



ARIZONA HOUSE OF REPRESENTATIVES

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House: TI DP 8-0-3-0 | 3rd Read 35-25-0-0

SB 1567: off-highway vehicles; education requirement

Sponsor: Senator Kerr, LD 25

Transmitted to the Governor

Overview

Establishes a driver's license and education requirement for the operation of an off-highway vehicle (OHV). Prohibits operating an OHV while consuming or possessing an open container of spirituous liquor.

History

An OHV is a motorized vehicle that is operated primarily off of highways and that is designed, modified or purpose-built primarily for recreational nonhighway all-terrain travel. An OHV includes a tracked or wheeled vehicle, utility vehicle, all-terrain vehicle, motorcycle, four-wheel drive vehicle, dune buggy, sand rail, amphibious vehicle, ground effects or air cushion vehicle and any other means of land transportation deriving motive power from a source other than muscle or wind. ([A.R.S. § 28-1171](#)).

Statute outlines operating restrictions for people driving OHVs. Some of the restrictions include prohibiting a person from driving an OHV: 1) with reckless disregard for the safety of persons or property; 2) off of an existing road, trail or route in a way that causes damage to wildlife habitat, riparian areas, cultural or natural resources or property or improvements; 3) on roads, trails, routes or areas closed as indicated in the rules or regulations of a federal agency, this state, county, municipality or by proper posting if the land is private; and 4) over unimproved roads, trails, routes or areas unless driving is allowed by a rule or regulation ([A.R.S. § 28-1174](#)).

An operator or passenger of a motorcycle, all-terrain vehicle or motor-driven cycle who is under 18 years of age must wear a protective helmet on the operator's or passenger's head in an appropriate manner. The protective helmet must be safely secured while the operator or passenger is operating or riding on the motorcycle, all-terrain vehicle or motor-driven cycle ([A.R.S. § 28-964](#)).

A person cannot consume or possess an open container of spirituous liquor while operating or while within a passenger compartment of a motor vehicle that is located on any public highway or right-of-way of a public highway in this state. *Motor vehicle* is defined as any vehicle that is driven or drawn by mechanical power and that is designed primarily for use on public highways. It does not include a vehicle operated exclusively on rails ([A.R.S. § 4-251](#)).

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note

Provisions

OHV Licensure Requirement

1. Requires a person to possess a valid driver's license to drive an OHV in this state. (Sec. 5)
2. States that if a minor who is under 12 years old drives an OHV without a license, the citation will be issued to the parent or legal guardian of the minor and not to the minor. (Sec. 5)
3. Declares that if a minor who is between 12 and 15 years old drives an OHV without a license, the citation may be issued to the minor or the parent or legal guardian but not to both. (Sec. 5)
4. Defines *highway*. (Sec. 5)

OHV Safety Education Course

5. Directs the Arizona Game and Fish Department (AZGFD) to certify an OHV safety education course (safety course) that includes verification of completion. (Sec. 6)
6. Requires beginning January 1, 2025, a person to complete the safety course and provide the Arizona Department of Transportation (ADOT) or AZGFD proof of completion of the course before ADOT or AZGFD may issue a resident or nonresident OHV user indicia to the person. (Sec. 6)
7. Instructs AZGFD to ensure that a person may complete the safety course online. (Sec. 6)
8. Requires ADOT to share OHV data with AZGFD relating to people who have provided proof of completion of the safety course and all user indicias issued by ADOT. (Sec. 6)
9. Repeals the safety course requirement on June 1, 2027. (Sec. 6)
10. Requires AZGFD on or before December 1, 2026, to submit a report regarding the results of implementing the safety course education requirements, including the revenues and costs associated with the implementation and any recommendations for administrative or legislative action. (Sec. 6)
11. Directs AZGFD to submit the report to the Governor, the President of the Senate and the Speaker of the House of Representatives and to provide a copy to the Secretary of State. (Sec. 6)

OHV Operation Violations

12. Specifies that statute outlining operation restrictions for OHVs apply to a person operating or allowing a minor under 12 years old to operate an OHV. (Sec. 3)
13. Stipulates that a citation will be issued to a parent or legal guardian of a minor who is under 12 years old and not the minor if the minor violates statute outlining operating restrictions for OHVs. (Sec. 3)
14. States that if a minor who is between 12 and 15 years old and commits a violation while operating an OHV a citation may be issued to the minor or the parent or legal guardian but not to both. (Sec. 3)

Miscellaneous

15. Prohibits a person from allowing someone who is under 18 years old to operate an OHV or be an OHV passenger on state or public land without wearing a protective helmet. (Sec. 4)

16. Specifies that the OHV helmet requirement for people under 18 years old does not apply to a child who is an OHV passenger if:
 - a) the child is properly secured in a child restraint system; and
 - b) the OHV is equipped with a rollover protection system. (Sec. 4)
17. Makes changes to the definition of *off-highway vehicle*. (Sec. 2)
18. Modifies the definition of a *motor vehicle* to prohibit someone from consuming spiritous liquor or possessing an open container of spirituous liquor while operating or within any self-propelled vehicle, rather than just any vehicle designed primarily for use on public highways. (Sec. 1)
19. Makes technical and conforming changes. (Sec. 1, 3-4)