

HOUSE BILL NO. HB0013

Off-road recreational vehicles.

Sponsored by: Joint Travel, Recreation, Wildlife and
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to motor vehicles; amending and clarifying
2 the permitted use of off-road recreational vehicles; and
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 31-5-1601 is created to read:

8

9

ARTICLE 16

10

OFF-ROAD RECREATIONAL VEHICLES

11

12 **31-5-1601. Operation on highways.**

13

14 (a) An off-road recreational vehicle may be operated
15 upon streets, roads or highways within Wyoming subject to
16 the following conditions:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

(i) Off-road recreational vehicles may be operated on main-traveled roadways only upon that portion of a 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 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);

(ii) Crossings of main-traveled roadways shall be made at right angles to the roadway or as nearly so as practicable, but in any case yielding the right-of-way to all traffic in the main-traveled roadway;

1 (iii) When operating at any time from one-half
2 (½) hour after sunset to one-half (½) hour before sunrise,
3 the off-road recreational vehicle shall be equipped with
4 lighted lamps and illuminating devices in accordance with
5 W.S. 31-5-910 through 31-5-940;

6

7 (iv) The off-road recreational vehicle shall be
8 equipped with an adequate braking device that may be
9 operated either by hand or foot; and

10

11 (v) If operated on state or federal lands, the
12 off-road recreational vehicle shall be equipped with:

13

14 (A) An approved spark arrester;

15

16 (B) A noise muffler which produces a
17 propulsion noise level of not more than one hundred two
18 (102) decibels at twenty (20) inches in a stationary test.

19

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

24

1 **Section 2.** W.S. 31-1-101(a)(xv)(K), 31-2-701(a)(ii),
2 31-2-702(c), 31-5-102(a)(lix) and 31-5-124 are amended to
3 read:

4
5 **31-1-101. Definitions.**

6
7 (a) Except as otherwise provided, as used in this
8 act:

9
10 (xv) "Motor vehicle" means every vehicle which
11 is self-propelled except vehicles moved solely by human
12 power. The term includes the following vehicles as
13 hereafter defined:

14
15 (K) "Off-road recreational vehicle" means:
16 ~~a recreational vehicle primarily designed for off-road use~~
17 ~~which is fifty (50) inches or less in width, has an unladen~~
18 ~~weight of nine hundred (900) pounds or less and is designed~~
19 ~~to be ridden astride upon a seat or saddle and to travel on~~
20 ~~at least three (3) low pressure tires. A "low pressure~~
21 ~~tire" is a pneumatic tire at least six (6) inches in width,~~
22 ~~designed for use on wheels with a rim diameter of twelve~~
23 ~~(12) inches or less and having a manufacturer's recommended~~
24 ~~operating pressure of ten (10) pounds per square inch or~~

1 ~~less.~~

2

3 (I) A recreational vehicle primarily
4 designed for off-road use which is fifty (50) inches or
5 less in width, has an unladen weight of nine hundred (900)
6 pounds or less and is designed to be ridden astride upon a
7 seat or saddle and to travel on at least three (3) low
8 pressure tires. A "low pressure tire" is a pneumatic tire
9 at least six (6) inches in width, designed for use on
10 wheels with a rim diameter of twelve (12) inches or less
11 and having a manufacturer's recommended operating pressure
12 of ten (10) pounds per square inch or less;

13

14 (II) Any unlicensed motorcycle which
15 has an unladen weight of six hundred (600) pounds or less
16 and is designed to be ridden off road with the operator
17 astride upon a seat or saddle and travels on two (2) tires;
18 and

19

20 (III) Any multi-wheeled motorized
21 vehicle not required by law to be licensed and is designed
22 for cross-country travel on or over land, sand, snow, ice
23 or other natural terrain and which has an unladen weight of
24 more than nine hundred (900) pounds.

1

2 **31-2-701. Definitions.**

3

4 (a) Except as otherwise provided, as used in this
5 act:

6

7 (ii) "Wyoming off-road recreational vehicle
8 trail" means an off-road recreational vehicle trail or area
9 specifically designated, marked or signed by the department
10 of state parks and cultural resources as a Wyoming off-road
11 recreational vehicle trail.

12

13 **31-2-702. Registration selling agents; application**
14 **for trail user registration decal; affidavit required if**
15 **vehicle serial number not visible; penalty.**

16

17 (c) Any person who operates an off-road recreational
18 vehicle on any Wyoming off-road recreational vehicle trail
19 without a decal required under this article or in violation
20 of the provisions of W.S. 31-5-1601 is guilty of a
21 misdemeanor and upon conviction, shall be fined not more
22 than one hundred dollars (\$100.00).

23

24 **31-5-102. Definitions.**

1

2 (a) Except as otherwise provided, as used in this
3 act:

4

5 (lix) "This act" means W.S. 31-5-101 through
6 ~~31-5-1507~~ 31-5-1601;

7

8 **31-5-124. Off-road recreational vehicles; limitation**
9 **on use; equipment.**

10

11 (a) No person shall operate an off-road recreational
12 vehicle as defined in W.S. 31-1-101(a)(xv)(K) upon public
13 streets or highways except:

14

15 (i) For incidental operation of vehicles
16 specified in W.S. 31-1-101(a)(xv)(K)(I), upon a public
17 street or highway located outside the limits of an
18 incorporated municipality pursuant to agricultural
19 operations as defined in W.S. 31-18-801(a)(i). An off-road
20 recreational vehicle operated upon a public street or
21 highway under this paragraph is subject to the same
22 equipment requirements under this act as an implement of
23 husbandry;

24

1 (ii) For operation of a vehicle in accordance
2 with the provisions of W.S. 31-5-1601.

3

4 **Section 3.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9 (END)