

# OFF-HIGHWAY VEHICLES

## LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

**Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.**

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## Background Materials and Research

**Topic Summary:** An off-highway vehicle is defined in Montana law, [section 23-2-801](#), as a self-propelled vehicle used for recreation or cross-country travel on public lands, trails, easements, lakes, rivers, or streams. Montana Legislation in the last 10 years has focused on further defining the definition of off-highway vehicles as well as the requirements and permits for those vehicles.

**Legislative Services Division Materials:** As stated in the MCA, "off-highway vehicle" means a self-propelled vehicle used for recreation or cross-country travel on public lands, trails, easements, lakes, rivers, or streams. The term includes but is not limited to motorcycles, quadricycles, dune buggies, amphibious vehicles, air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind. The definition does not include vehicles designed primarily for travel on, over, or in the water or snowmobiles. For further information on off-highway vehicles definitions, exceptions, and laws see [Title 23, chapter 2, part 8, MCA](#).

See also information on operating requirements for off-highway vehicles below high-water marks in [section 61-8-371](#).

## Other Materials:

[Transportation Review: All-Terrain Vehicle Safety](#) – NSCL

## Introduced Legislation

2017

[Senate Bill No. 232](#) – (H) Died in Standing Committee -- AN ACT PROVIDING FOR AN OFF-HIGHWAY VEHICLE TRAIL PASS; REQUIRING A RESIDENT OWNER OF AN OFF-HIGHWAY VEHICLE TO ANNUALLY

PURCHASE AND DISPLAY A TRAIL PASS IN ORDER TO OPERATE THE VEHICLE OFF ROAD ON PUBLIC LANDS; IMPOSING A FEE FOR THE TRAIL PASS AND REQUIRING MONEY COLLECTED TO BE USED FOR CERTAIN PURPOSES; PROVIDING A PENALTY FOR FAILURE TO DISPLAY THE TRAIL PASS; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill No. 314](#) – Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS GOVERNING OPERATION OF MOTORCYCLES AND QUADRICYCLES; EXEMPTING A MOTORCYCLE OR QUADRICYCLE THAT IS NOT BEING OPERATED ON A PAVED HIGHWAY FROM CERTAIN EQUIPMENT AND OPERATION REQUIREMENTS; PROVIDING THAT A DRIVER'S LICENSE IS NOT REQUIRED TO OPERATE A MOTORCYCLE OR QUADRICYCLE ON AN UNPAVED HIGHWAY; ALLOWING A PERSON UNDER 12 YEARS OF AGE TO OPERATE A MOTORCYCLE OR QUADRICYCLE UNDER CERTAIN CIRCUMSTANCES; REQUIRING REASONABLE AND PRUDENT OPERATION OF A MOTORCYCLE OR QUADRICYCLE AT ALL TIMES; PROVIDING EXCEPTIONS FROM OPERATION AND EQUIPMENT REQUIREMENTS FOR QUADRICYCLES BEING OPERATED FOR AGRICULTURAL PURPOSES; AMENDING SECTIONS 23-2-824, 61-8-359, 61-9-101, AND 61-9-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**2015**

[House Bill No. 167](#) – Chapter Number Assigned -- AN ACT REVISING LAWS RELATED TO OFF-HIGHWAY VEHICLE NONRESIDENT TEMPORARY-USE PERMITS; INCREASING THE NONRESIDENT TEMPORARY-USE PERMIT FEE FOR OFF-HIGHWAY VEHICLES; REQUIRING A NONRESIDENT TEMPORARY-USE PERMIT FOR ALL OFF-HIGHWAY VEHICLES OWNED BY NONRESIDENTS; REQUIRING THAT MONEY COLLECTED FROM THE FEE BE USED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR CERTAIN PURPOSES; AND AMENDING SECTIONS 23-2-802 AND 23-2-814, MCA.

**2013**

**2011**

[House Bill No. 241](#) – (H) Died in Standing Committee -- AN ACT PROVIDING FOR THE ENFORCEMENT OF OFF-HIGHWAY MOTORCYCLE AND QUADRICYCLE NOISE EMISSION STANDARDS BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS; AND AMENDING SECTIONS 61-9-418, 61-9-435, AND 61-9-518, MCA.

[Senate Bill No. 160](#) – Chapter Number Assigned -- AN ACT AUTHORIZING THE USE OF OFF-HIGHWAY VEHICLES ON DESIGNATED ROADS AND DESIGNATED TRAILS WITHIN STATE PARKS AND FISHING ACCESS SITES; AND AMENDING SECTION 23-1-128, MCA.

**2009**

[House Bill No. 614](#) – (H) Died in Standing Committee -- AN ACT CREATING THE OFFENSE OF UNLAWFUL OPERATION OF A MOTORCYCLE, QUADRICYCLE, OR OTHER OFF-HIGHWAY VEHICLE ON PUBLIC LANDS CLOSED TO OFF-HIGHWAY VEHICLES; PROVIDING FOR ENFORCEMENT; AMENDING SECTION 87-1-505, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 383](#) – (S) Died in Standing Committee -- AN ACT REQUIRING FULL-SIZE LICENSE PLATES FOR QUADRICYCLES AND OFF-HIGHWAY VEHICLES; REVISING REGISTRATION REQUIREMENTS FOR QUADRICYCLES AND OFF-HIGHWAY VEHICLES; REQUIRING LICENSE PLATES ON THE FRONT AND REAR OF QUADRICYCLES AND OFF-HIGHWAY VEHICLES; ALLOWING PERSONALIZED AND SPECIALTY LICENSE PLATES TO BE ISSUED TO QUADRICYCLES AND OFF-HIGHWAY VEHICLES; AMENDING SECTIONS 23-2-804, 23-2-807, 23-2-809, 61-1-101, 61-3-301, 61-3-303, 61-3-313, 61-3-321, 61-3-332, 61-3-333, 61-3-402, 61-3-415, 61-3-458, 61-3-463, 61-3-479, 61-3-481, AND 61-3-509, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.