

Did You Know?

ATV Use on Public Roads

As summer begins and outdoor activities go into full swing, you may wonder what regulations the Ohio Revised Code contains regarding all-terrain vehicles (ATVs). Generally, ATVs are considered “all-purpose vehicles” under the Ohio Revised Code and are regulated as such (R.C. §4519.01(B)). This category also covers all-season vehicles, mini-bikes, and trail bikes.

R.C. §4519.40 describes where an operator is prohibited from driving an allpurpose vehicle, including:

- On limited access highways, freeways, or their rights-of-way;
- On any private property without permission of the owner;
- On state lands or waters (i.e. parks, recreational areas, campgrounds, etc.), unless a sign has been posted permitting usage;
- On any railroad tracks or rights-of-way;
- While transporting a firearm or bow that is not unloaded and securely encased;
- For the purpose of chasing, pursuing, capturing, or killing any animal or wildfowl; and
- From sunset to sunrise, unless lights are displayed.

A violation of this section is a fine not less than \$50 and not more than \$500 and/or imprisonment for not less than 3 days and not more than 30 days.

Under R.C. §4519.41, an operator of an all-purpose vehicle may travel to cross a highway (other than a limited access highway), on county or township highway whenever the local authority permits, alongside a street or highway for a limited distance to a riding area, or on the berm of a highway (other than a limited access highway) when it can be done safely.

A local authority cannot require the registration or licensing of any all-purpose vehicle (or snowmobile or off-highway motorcycle) as those items are required to be registered with the registrar of motor vehicles subject to certain exceptions under R.C. §4519.02. Those exceptions include, for example, a snowmobile or off-highway motorcycle that is operated exclusively on the owner’s property or an all-purpose vehicle that is used primarily for agricultural purposes when the owner qualifies for the CAUV tax credit. For more information on registration, visit the Bureau of Motor Vehicles website at <https://bmv.ohio.gov/vr-other-avp.aspx>.

While ATV registration and licensing falls under the state, townships do have the ability to regulate all-purpose vehicles on streets, highways, public property under its jurisdiction, and within the reasonable exercise of police power (R.C. §4519.48). Posting signage in your township may help ATV owners understand where they can and cannot operate an ATV in your jurisdiction.

“Did You Know?” is informational only and is not intended to serve as legal advice.