

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S3/10/25

A Bill

SENATE BILL 261

By: Senator A. Clark

By: Representative Womack

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE OPERATION OF AN ALL-TERRAIN VEHICLE ON CERTAIN ROADS; TO AMEND THE LAW CONCERNING THE ACCESS OF ALL-TERRAIN VEHICLES TO UNPAVED ROADS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE OPERATION OF AN ALL-TERRAIN VEHICLE ON CERTAIN ROADS; AND TO AMEND THE LAW CONCERNING THE ACCESS OF ALL-TERRAIN VEHICLES TO UNPAVED ROADS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 27-21-102, concerning the definitions to be used in relation to all-terrain vehicles, is amended to add an additional subdivision to read as follows:

(5)(A) "Unpaved road" means a public street or highway that is not paved with asphalt, chip-seal, concrete, brick, or stone.

(B) "Unpaved road" includes without limitation a road constructed of:

(i) Dirt; or

(ii) Gravel.

SECTION 2. Arkansas Code § 27-21-106(a)(1), concerning the operation of all-terrain vehicles on public streets and highways, is amended to read as follows:



(1) A person may operate an all-terrain vehicle on a public street or highway if the all-terrain vehicle is:

(A) Both:

(i) Used in farming or hunting operations; and

~~(B)(ii)~~ Operated on a public street or highway in order to get from one field to another; or

(B) Operated:

(i) Except as provided in subsection (c) of this section, on a public street or highway that is unpaved; and

(ii) By a person who:

(a) Is a:

(1) Resident of this state who has a valid commercial driver license or noncommercial driver's license issued by this state in his or her immediate possession as required under § 27-16-601; or

(2) Nonresident who is subject to the exemption from the licensing requirements of this state under § 27-16-603(3) or (4); and

(b) Maintains liability insurance on the all-terrain vehicle that provides at a minimum the following coverage:

(i) Not less than twenty-five thousand dollars (\$25,000) for bodily injury or death of one (1) person in any one (1) accident; and

(ii) If the accident results in damage to or destruction of property, not less than twenty-five thousand dollars (\$25,000) for the damage to or destruction of property of others in any one (1) accident.

SECTION 3. Arkansas Code § 27-21-106(a)(3)(A), concerning the operation of an all-terrain vehicle on public streets and highways, is amended to read as follows:

(3)(A) A person who has lost one (1) or both legs above the ankle or who otherwise has a serious walking disability is permitted to operate a three-wheeled, four-wheeled, or six-wheeled all-terrain vehicle as a means of transportation on any of the following:

(i) ~~A nonhard-surfaced~~ An unpaved road;

(ii) The shoulder of a state or federal highway, except as provided under subdivision (a)(3)(E) of this section; or

(iii) A public street or road when traveling on the public street or road is the most reasonable route of access available to him or her from one off-road trail to another off-road trail or from his or her private property to an off-road trail.

SECTION 4. Arkansas Code § 27-21-106, concerning the operation of an all-terrain vehicle on public streets and highways, is amended to add an additional subsection to read as follows:

(c) The quorum court of a county may adopt an ordinance to prohibit the operation of an all-terrain vehicle under subdivision (a)(1)(B) of this section on unpaved roads located in the county by a two-thirds (2/3) vote of the total membership of the quorum court.

/s/A. Clark