HLS 21RS-349 ENGROSSED

2021 Regular Session

HOUSE BILL NO. 501

1

BY REPRESENTATIVE SCHAMERHORN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Authorizes the operation of certain utility terrain vehicles on highway shoulders

AN ACT

2 To enact R.S. 32:1(110) and 299.3(B)(3), relative to the use of utility terrain vehicles; to 3 provide for the authorization of the use of utility terrain vehicles on highway 4 shoulders; to provide for definitions related to motor vehicles and traffic regulations; 5 to direct the Louisiana State Law Institute to reorder certain definitions; and to 6 provide for related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 32:1(110) and 299.3(B)(3) are hereby enacted to read as follows: 9 §1. Definitions 10 11 (110) "Utility terrain vehicle" means any recreational motor vehicle designed 12 for and capable of travel over designated roads, traveling on four or more tires with 13 a maximum tire width of twenty-seven inches, a maximum wheel cleat or lug of 14 three-fourths of an inch, a minimum width of fifty inches but not exceeding 15 seventy-four inches, a minimum weight of at least seven hundred pounds but not 16 exceeding two thousand pounds, and a minimum wheelbase of sixty-one inches but 17 not exceeding one hundred ten inches. "Utility terrain vehicle" shall include those 18 vehicles not equipped with a certification label as required by 49 CFR Part 567.4. 19 (a) "Utility terrain vehicle" does not include golf carts, vehicles specially 20 designed to carry a disabled person, or vehicles otherwise registered under R.S.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | 32:299. A "utility terrain vehicle" or "UTV" also means a recreational off-highway |
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| 2 | vehicle or ROV. |
| 3 | (b) Notwithstanding the provisions of R.S. 32:299.3 to the contrary, a |
| 4 | "utility terrain vehicle" or "UTV" may operate on the shoulders of any publicly |
| 5 | maintained highway with improved asphalt or concrete shoulders except an interstate |
| 6 | highway for the purpose of moving between agricultural properties as provided in |
| 7 | R.S. 32:298. |
| 8 | * * * |
| 9 | §299.3. Off-road vehicles; utility terrain vehicles |
| 10 | * * * |
| 11 | B. Notwithstanding the provisions in R.S. 32:299, the operation of a utility |
| 12 | terrain vehicle upon the public roads or streets of this state is prohibited, except as |
| 13 | follows: |
| 14 | * * * |
| 15 | (3) Notwithstanding any of the provisions contained in this Subsection to the |
| 16 | contrary, utility terrain vehicles used for the purpose of moving between agricultural |
| 17 | properties may operate on the shoulders of any publicly maintained highway with |
| 18 | improved asphalt or concrete shoulders except an interstate highway. |
| 19 | * * * |
| 20 | Section 2. The Louisiana State Law Institute is hereby authorized and directed to |
| 21 | renumber in consecutive sequence and to reorder the definitions in R.S. 32:1 in alphabetical |
| 22 | sequence. |
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Schamerhorn

Abstract: Authorizes a utility terrain vehicle to operate on highway shoulders for the purpose of moving between agricultural properties.

<u>Present law</u> provides definitions related to motor vehicles and traffic regulations.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Present law</u> defines a utility terrain vehicle (UTV) as any recreational motor vehicle designed for and capable of travel over designated roads, traveling on four or more tires, a maximum tire width of 27 inches, a maximum wheel cleat of 3/4th inches, a minimum width of 50 inches but not exceeding 74 inches, a minimum weight of at least 700 pounds but not exceeding 2000 pounds, and having a minimum wheelbase of 61 inches but not exceeding 110 inches. <u>Present law</u> adds that a UTV does not include golf carts, vehicles specially designed to carry a disabled person, or vehicles otherwise registered under <u>present law</u>. A UTV also means a recreational off-highway vehicle or ROV.

<u>Proposed law</u> adds the <u>present law</u> definition for UTV to the definitions related to motor vehicles and traffic regulations provided in present law.

<u>Present law</u> generally restricts the operation of utility terrain vehicles on public roads and streets, except in the following circumstances:

- (1) A utility terrain vehicle operated on a parish road or municipal street designated by a parish or municipality for use by a utility terrain vehicle.
- (2) A utility terrain vehicle may cross a divided highway, highway, roadway, or street with a posted speed limit in excess of 35 miles per hour at an intersection.

<u>Proposed law</u> retains <u>present law</u> and further authorizes the operation of UTVs on the shoulder of a highway with improved asphalt or concrete shoulders except an interstate highway for the purpose of moving between agricultural properties.

(Adds R.S. 32:1(110) and 299.3(B)(3))