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
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