

By: Senator(s) Tollison

To: Judiciary, Division B

SENATE BILL NO. 2088

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, 2006.