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Chapter No. 465
11/SS02/R232SG
JM / AS/SG

SENATE BILL NO. 2196

Originated in Senate *Heriberto Quijano* Secretary

SENATE BILL NO. 2196

AN ACT TO PROVIDE THAT OPERATORS OF ALL-TERRAIN VEHICLES ON PUBLIC PROPERTY MUST POSSESS A DRIVER'S LICENSE OR HAVE TAKEN TRAINING AND BE CERTIFIED; TO REQUIRE THE COOPERATIVE EXTENSION SERVICE TO DEVISE AN ATV SAFETY COURSE; TO ALLOW ANY ORGANIZATION APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY TO DEVISE AN ATV SAFETY COURSE; TO PROVIDE A PENALTY FOR VIOLATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. It is the intent of the Legislature that all persons shall operate all-terrain vehicles in accordance with the vehicle manufacturer's guidelines.

SECTION 2. (1) No all-terrain vehicle shall be operated upon any public property by any person unless:

(a) (i) The person possesses a valid driver's license;
or

(ii) The person possesses a certificate as provided under subsections (3) and (4) of this section.

(b) No person may operate any all-terrain vehicle upon any public property in this state unless all persons under sixteen (16) years of age operating or riding on the all-terrain vehicle are wearing a crash helmet that complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists.

(2) A violation of subsection (1) of this section is punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00).

(3) All-terrain vehicle safety courses shall be held by the Cooperative Extension Service using 4-H safety course materials

and curricula, and shall be taught by instructors possessing qualifications approved by the Department of Public Safety. The Cooperative Extension Service shall issue a certificate to each person who satisfactorily completes the all-terrain vehicle safety course.

(4) All-terrain vehicle safety courses may be held by any organization approved by the Department of Public Safety. Such organization shall issue a certificate to each person who satisfactorily completes the all-terrain vehicle safety course.

(5) For the purposes of this section, the term "all-terrain vehicle" or "ATV" means any motorized vehicle manufactured and designed exclusively for off-road use that is fifty (50) inches or less in width, has an unladen dry weight of six hundred (600) pounds or less, travels on three (3), four (4) or more low-pressure tires, has a seat designed to be straddled by the operator and uses handlebars for steering control.

SECTION 3. This act shall take effect and be in force from and after July 1, 2011.

PASSED BY THE SENATE
February 9, 2011



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 8, 2011



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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