



SVIA MODEL STATE ATV LEGISLATION

Summary of Provisions

Education and Training

Provides for state implementation of a comprehensive ATV safety education and training program. The program shall provide for the hands-on training of ATV operators. All persons operating an ATV on public land shall have a safety certificate. Except as provided, all operators seeking a safety certificate must receive training. Provides for certification of safety instructors. Fees collected for training and certificates shall be retained in a dedicated fund to support the ATV safety training and education program.

Age Restrictions

- (a) No person under age 6 may operate an ATV.
- (b) No person shall operate an ATV bearing a Certification Label conforming to ANSI/SVIA 1 – 2007 in violation of the Age Recommendation Warning Label affixed by the manufacturer.
- (c) No person shall operate an ATV not bearing a Certification Label conforming to ANSI/SVIA 1 – 2007 except as follows:
 - (1) ATVs with engine capacity 70 cc up to and including 90 cc shall be operated only by those aged 12 and older.
 - (2) ATVs with engine capacity greater than 90 cc shall be operated only by those aged 16 and older.
- (d) Persons under age 16 shall be under direct adult supervision while operating an ATV.

ATV Equipment Requirements

ATVs shall comply with the American National Standard for Four Wheel All-Terrain Vehicles, ANSI/SVIA 1-2007, or later revision, or be equipped with:

- (a) Brake system maintained in good operating condition;
- (b) Effective muffler system in good working condition;
- (c) Effective spark arrester in good working condition.

ATV Operator Prohibitions on Public Land

- (a) Operation in a careless or reckless manner so as to endanger or to cause injury or damage to any person or property.
- (b) Operation on any public street, road, or highway of this state except for purposes of crossing or as part of a designated trail system, as specified.
- (c) Operation during hours of darkness without displaying a lighted headlamp and tail lamp.
- (d) Operation unless wearing eye protection and an approved safety helmet.
- (e) Carrying of a passenger, unless designed by manufacturer to carry one passenger.
- (f) Operation while under the influence of alcohol or any controlled substance, or under the influence of a prescription or non-prescription drug that impairs vision or motor coordination.

ATV Retailer Prohibitions

- (a) No person shall knowingly sell or offer to sell an ATV bearing a Certification Label conforming to ANSI/SVIA 1–2007 in violation of the Age Recommendation Warning Label affixed by the manufacturer.
- (b) For ATVs not bearing a Certification Label conforming to ANSI/SVIA 1–2007 no person shall knowingly sell or offer to sell at retail:
 - (1) an ATV for use by a person under 6 years of age.
 - (2) an ATV for use by those age 6 – 11 with engine capacity of 70 cubic centimeter displacement or greater.
 - (3) an all terrain vehicle for use by those age 12 -15 with engine capacity greater than 90 cc.

Provides penalties for violations