

Good afternoon, Governor Reynolds signed House File 2130 into law June 13. This law allows for off highway vehicles to be operated on Iowa roads. I have attached the FAQ for OHV use on highways/roadways. I have also attached HF2130. This will be effective July 1, 2022. Here is some basic information, please see the attached FAQ for more details-

1. The OHV must be registered with the DNR and display current registration.
2. The operator must be at least 18.
3. The operator must carry proof of insurance.
4. Cannot exceed 35 mph.

Please note there is no new fee or DNR road use registration that will be required. The OHV must be registered for off highway use with the DNR in order to be operated on Iowa roads. If a vehicle is registered with the DNR, the customer is also required to purchase a title.

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.



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

June 13, 2022

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary,

I hereby transmit:

House File 2130, an Act relating to registered all-terrain vehicles and off-road utility vehicles, and making penalties applicable.

The above House File is hereby approved on this date.

Sincerely,

A handwritten signature in cursive script that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

cc: Secretary of the Senate
Clerk of the House

through "g", shall be at least eighteen years of age and have financial liability coverage in effect for the vehicle and carry proof of such financial liability coverage in accordance with section 321.20B.

Sec. 3. Section 321.234A, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. As provided in section 321.1, an all-terrain vehicle is a motor vehicle for purposes of this chapter. Therefore, an all-terrain vehicle operated on a highway shall be equipped with the parts, lamps, and other equipment in proper condition and adjustment as required under this chapter for motor vehicles, including but not limited to the parts, lamps, and equipment required under sections 321.386, 321.387, 321.404, 321.432, and 321.437.

Sec. 4. Section 321.384, subsection 1, Code 2022, is amended to read as follows:

1. Every motor vehicle upon a highway within the state, at any time from sunset to sunrise, and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet ahead, shall display lighted headlamps as provided in section 321.415, subject to exceptions with respect to parked vehicles as provided in this chapter. However, an all-terrain vehicle shall display lighted headlamps as provided in section 321.415 at all times while the vehicle is operated on a highway.

Sec. 5. Section 321.385, Code 2022, is amended to read as follows:

321.385 Headlamps on motor vehicles.

Every motor vehicle other than a motorcycle, ~~or~~ motorized bicycle, or all-terrain vehicle shall be equipped with at least two headlamps with at least one on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this chapter.

Sec. 6. Section 321.386, Code 2022, is amended to read as follows:

321.386 Headlamps on motorcycles, and motorized bicycles, and all-terrain vehicles.

earnings on moneys in the special fund shall remain in the fund.

Sec. 8. Section 321I.10, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. A registered all-terrain vehicle or off-road utility vehicle may be operated on an undivided two-lane primary highway that is not part of the interstate road system over the most direct and accessible route between any of the following locations:


- a. An all-terrain vehicle park or trail.
- b. A secondary road on which such vehicles are authorized to operate under subsection 2.
- c. A city street on which such vehicles are authorized to operate under subsection 3.
- d. The vehicle operator's residence.

Sec. 9. Section 321I.10, subsections 2 and 3, Code 2022, are amended to read as follows:

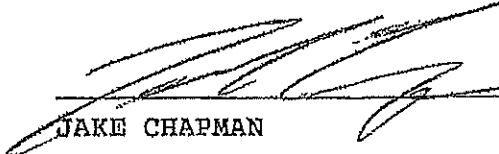
2. a. A registered all-terrain vehicle or off-road utility vehicle may be operated on any of the roadways of that portion of county highways designated by the county board of supervisors for such use during a specified period following secondary roads:

- (1) An unpaved secondary road.
- (2) A paved, undivided two-lane secondary road over the most direct and accessible route between any of the following locations:
 - (a) An all-terrain vehicle park or trail.
 - (b) Another secondary road on which such vehicles are authorized to operate under this paragraph.
 - (c) A city street on which such vehicles are authorized to operate under subsection 3.
 - (d) The vehicle operator's residence.
- (3) A paved, undivided secondary road or segment thereof, if authorized by the county board of supervisors. The county board of supervisors shall evaluate the traffic conditions on all county highways such secondary roads under its jurisdiction and designate roadways on which all-terrain vehicles or off-road utility vehicles may be operated for the specified period without unduly interfering with or constituting an undue

or highway designated as an all-terrain vehicle trail by a state agency, county, or city on which such vehicle is authorized to operate.




PAT GRASSLEY
Speaker of the House



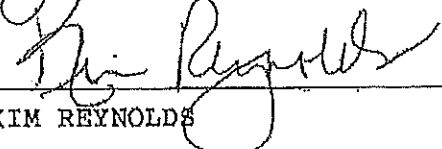
JAKE CHAPMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2130, Eighty-ninth General Assembly.



MEGHAN NELSON
Chief Clerk of the House

Approved June 13th, 2022



KIM REYNOLDS
Governor