

SB303 INTRODUCED



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



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

This bill would authorize the operation of off-road vehicles on certain public roads in the same manner as private passenger automobiles, provided the off-road vehicles satisfy various registration, licensure, equipment, and insurance requirements.

This bill would restrict the operation of off-road vehicles to those public roads in the unincorporated portions of a county which have a maximum speed limit of 45 miles per hour.

This bill would require the operator of an off-road vehicle on a public road to have a driver license.

This bill would provide exemptions under certain conditions, including when operated on private property and for agricultural purposes.

This bill would also provide that operating an off-road vehicle in violation of the law is a traffic infraction.

This bill would also provide a limitation of liability for county engineers, county governing bodies, and their officials and employees for injuries arising from the use of an off-road vehicle.



SB303 INTRODUCED

29 A BILL
30 TO BE ENTITLED
31 AN ACT

32
33 Relating to off-road vehicles; to provide for the
34 operation of off-road vehicles on certain public roads; to
35 provide for the registration and licensure of off-road
36 vehicles; to require the Department of Revenue to adopt rules;
37 to provide a limitation of liability under certain conditions;
38 and to provide a penalty for a violation.

39 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

48 a. Brakes.

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

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

53 d. A seat belt for each passenger.

54 e. A roll bar.

55 f. A manufacturer-installed or equivalent spark
56 arrester.



SB303 INTRODUCED

57 g. A manufacturer-installed or equivalent muffler in
58 proper working order and properly connected to the vehicle's
59 exhaust system.

60 h. A windshield, with or without wipers.

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

63 (2) If a vehicle is certified by an off-road vehicle
64 dealer as meeting the requirements of subdivision (1), the
65 owner of the vehicle may present the certification to the
66 local licensing official and apply for a tag. Upon meeting the
67 requirements of the foregoing and payment of all applicable
68 fees, the local licensing official shall register the vehicle
69 pursuant to Division 1 of Article 5 of Chapter 12 of Title 40,
70 Code of Alabama 1975, and issue a tag for the vehicle pursuant
71 to Article 2 of Chapter 6 of Title 32, Code of Alabama 1975.
72 The tag shall be securely attached in the same manner as a
73 private passenger vehicle and shall indicate that the off-road
74 vehicle is for restricted use.

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

78 (c) An off-road vehicle may only be operated on a
79 public road by an operator who is at least 16 years of age and
80 who possesses a valid driver license from this state or an
81 equivalent license from another state. The operator shall obey
82 all of the duties applicable to the operator of a private
83 motor vehicle under Chapter 5 and Chapter 5A of Title 32, Code
84 of Alabama 1975, except as to those provisions that by their



SB303 INTRODUCED

85 nature can have no application.

86 (d) The operation of an off-road vehicle under this
87 section is limited to public roads in the unincorporated
88 portions of a county which have a maximum posted speed limit
89 of 45 miles per hour. Nothing in this section authorizes the
90 operation of an off-road vehicle on an interstate highway or
91 within a municipality.

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

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

99 (g) Notwithstanding any other provision of this section
100 to the contrary, an off-road vehicle that does not otherwise
101 meet the requirements of subsection (b) may be operated to
102 cross from a county road, field, or other area of operation to
103 another, or cross a state highway or other noncounty road, not
104 to include an interstate or national defense highway system,
105 if all of the following conditions are satisfied:

106 (1) The crossing is made at an angle of approximately
107 90 degrees to the direction of the highway and at a place
108 where no obstruction prevents a quick and safe crossing.

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

111 (3) The operator yields the operator's right-of-way to
112 all oncoming traffic that constitutes an immediate potential



SB303 INTRODUCED

113 hazard.

114 (4) Both the head lights and tail lights are
115 illuminated when the crossing is made, if the vehicle is
116 equipped with head lights and tail lights.

117 (h) An off-road vehicle is exempt from the requirements
118 of subsection (b) while operated under any of the following
119 conditions:

120 (1) On private land with the permission of the owner
121 thereof.

122 (2) For agricultural purposes.

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

125 (i) The annual license tax and registration fee for an
126 off-road vehicle shall be the same as a private passenger
127 automobile, and the fee shall be distributed in the same
128 manner as for a private passenger automobile.

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

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

135 (l) The county engineer, a county governing body, and
136 its employees and officials shall not be held liable for any
137 bodily injury, death, damages, or loss of property arising
138 from the operation of an off-road vehicle pursuant to this
139 section. Nothing in this section requires counties to alter
140 the construction, design, or maintenance of roads or bridges



SB303 INTRODUCED

141 in a manner to accommodate the operational characteristics of
142 off-road vehicles.

143 (m) Any violation of this section or of any other
144 applicable provision of Title 32, Code of Alabama 1975, by the
145 operator of an off-road vehicle shall be punishable as
146 provided for the operation of motor vehicles pursuant to Title
147 32, Code of Alabama 1975.

148 (n) The Alabama State Law Enforcement Agency shall
149 collect data on crashes, including the frequency and severity
150 thereof, involving off-road vehicles during the first 24
151 months following the effective date of this act. ALEA shall
152 compile the data into a report and shall present the report to
153 the Joint Transportation Committee of the Legislature in
154 advance of the 2029 legislative session.

155 Section 2. This act shall become effective on January
156 1, 2027.