

By: Senator(s) Tollison, Burton, Butler
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To: Judiciary, Division B

SENATE BILL NO. 2196
(As Sent to Governor)

1 AN ACT TO PROVIDE THAT OPERATORS OF ALL-TERRAIN VEHICLES ON
2 PUBLIC PROPERTY MUST POSSESS A DRIVER'S LICENSE OR HAVE TAKEN
3 TRAINING AND BE CERTIFIED; TO REQUIRE THE COOPERATIVE EXTENSION
4 SERVICE TO DEVISE AN ATV SAFETY COURSE; TO ALLOW ANY ORGANIZATION
5 APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY TO DEVISE AN ATV
6 SAFETY COURSE; TO PROVIDE A PENALTY FOR VIOLATIONS; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** It is the intent of the Legislature that all
10 persons shall operate all-terrain vehicles in accordance with the
11 vehicle manufacturer's guidelines.

12 **SECTION 2.** (1) No all-terrain vehicle shall be operated
13 upon any public property by any person unless:

14 (a) (i) The person possesses a valid driver's license;
15 or

16 (ii) The person possesses a certificate as
17 provided under subsections (3) and (4) of this section.

18 (b) No person may operate any all-terrain vehicle upon
19 any public property in this state unless all persons under sixteen
20 (16) years of age operating or riding on the all-terrain vehicle
21 are wearing a crash helmet that complies with minimum guidelines
22 established by the National Highway Traffic Safety Administration
23 pursuant to the National Traffic and Motor Vehicle Safety Act of
24 1966 for helmets designed for use by motorcyclists.

25 (2) A violation of subsection (1) of this section is
26 punishable by a fine of not less than Twenty-five Dollars (\$25.00)
27 nor more than Fifty Dollars (\$50.00).

28 (3) All-terrain vehicle safety courses shall be held by the
29 Cooperative Extension Service using 4-H safety course materials



30 and curricula, and shall be taught by instructors possessing
31 qualifications approved by the Department of Public Safety. The
32 Cooperative Extension Service shall issue a certificate to each
33 person who satisfactorily completes the all-terrain vehicle safety
34 course.

35 (4) All-terrain vehicle safety courses may be held by any
36 organization approved by the Department of Public Safety. Such
37 organization shall issue a certificate to each person who
38 satisfactorily completes the all-terrain vehicle safety course.

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

46 **SECTION 3.** This act shall take effect and be in force from
47 and after July 1, 2011.

