

1 SB74  
2 194396-1  
3 By Senator Orr  
4 RFD: Governmental Affairs  
5 First Read: 05-MAR-19

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8 SYNOPSIS: Under existing law, an all-terrain vehicle  
9 (ATV) and a recreational off-highway vehicle are  
10 off-road vehicles that may be registered by the  
11 owner with the Alabama State Law Enforcement  
12 Agency. An all-terrain vehicle is defined to  
13 include a vehicle of not more than 50 inches in  
14 width or more than 1,200 pounds. A recreational  
15 off-highway vehicle is defined to include a vehicle  
16 of not more than 72 inches in width or more than  
17 2,000 pounds.

18 This bill would increase the authorized  
19 width and weight of an all-terrain vehicle to not  
20 more than 60 inches in width and not more than  
21 1,500 pounds and would increase the authorized  
22 width and weight of a recreational off-highway  
23 vehicle to not more than 80 inches in width and not  
24 more than 2,500 pounds.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 Relating to all-terrain vehicles (ATV's) and  
4 recreational off-highway vehicles; to amend Section 32-12A-1  
5 of the Code of Alabama 1975, to increase the authorized width  
6 and weight of the vehicles.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 32-12A-1 of the Code of Alabama  
9 1975, is amended to read as follows:

10 "§32-12A-1.

11 "For purposes of this chapter, the following terms  
12 shall have the following meanings:

13 "(1) ALL-TERRAIN VEHICLES (ATV). Every motor vehicle  
14 50 inches or less in width, having a dry weight of ~~1,200~~ 1,500  
15 pounds or less, designed to travel on three or more  
16 non-highway tires, and manufactured for off-road use by a  
17 single operator or by an operator and not more than one  
18 passenger as provided by the manufacturer.

19 "(2) OFF-ROAD VEHICLE. Any motorized vehicle not  
20 designed for use on a highway and capable of cross-country  
21 travel on land, snow, ice, marsh, swampland, or other natural  
22 terrain. The term includes any all-terrain vehicle and  
23 recreational off-highway vehicle. The term excludes any golf  
24 cart; any vehicle used for military, fire, emergency, or law  
25 enforcement purposes; any motorboat; any vehicles used  
26 exclusively on airport property; all farm machinery, farm  
27 tractors, and other self-propelled equipment for harvesting

1 and transportation of forest products, for clearing land for  
2 planting, for utility services and maintenance, for earth  
3 moving, construction, or mining; and self-propelled  
4 lawnmowers, snowblowers, and garden or lawn tractors while  
5 such vehicles are being used exclusively for their designed  
6 purposes. The term does not include any motor vehicle for  
7 which a certificate of title is required by Chapter 8.

8 "(3) RECREATIONAL OFF-HIGHWAY VEHICLE. Any off-road  
9 vehicle 72 inches or less in width, having a dry weight of  
10 ~~2,000~~ 2,500 pounds or less, designed and manufactured to  
11 travel on four or more non-highway tires for off-road use by  
12 an operator and the number of passengers as provided by the  
13 manufacturer.

14 "(4) SECRETARY. The Secretary of the Alabama State  
15 Law Enforcement Agency."

16 Section 2. This act shall become effective  
17 immediately following its passage and approval by the  
18 Governor, or its otherwise becoming law.