

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2551

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-1174, Arizona Revised Statutes, is amended to
3 read:

4 28-1174. Operation restrictions; violation; classification

5 A. A person shall not drive an off-highway vehicle:

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

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

10 3. On roads, trails, routes or areas closed as indicated in rules or
11 regulations of ~~a federal agency~~, this state, a county or a municipality or by
12 proper posting if the land is private land.

13 4. Over unimproved roads, trails, routes or areas unless driving on
14 roads, trails, routes or areas where such driving is allowed by rule or
15 regulation.

16 B. A person shall drive an off-highway vehicle only on roads, trails,
17 routes or areas that are opened as indicated in rules or regulations of
18 ~~a federal agency~~, this state, a county or a municipality.

19 C. A person shall not operate an off-highway vehicle in a manner that
20 damages the environment, including excessive pollution of air, water or land,
21 abuse of the watershed or cultural or natural resources or impairment of
22 plant or animal life, where it is prohibited by rule, regulation, ordinance
23 or code.

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

28 E. A person who violates subsection A, paragraph 1 **OF THIS SECTION** is
29 guilty of a class 2 misdemeanor.

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

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

5 H. Subsections A and B **OF THIS SECTION** do not prohibit a private
6 landowner or lessee from performing normal agricultural or ranching practices
7 while operating an all-terrain vehicle or an off-highway vehicle on the
8 private or leased land."

9 Amend title to conform

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3/19/13
11:25 AM
S: SLL/YP/tf