

By: Representative Martinson

To: Transportation

HOUSE BILL NO. 1266

1 AN ACT TO PROHIBIT ANY PERSON FROM OPERATING AN ALL-TERRAIN
2 VEHICLE OR MOTORCYCLE UPON A PUBLIC STREET, ROAD OR HIGHWAY UNLESS
3 SUCH PERSON HAS COMPLETED AN ALL-TERRAIN VEHICLE OR MOTORCYCLE
4 SAFETY COURSE CONDUCTED BY THE DEPARTMENT OF PUBLIC SAFETY; TO
5 PRESCRIBE A FEE FOR SUCH COURSE; TO PROVIDE A PENALTY FOR
6 VIOLATIONS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** (1) From and after July 1, 2005, no person may
9 operate an all-terrain vehicle or motorcycle upon any public
10 street, road or highway in this state unless such person has
11 completed an all-terrain vehicle or motorcycle safety course
12 conducted by and using course materials, curricula and instructors
13 provided by the Department of Public Safety. A fee of Ten Dollars
14 (\$10.00) shall be charged to those taking the course. The
15 department shall issue a certificate to each person who
16 satisfactorily completes the course.

17 (2) Any person who operates an all-terrain vehicle or
18 motorcycle in violation of subsection (1) of this section is
19 guilty of a misdemeanor and shall be punished, upon conviction, by
20 a fine of not less than Twenty-five Dollars (\$25.00) nor more than
21 Fifty Dollars (\$50.00).

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

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2005.