

## **HF 2130 OHV FAQ**

### **1. Can a fee be charged or a pass/sticker be required for off-highway vehicles to be ridden on roadways/highways on public property by any government or nongovernment entity?**

*No, cities may not charge a fee to operate an off-highway vehicle (OHV) within the city but counties may be able to depending on the designation of county roads. Refer questions to counties as to whether a pass is required in their jurisdiction. Nonresidents must still obtain a sticker to operate OHVs on public land (not including public roadways), a designated riding area, a designated riding trail, or ice of this state.*

### **2. Can a dealer allow a customer to test drive an off-highway vehicle on roadways/highways if the vehicle has the appropriate dealer decal placed on the vehicle?**

*Yes, OHVs are motor vehicles so the dealer decal registration exemption applies the same to them as to other motor vehicles as long as they are on authorized roads.*

### **3. Can off-highway vehicles be ridden in state parks?**

*They can operate on “through roads”, meaning a road that starts and ends outside of park boundaries to pass from one authorized destination to another. They may not operate them on side roads wholly contained within park boundaries. This also applies to wildlife/game management areas.*

### **4. Does this law include all off-highway vehicles that are registered with the DNR? Off highway motorcycles, utility vehicles and ATVs? Can a mini bike be ridden on roadways?**

*No, according to Iowa Code 321I.1(b), off-road motorcycles are all-terrain vehicles (ATVs) for the purpose of registration, titling if a title has not previously been issued, and operators are subject to operating provisions governing ATVs – but does not state they are ATVs or off-road utility vehicles which is what the new law is intended to effect.*

### **5. What equipment is required by the D.O.T for an off-highway vehicle to legally be driven on roads/highways?**

*The minimum requirements to drive on streets listed in the new law are operational headlights (at all times), tail lights, brake lights, horn, and rearview mirror. Iowa Code 321I requires a muffler and brakes on ATVs. However, refer these questions to the DOT as motor vehicles on roadways are within their scope of administration and rulemaking authority.*

### **6. Does the DNR charge a fee to operate an OHV on roadways?**

*No, but the OHV needs to be registered with the DNR through county recorders.*

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### **7. Can farmers that are exempt for registration still travel from one farm to another?**

*Yes, Iowa Code 321.9(3) exempting ATVs used exclusively as farm implements from registration was not changed by the new law. Nor was Iowa Code 321.234A(1)(a) allowing for ATV operation on a highway between sunrise and sunset and incidental to the vehicle's use for agricultural purposes (including stopping in the course of agricultural use to obtain fuel for the all-terrain vehicle or to obtain food or a nonalcoholic beverage for the operator). The new law's language regarding age and insurance also does not apply to ATVs used for agricultural purposes under Iowa Code section 321.234A(1)(a).*

### **8. Where can OHVs be ridden on roadways?**

*-Undivided two-lane primary highway primary highway (not interstate) on the most direct route between an ATV park/trail, secondary road where authorized, city street where authorized, and the operator's residence.*

*-Any secondary road that is unpaved.*

*-Any secondary road that is paved and undivided on the most direct route between an ATV park/trail, secondary road where authorized, city street where authorized, and the operator's residence.*

*-A paved, undivided secondary road as authorized by the county board of supervisors.*

*-Directly across a highway that is not an interstate at an unobstructed intersection after stopping and yielding to oncoming traffic.*

*-Counties may prohibit operation on a secondary road closed for construction/reconstruction/maintenance/natural disaster, a secondary road designated as a detour route during construction/reconstruction/maintenance/natural disaster, and any secondary road by ordinance for short periods of time.*

### **9. If a customer is unsure that their type of vehicle is acceptable to be ridden on a roadway should they contact the D.O.T?**

*Yes, motor vehicles on roadways are within the DOT's scope of administration and rulemaking authority.*

### **10. How does this law affect nonresidents?**

*Nonresident OHVs must be registered to operate on Iowa roadways. Nonresidents must still purchase a user permit from the DNR to operate OHVs on public land (not including public roadways), a designated riding area, a designated riding trail, or ice of this state.*