

1 HB158
2 209072-1
3 By Representative Moore (P)
4 RFD: Public Safety and Homeland Security
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

SYNOPSIS: Under existing law, an all-terrain vehicle (ATV) and a recreational off-highway vehicle are off-road vehicles that may be registered by the owner with the Alabama State Law Enforcement Agency. An all-terrain vehicle is defined to include a vehicle of not more than 60 inches in width. A recreational off-highway vehicle is defined to include a vehicle of not more than 80 inches in width or more than 2,500 pounds.

This bill would specify that the authorized width of an all-terrain vehicle or a recreational off-highway vehicle would be measured from the outside of the tire rim directly across on the other side of the vehicle and would increase the authorized weight of a recreational off-highway vehicle to 3,500 pounds.

A BILL
TO BE ENTITLED
AN ACT

1
2 Relating to all-terrain vehicles (ATVs) and
3 recreational off-highway vehicles; to amend Section 32-12A-1
4 of the Code of Alabama 1975, as last amended by Act 2019-104,
5 to increase the authorized width of the vehicles and the
6 authorized weight of recreational off-highway vehicles.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 32-12A-1 of the Code of Alabama
9 1975, as last amended by Act 2019-104, is amended to read as
10 follows:

11 "§32-12A-1.

12 "For purposes of this chapter, the following terms
13 shall have the following meanings:

14 "(1) ALL-TERRAIN VEHICLES (ATV). Every motor vehicle
15 60 inches or less in width, measured from the outside of the
16 tire rim to the outside of the tire rim directly across on the
17 vehicle, having a dry weight of 1,500 pounds or less, designed
18 to travel on three or more non-highway tires, and manufactured
19 for off-road use by a single operator or by an operator and
20 not more than one passenger as provided by the manufacturer.

21 "(2) OFF-ROAD VEHICLE. Any motorized vehicle not
22 designed for use on a highway and capable of cross-country
23 travel on land, snow, ice, marsh, swampland, or other natural
24 terrain. The term includes any all-terrain vehicle and
25 recreational off-highway vehicle. The term excludes any golf
26 cart; any vehicle used for military, fire, emergency, or law
27 enforcement purposes; any motorboat; any vehicles used

1 exclusively on airport property; all farm machinery, farm
2 tractors, and other self-propelled equipment for harvesting
3 and transportation of forest products, for clearing land for
4 planting, for utility services and maintenance, or for earth
5 moving, construction, or mining; and self-propelled
6 lawnmowers, snowblowers, and garden or lawn tractors while
7 such vehicles are being used exclusively for their designed
8 purposes. The term does not include any motor vehicle for
9 which a certificate of title is required by Chapter 8.

10 "(3) RECREATIONAL OFF-HIGHWAY VEHICLE. Any off-road
11 vehicle 80 inches or less in width, measured from the outside
12 of the tire rim to the outside of the tire rim directly across
13 on the vehicle, having a dry weight of ~~2,500~~ 3,500 pounds or
14 less, designed and manufactured to travel on four or more
15 non-highway tires for off-road use by an operator and the
16 number of passengers as provided by the manufacturer.

17 "(4) SECRETARY. The Secretary of the Alabama State
18 Law Enforcement Agency."

19 Section 2. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.