

1 HOUSE BILL NO. 273

2 INTRODUCED BY R. MEHLHOFF

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING FOR THE OPERATION OF OFF-HIGHWAY VEHICLES
5 ON CERTAIN PUBLIC ROADS WHEN AUTHORIZED BY A LOCAL GOVERNMENT OR THE STATE HIGHWAY
6 PATROL."

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

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10 NEW SECTION. **Section 1. Operation on public roads, streets, and highways.** (1) A person may
11 not operate an off-highway vehicle on a controlled-access highway or facility at any time. Off-highway vehicle
12 operation is permitted on the roadway or shoulder of any public road or highway, state highway, county road, or
13 city street located within the boundaries of any municipality only if:

14 (a) the operator has received permission or is otherwise authorized for that travel by the municipality in
15 the case of town or city streets, the board of county commissioners for county roads, or the state highway patrol
16 for all other highways; or

17 (b) operation is authorized on municipal streets by municipal ordinance.

18 (2) An off-highway vehicle may not be operated as allowed under this section unless it is equipped with
19 at least one headlamp and one taillamp, which must be lighted at all times during operation, and unless it is
20 equipped with a suitable braking device operable by either hand or foot.

21 (3) (a) Except as provided in subsection (3)(b), a person who operates an off-highway vehicle when
22 allowed under this section must have in the person's possession a license to drive a motor vehicle issued under
23 Title 61, chapter 5.

24 (b) An operator is exempt from the requirement to possess a license when operating an off-highway
25 vehicle as allowed under this section if the person:

26 (i) is under 16 years of age but at least 12 years of age; and

27 (ii) at the time of operation of the off-highway vehicle, has in the person's possession a certificate
28 showing the successful completion of an off-highway vehicle safety education course approved by the department
29 of fish, wildlife, and parks and is in the physical presence of a person who possesses a license to drive a motor
30 vehicle.

