

By: Senator(s) Tollison

To: Judiciary, Division B

SENATE BILL NO. 2136

1 AN ACT TO PROVIDE THAT OPERATORS OF ALL-TERRAIN VEHICLES MUST
2 POSSESS A DRIVER'S LICENSE OR HAVE TAKEN TRAINING AND BE
3 CERTIFIED; TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVISE AN ATV
4 SAFETY COURSE; TO PROVIDE A PENALTY FOR VIOLATIONS; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** (1) No all-terrain vehicle shall be operated by
8 any person unless:

9 (a) (i) He possesses a valid driver's license; or

10 (ii) He possesses a certificate as provided under
11 this section.

12 (b) No person under sixteen (16) years of age may
13 operate or ride upon any all-terrain vehicle upon any public or
14 private property in this state unless the person is wearing a
15 crash helmet that complies with minimum guidelines established by
16 the National Highway Traffic Safety Administration pursuant to the
17 National Traffic and Motor Vehicle Safety Act of 1966 for helmets
18 designed for use by motorcyclists.

19 (2) All-terrain vehicle safety courses shall be held by the
20 Cooperative Extension Service using course materials, curricula
21 and instructors designated and approved by the Department of
22 Health. A reasonable fee shall be charged to those taking the
23 course. The Department of Health shall issue a certificate to
24 each person who satisfactorily completes the all-terrain vehicle
25 safety course.

26 (3) A violation of this section is punishable by a fine of
27 not less than Twenty-five Dollars (\$25.00) nor more than Fifty
28 Dollars (\$50.00).

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

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