



ABATE of Mississippi

Dedicated to Freedom of the Road

*Paul Rutledge , State Director
P.O. Box 1825
Meridian, MS 39302*

*Phone: 601-479-0960
e-mail : ripvanrut@hughes.net*

.....
To Whom it may Concern,

We the Motorcyclists of the state of Mississippi, would like to see legislation considered to re-classify the “ Street Legal Motorcycle”.

1] To re-classify the “ Street Legal Motorcycle “ to a Passenger Vehicle instead of being classified as a Recreational Vehicle. The ATV’s, Snowmobiles , watercrafts, RV’s , just to name a few are in the Recreational classification. We feel that besides RV’s the motorcycle is the only ones that under state law have to : a] supply insurance, b] purchase a tag, c] safety inspection sticker, d] take a written test and basic riding test to get the Endorsement to operate the motorcycle on the highways of Mississippi.

2] The street legal motorcycle, comes from the factory with a passenger seat and factory installed foot pegs or running boards for a passenger. Yes we know the motorcycle can come with a solo seat but most or a very large number are equipped with a passenger seat. Meaning the motorcycle can haul a passenger. The larger cruisers can be equipped with a trailer hitch, the motorcycle can pull a trailer.

3] We pay for all the same items as the automobile, to operate our motorcycles on the highways of the state of Mississippi.

4] Economy makes the motorcycle a very good choice for those who ride. The motorcycle can average between 45 to 55 mpg. Example: I can ride from Meridian,MS to Byram,MS , 6 gallons of fuel, average speed 75mph, I think that’s very cost effective. That is round trip. The motorcycle has and will become more of a mode of transportation, there are more and more motorcycles on the highways today than ever before, they are dependable, fuel efficient , and for the ones who ride a second form of transportation.

The issues below we feel will fall into place if the motorcycle is re-classified:
A] When we purchase a new or used motorcycle we pay 7% MS State Sales Tax. If re-classified should the sales tax be reduced to 5% , that’s what the automobile

pays in sales tax. I think the 5% sales tax is correct. If I am wrong please correct me.

B] The motorcycle doesn't or was written out of the 1994 Legislative Tax Credit, if we are re-classified as a passenger vehicle would we not be entitled to this tax credit when we purchase the tag for the motorcycle.

We feel this issue needs to be addressed and consideration for the motorcycle to be reclassified as a passenger vehicle in the state of Mississippi. We do pay for all the rights and taxes to operate our motorcycles on the highways of this state. If we can help or answer questions that you may have, please contact us. We will be glad to help in anyway we can.

Thank you for taking time to read this and for considering helping the motorcycling community in our state.

Ride Safe,
Paul Rutledge, State Director
ABATE of Mississippi
" American Bikers Active Towards Education "

MISSISSIPPI LEGISLATURE
2010 Regular Session
To: Judiciary, Division B
By: Senator(s) Tollison, Dearing

Senate Bill 2215

(As Passed the Senate)

AN ACT TO PROVIDE THAT OPERATORS OF ALL-TERRAIN VEHICLES MUST POSSESS A DRIVER'S LICENSE OR HAVE TAKEN TRAINING AND BE CERTIFIED; TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVISE AN ATV SAFETY COURSE; TO PROVIDE A PENALTY FOR VIOLATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF
MISSISSIPPI:

SECTION 1. (1) No all-terrain vehicle shall be operated
by any person unless:

(a) (i) The person possesses a valid driver's license; or **The above statement is within the safety guidelines by the manufacturer, "at least the person is "16" years of age"**

(ii) The person possesses a certificate as provided under this section. **This is saying "anyone that has taken and completed a training course can operate a ATV on public land. What about "16 yrs of age" ? We are all for the safety training, this is good, We feel there should be some sort of limitations on the size or engine size that a child under the age of 16 can operate the ATV.**

(b) No person under sixteen (16) years of age may operate any all-terrain vehicle upon any public property in this state unless the person is wearing a crash helmet that complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 for helmets designed for use by motorcyclists. **Why not say, Anyone who operates an ATV on public property must wear a helmet. The motorcyclists must wear a helmet at all times, is the roads public property? If this bill goes thru as worded then I think the motorcyclists should be allowed to ride without a helmet, after all we are over 16 years of age. And operate our motorcycles on public property.**

(2) A violation of subsection (1) of this section is punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00).

(3) All-terrain vehicle safety courses shall be held by the Cooperative Extension Service using 4-H safety course

materials and curricula, and shall be taught by instructors possessing qualifications approved by the Department of Public Safety. A reasonable fee to cover costs shall be charged to those taking the course. The Cooperative Extension Service shall issue a certificate to each person who satisfactorily completes the all-terrain vehicle safety course.

(4) For the purposes of this section, the term "all-terrain vehicle" or "ATV" means any motorized vehicle manufactured and designed exclusively for off-road use that is fifty (50) inches or less in width, has an unladen dry weight of six hundred (600) pounds or less, travels on three (3), four (4) or more low-pressure tires, has a seat designed to be straddled by the operator and uses handlebars for steering control.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.

Questions that we feel needs to be addressed:

1] **What is public land? The right-of-ways on all state and county roads, is this not public land?**

2] **Where has the accidents occurred that helped get this bill started? I read in the Meridian Star that the state is 3 times above the national average for ATV related deaths. 30 deaths last year and estimated 1500 trauma emergency room injuries, I think most of accidents were on or close to roads and involved a vehicle and the atv.**

3] **The state already has laws pertaining to ATV's and roads, why not enforce the laws that are already there?**

4] this bill doesn't address passengers, we all know and have seen as many as 3 to 4 children on a atv going down the road, this is a real issue it happens all the time, maybe it's time to hold the parents responsible for their childs actions,

5] can the state be held liable for an accident on public land? Should the atv be required to have insurance? While operating on public land?