



Bill Number: S.B. 1377

Kerr Floor Amendment

Reference to: APPROPRIATIONS Committee amendment

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Replaces drive an off-highway vehicle (OHV) with operating or allowing the operation of an OHV relating to restrictions of operating an OHV.**
- 2. Requires a person, after January 1, 2022, complete the educational course of instruction in OHV safety and environmental ethics and provide the Arizona Department of Transportation proof of the completion before ADOT can issue the person an OHV indicia.**
- 3. Requires ADOT to share with the Arizona Game and Fish Department of all OHV data relating to persons completing the education course and all indicias issued.**
- 4. Requires ADOT, by December 1, 2024, submit a report on the results from implementing the education course requirement that includes revenues and costs and any recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives and provide a copy to the Secretary of State.**
- 5. Repeals the section relating to OHV safety education course on June 1, 2025.**

Amendment explanation prepared by Liam Maher

02/23/2022

KERR FLOOR AMENDMENT

SENATE AMENDMENTS TO S.B. 1377

(Reference to APPROPRIATIONS Committee amendment)

1 Page 1, strike lines 1 through 6, insert:

2 "Page 2, between lines 8 and 9, insert:

3 "Sec. 2. Section 28-1174, Arizona Revised Statutes, is
4 amended to read:

5 28-1174. Operation restrictions; violation; classification

6 A. A person shall not ~~drive~~ OPERATE OR ALLOW THE OPERATION
7 OF an off-highway vehicle:

8 1. With reckless disregard for the safety of persons or
9 property.

10 2. Off of an existing road, trail or route in a manner
11 that causes damage to wildlife habitat, riparian areas,
12 cultural or natural resources or property or improvements.

13 3. On roads, trails, routes or areas closed as indicated
14 in rules or regulations of a federal agency, this state, a
15 county or a municipality or by proper posting if the land is
16 private land.

17 4. Over unimproved roads, trails, routes or areas unless
18 driving on roads, trails, routes or areas where such driving is
19 allowed by rule or regulation.

20 B. A person shall ~~drive~~ OPERATE OR ALLOW THE OPERATION OF
21 an off-highway vehicle only on roads, trails, routes or areas
22 that are opened as indicated in rules or regulations of a
23 federal agency, this state, a county or a municipality.

24 C. A person shall not operate OR ALLOW THE OPERATION OF an
25 off-highway vehicle in a manner that damages the environment,
26 including excessive pollution of air, water or land, abuse of

1 the watershed or cultural or natural resources or impairment of
2 plant or animal life, where it is prohibited by rule,
3 regulation, ordinance or code.

4 D. A person shall not place or remove a regulatory sign
5 governing off-highway vehicle use on any public or state land.
6 This subsection does not apply to an agent of an appropriate
7 federal, state, county, town or city agency operating within
8 that agency's authority.

9 E. A person who violates subsection A, paragraph 1 is
10 guilty of a class 2 misdemeanor.

11 F. A person who violates any other provision of this
12 section is guilty of a class 3 misdemeanor.

13 G. In addition to or in lieu of a fine pursuant to this
14 section, a judge may order the person to perform at least eight
15 but not more than twenty-four hours of community restitution or
16 to complete an approved safety course related to the off-
17 highway operation of motor vehicles, or both.

18 H. Subsections A and B do not prohibit a private landowner
19 or lessee from performing normal agricultural or ranching
20 practices while operating an all-terrain vehicle or an off-
21 highway vehicle on the private or leased land.

22 Renumber to conform"

23 Page 1, between lines 14 and 15, insert:

24 "After line 43, insert:

25 "Sec. 7. Off-highway vehicle user indicia; education
26 requirement; report; delayed repeal

27 A. From and after December 31, 2022, a person must
28 complete the educational course of instruction in off-highway
29 vehicle safety and environmental ethics as prescribed in
30 section 28-1175, Arizona Revised Statutes, and provide to the
31 department of transportation proof of the completion before the

1 department of transportation may issue a resident or
2 nonresident off-highway vehicle user indicia to the person
3 pursuant to section 28-1177, Arizona Revised Statutes, as
4 amended by this act. The department of transportation shall
5 share with the Arizona game and fish department all off-highway
6 vehicle data relating to persons who have provided proof of
7 completion of the education course prescribed by this
8 subsection and all user indicias issued by the department of
9 transportation pursuant to this subsection.

10 B. On or before December 1, 2024, the department of
11 transportation shall submit a report regarding the results of
12 implementing the education requirement prescribed in subsection
13 A of this section, including the revenues and costs associated
14 with the implementation and any recommendations for
15 administrative or legislative action, to the governor, the
16 president of the senate and the speaker of the house of
17 representatives and provide a copy of this report to the
18 secretary of state.

19 C. This section is repealed from and after May 31, 2025."

20 Amend title to conform

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