

By: Representatives Formby, Moore

To: Transportation

HOUSE BILL NO. 1314

1 AN ACT TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO
2 OPERATE AN ALL-TERRAIN VEHICLE UPON A PUBLIC STREET, ROAD OR
3 HIGHWAY IN THIS STATE; TO PRESCRIBE A FINE FOR SUCH VIOLATION; TO
4 PROVIDE THAT THE FINE MAY NOT BE SUSPENDED OR REDUCED; TO DEFINE
5 THE TERM "ALL-TERRAIN VEHICLE" FOR PURPOSES OF THIS ACT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) It shall be unlawful for any person to
9 operate an all-terrain vehicle upon any public street, road or
10 highway in this state, or in or upon the right-of-way thereof,
11 except when crossing such street, road or highway at a
12 perpendicular angle and from and to a location where such vehicle
13 may lawfully be operated.

14 (2) Any person who operates an all-terrain vehicle or
15 motorcycle in violation of subsection (1) of this section, upon
16 conviction, is guilty of a misdemeanor and shall be punished, upon
17 conviction, as follows:

18 (a) A person under eighteen (18) years of age shall be
19 fined One Thousand Dollars (\$1,000.00);

20 (b) A person eighteen (18) years of age or older shall
21 be fined One Hundred Fifty Dollars (\$150.00).

22 (3) The fine imposed under subsection (2) of this section
23 may not be suspended or reduced, and any person convicted of such
24 violation shall not be eligible for probation or other reduction
25 in sentence.

26 (4) For the purposes of this section, the term "all-terrain
27 vehicle" means any motorized vehicle manufactured and designed
28 exclusively for off-road use that is sixty (60) inches or less in
29 width, has an unladen dry weight of seven hundred fifty (750)

30 pounds or less, travels on three (3), four (4) or more low
31 pressure tires, has a seat designed to be straddled by the
32 operator and uses handlebars for steering control.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2007.