

3/11 3:47p

Chapter No. 330
13/SS26/R507
CRL 1BW/SC

SENATE BILL NO. 2457

Originated in Senate Greg Welch Secretary

SENATE BILL NO. 2457

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF OFF-ROAD VEHICLE TO INCLUDE RECREATIONAL OFF-HIGHWAY VEHICLES AND OTHER NEW DESIGN VEHICLES; TO REVISE THE DEFINITION OF ALL-TERRAIN VEHICLES; TO AMEND SECTION 63-31-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 63-31-1, Mississippi Code of 1972, is amended as follows:

63-31-1. It is the intent of the Legislature that all persons shall operate * * * off-road vehicles in accordance with the vehicle manufacturer's guidelines.

SECTION 2. Section 63-31-3, Mississippi Code of 1972, is amended as follows:

63-31-3. (1) No off-road 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 off-road vehicle upon any public property in this state unless each person under sixteen (16) years of age who is operating or riding on the off-road vehicle is wearing a crash helmet that complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the federal Motor Vehicle Safety Standard No. 218 (49 CFR 571.218) 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) Off-road 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 off-road vehicle safety course.

(4) Off-road 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 off-road vehicle safety course.

(5) For the purposes of this section:

(a) "Off-road vehicle" means any all-terrain vehicle * * *, dirt bike or recreational off-highway vehicle.

(b) "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 * * * one thousand (1,000) pounds or less; and travels on three (3), four (4) or more * * * nonhighway tires * * *.

(c) "Dirt bike" means a motor-powered vehicle possessing two (2) or more tires, designed to travel over any terrain and capable of travelling off of paved roads, whether or not the vehicle may be operated legally on a public street.

(d) "Recreational off-highway vehicle" means any motorized vehicle manufactured and designed exclusively for off-road use that is sixty-five (65) inches or less in width; has an unladen dry weight of two thousand (2,000) pounds or less; and travels on four (4) or more nonhighway tires.

(6) Nothing in this section shall be construed to authorize operation of an off-road vehicle on a public road or highway of this state.

SECTION 3. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE SENATE
February 6, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
February 28, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3:47pm
3/11/13