

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 553

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO ALL-TERRAIN, UTILITY TYPE AND SPECIALTY OFF-HIGHWAY VEHICLES
2 AND MOTORBIKES; AMENDING SECTION 49-426, IDAHO CODE, TO REVISE PROVI-
3 SIONS REGARDING THE USE OF CERTAIN HIGHWAYS BY ALL-TERRAIN, UTILITY
4 TYPE AND SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 49-426, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-426. EXEMPTIONS FROM OPERATING FEES. The provisions of this chap-
10 ter with respect to operating fees shall not apply to:

11 (1) Motor vehicles owned or leased by the United States, the state, a
12 city, a county, any department thereof, any political subdivision or munic-
13 ipal corporation of the state, any taxing district of the state, any state
14 registered nonprofit subscription fire protection unit, or any organiza-
15 tion, whether incorporated or unincorporated, organized for the operation,
16 maintenance, or management of an irrigation project or irrigation works or
17 system or for the purpose of furnishing water to its members or shareholders,
18 but in other respects shall be applicable.

19 (2) Farm tractors, implements of husbandry, those manufactured homes
20 which qualify for an exemption under the provisions of section 49-422, Idaho
21 Code, road rollers, wheel mounted tar buckets, portable concrete and/or
22 mortar mixers, wheel mounted compressors, tow dollies, portable toilet
23 trailers, street sweepers, other construction equipment, forestry equip-
24 ment, lawn and grounds equipment and similar devices as determined by the
25 department which are temporarily operated or moved upon the highways need
26 not be registered under the provisions of this chapter, nor shall implements
27 of husbandry be considered towed units under registration of vehicle combi-
28 nations as defined in section 49-108(2), Idaho Code. In addition, self-pro-
29 pelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf
30 carts, lawn mowers, and scooters operated by persons who by reason of phys-
31 ical disability are otherwise unable to move about as pedestrians shall be
32 exempt from registration requirements under the provisions of this chapter.
33 Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles
34 need not be licensed under the provisions of this chapter or numbered pur-
35 suant to the provisions of section 67-7122, Idaho Code, if they are being
36 used exclusively in connection with agricultural, horticultural, dairy and
37 livestock growing and feeding operations or used exclusively for snow re-
38 moval purposes. Travel upon the public highways shall be limited to travel
39 between farm or ranch locations. Motorcycles, motorbikes, utility type ve-
40 hicles and all-terrain vehicles used for this purpose shall meet the emblem
41 requirements of section 49-619, Idaho Code.

1 (3) Any political subdivision of the state of Idaho may, but only after
2 sufficient public notice is given and a public hearing held, adopt local or-
3 dinances or resolutions designating highways or sections of highways under
4 its jurisdiction which are closed to all-terrain vehicles, utility type ve-
5 hicles, specialty off-highway vehicles and motorbikes licensed pursuant to
6 this chapter and numbered pursuant to section 67-7122, Idaho Code. The oper-
7 ation of licensed and numbered all-terrain vehicles, utility type vehicles
8 and motorbikes and those vehicles exempt from licensing and numbering pur-
9 suant to subsection (2) of this section shall not be permitted on controlled
10 access highways, except as provided in subsection (4) of this section. The
11 requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14, title 49,
12 Idaho Code, shall apply to the operation of any all-terrain vehicle, util-
13 ity type vehicle or motorbike upon highways. Costs related to the posting of
14 signs on highways or sections of highways that are closed to such vehicles,
15 indicating the ordinance, are eligible for reimbursement through the motor-
16 bike recreation account created in section 67-7126, Idaho Code.

17 (4) The Idaho transportation board may designate sections of state
18 highways ~~over~~ upon which all-terrain vehicles, utility type vehicles,
19 specialty off-highway vehicles and motorbikes may travel ~~upon and cross~~.
20 All-terrain vehicles, utility type vehicles, specialty off-highway vehi-
21 cles and motorbikes shall be permitted to ~~travel upon and cross that portion~~
22 ~~of any a non-full access-controlled state highway at a public road intersec-~~
23 ~~tion. All-terrain vehicles, utility type vehicles, specialty off-highway~~
24 ~~vehicles and motorbikes shall be permitted to travel upon that portion of~~
25 ~~any non-full access-controlled state highway with a speed limit less than~~
26 ~~of forty-five (45) miles per hour or less lying within and extending one~~
27 ~~(1) mile beyond the boundaries of a municipality unless restricted by the~~
28 ~~Idaho transportation board or closed as provided in subsection (3) of this~~
29 ~~section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14,~~
30 ~~title 49, Idaho Code, shall apply to the operation of all-terrain vehicles,~~
31 ~~utility type vehicles, specialty off-highway vehicles and motorbikes when~~
32 ~~using designated crossings or traveling upon state highways.~~

33 (5) All-terrain vehicles, utility type vehicles, specialty off-high-
34 way vehicles and motorbikes may be used on highways located on state lands or
35 federal lands which are not part of the highway system of the state of Idaho,
36 provided the numbering requirements of section 67-7122, Idaho Code, are met.