, and public works, as necessary to implement the provisions
8 of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 581 Original

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Armes

Abstract: Authorizes the use of "utility terrain vehicles" on certain roads.

Proposed law defines a "utility terrain vehicle" as any recreational motor vehicle designed for and capable of travel over designated roads, traveling on four or more tires, a minimum width of 50 inches but not exceeding 74 inches, a minimum weight of at least 700 pounds but not exceeding 2000 pounds, and having a minimum wheelbase of 61 inches but not exceeding 110 inches. Utility type vehicle does not include golf carts, vehicles specially designed to carry a disabled person, or vehicles otherwise registered under present law. A "utility type vehicle" or "UTV" also means a recreational off-highway vehicle or ROV. Authorizes such vehicles to be operated at 25 mph or less on any road or street posted with a 35 mph maximum speed limit. Requires certain minimum safety equipment on utility terrain vehicles operating on the roadways and streets including signal lights, tail lights, break lights, reflectors, exterior mirrors, a safety glass windshield, wipers, a speedometer, an odometer, brakes for each wheel, seat belts, and a vehicle identification number.

Proposed law further requires registration of a utility terrain vehicle with the office of motor vehicles (OMV) as an off-road vehicle and requires display of a decal issued by the OMV. Prohibits operation by an unlicensed driver. Requires appropriate liability insurance. Allows the Dept. of Transportation and Development or parish or municipal governments to prohibit the operation of utility terrain vehicles on roads under their jurisdictions. Authorizes the promulgation of necessary rules by the OMV.

(Adds R.S. 32:299.3)