

SB303 ENGROSSED



1 SB303
2 QNYA45-2
3 By Senator Kelley
4 RFD: County and Municipal Government
5 First Read: 12-Feb-26



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A BILL
TO BE ENTITLED
AN ACT

Relating to off-road vehicles; to provide for the operation of off-road vehicles on certain public roads; to provide for the registration and licensure of off-road vehicles; to require the Department of Revenue to adopt rules; to provide a limitation of liability under certain conditions; and to provide a penalty for a violation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) An off-road vehicle, as defined under Section 32-8-2, Code of Alabama 1975, may be operated on a public road subject to the requirements of this section.

(b) (1) The Department of Revenue shall establish a certification form for off-road vehicle dealers, as defined under Section 32-8-2, Code of Alabama 1975, to certify that, regardless of the age of the vehicle, the off-road vehicle is installed with all of the following equipment:

a. Brakes.

b. Head lights, tail lights, brake lights, and turn signal lights.

c. A horn meeting the requirements of Section 32-5-213, Code of Alabama 1975.



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29 d. A seat belt for each passenger.

30 e. A roll bar.

31 f. A manufacturer-installed or equivalent spark
32 arrester.

33 g. A manufacturer-installed or equivalent muffler in
34 proper working order and properly connected to the vehicle's
35 exhaust system.

36 h. A windshield, with or without wipers.

37 i. Tires in compliance with Section 32-5-210, Code of
38 Alabama 1975.

39 (2) If a vehicle is certified by an off-road vehicle
40 dealer as meeting the requirements of subdivision (1), the
41 owner of the vehicle may present the certification to the
42 local licensing official and apply for a tag. Upon meeting the
43 requirements of the foregoing and payment of all applicable
44 fees, the local licensing official shall register the vehicle
45 pursuant to Division 1 of Article 5 of Chapter 12 of Title 40,
46 Code of Alabama 1975, and issue a tag for the vehicle pursuant
47 to Article 2 of Chapter 6 of Title 32, Code of Alabama 1975.
48 The tag shall be securely attached in the same manner as a
49 private passenger vehicle and shall indicate that the off-road
50 vehicle is for restricted use.

51 (3) The off-road vehicle must be covered by a liability
52 insurance policy pursuant to Chapter 7A of Title 32, Code of
53 Alabama 1975.

54 (c) An off-road vehicle may only be operated on a
55 public road by an operator who is at least 16 years of age and
56 who possesses a valid driver license from this state or an



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57 equivalent license from another state. The operator shall obey
58 all of the duties applicable to the operator of a private
59 motor vehicle under Chapter 5 and Chapter 5A of Title 32, Code
60 of Alabama 1975, except as to those provisions that by their
61 nature can have no application.

62 (d) The operation of an off-road vehicle under this
63 section is limited to public roads in the unincorporated
64 portions of a county which have a maximum posted speed limit
65 of 45 miles per hour. Nothing in this section authorizes the
66 operation of an off-road vehicle on an interstate highway or
67 within a municipality.

68 (e) No provision of this section shall serve to exempt
69 the owner or operator of an off-road vehicle from being
70 responsible for damage to public roads and rights-of-way as
71 provided in Section 32-5-9, Code of Alabama 1975.

72 (f) The provisions of this section shall not authorize
73 a person to operate an off-road vehicle on private property
74 without the consent of the respective landowner.

75 (g) Notwithstanding any other provision of this section
76 to the contrary, an off-road vehicle that does not otherwise
77 meet the requirements of subsection (b) may be operated to
78 cross from a county road, field, or other area of operation to
79 another, or cross a state highway or other noncounty road, not
80 to include an interstate or national defense highway system,
81 if all of the following conditions are satisfied:

82 (1) The crossing is made at an angle of approximately
83 90 degrees to the direction of the highway and at a place
84 where no obstruction prevents a quick and safe crossing.



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85 (2) The vehicle is brought to a complete stop before
86 crossing the shoulder or main traveled way of the highway.

87 (3) The operator yields the operator's right-of-way to
88 all oncoming traffic that constitutes an immediate potential
89 hazard.

90 (4) Both the head lights and tail lights are
91 illuminated when the crossing is made, if the vehicle is
92 equipped with head lights and tail lights.

93 (h) An off-road vehicle is exempt from the requirements
94 of subsection (b) while operated under any of the following
95 conditions:

96 (1) On private land with the permission of the owner
97 thereof.

98 (2) For agricultural purposes.

99 (3) For wildlife management, law enforcement, emergency
100 services, or other official governmental purpose.

101 (i) The annual license tax and registration fee for an
102 off-road vehicle shall be the same as a private passenger
103 automobile, and the fee shall be distributed in the same
104 manner as for a private passenger automobile.

105 (j) The mere use of an off-road vehicle pursuant to
106 this section shall not be evidence of product misuse,
107 contributory negligence, or assumption of the risk.

108 (k) The Department of Revenue shall adopt rules to
109 implement and administer this section, including providing for
110 the creation of an off-road vehicle certification form.

111 (l) The county engineer, county governing body and its
112 officials, probate judge, and licensing official as defined



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113 under Section 40-12-240(b), Code of Alabama 1975, and any
114 employee thereof shall not be held liable for any bodily
115 injury, death, damages, or loss of property arising from the
116 operation of an off-road vehicle pursuant to this section.
117 Nothing in this section requires counties to alter the
118 construction, design, or maintenance of roads or bridges in a
119 manner to accommodate the operational characteristics of
120 off-road vehicles.

121 (m) Any violation of this section or of any other
122 applicable provision of Title 32, Code of Alabama 1975, by the
123 operator of an off-road vehicle shall be punishable as
124 provided for the operation of motor vehicles pursuant to Title
125 32, Code of Alabama 1975.

126 (n) The Alabama State Law Enforcement Agency shall
127 collect data on crashes, including the frequency and severity
128 thereof, involving off-road vehicles during the first 24
129 months following the effective date of this act. ALEA shall
130 compile the data into a report and shall present the report to
131 the Joint Transportation Committee of the Legislature in
132 advance of the 2029 legislative session.

133 Section 2. This act shall become effective on January
134 1, 2027.



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137 Senate

138 Read for the first time and referred12-Feb-26
139 to the Senate committee on County
140 and Municipal Government
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142 Read for the second time and placed17-Feb-26
143 on the calendar:
144 0 amendments
145
146 Read for the third time and passed19-Feb-26
147 as amended
148 Yeas 29
149 Nays 1
150 Abstains 0
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Patrick Harris,
Secretary.

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