

New Ohio Laws for All-Purpose Vehicles

Peggy Kirk Hall
Director of Agricultural Law
OSU Agricultural and Resource Law Program



As of July 1, 2009, Ohio law contains new provisions affecting those who operate all-purpose vehicles (APVs) in the state. The new law includes criminal trespass provisions, a license plate program, increased registration fees, and changes in the exemptions from registration requirements for APVs.

According to Ohio law, an “all-purpose vehicle” or APV is “any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, mini-bikes, and trail bikes.” The definition of “all-purpose vehicle” *does not* include golf carts or utility vehicles that are designed to transport materials or cargo.

The following summarizes the new provisions of the law, which became effective July 1, 2009.

Criminal trespass with APVs. The law contains stiffer penalties for criminal trespass that involves an APV. Criminal trespass is the entering or remaining on another’s land without permission or privilege, and is a fourth degree misdemeanor punishable by a fine of up to \$250 and jail time of up to 30 days. Under the new law, when a person commits criminal trespass using an APV, a court must double the fine. Where a person is convicted three times of criminal trespass using an APV, the court may also impound the registration and license plate of the vehicle for at least 60 days.

Registration exceptions. Ohio law currently requires registration of APVs, snowmobiles and off-highway motorcycles, with a few exceptions. The new law changes the exceptions that apply to APVs in two ways. First, the new law removes the registration exception for APVs operated exclusively upon lands owned by the owner or on lands to which the owner has a contractual right. This exception from registration will now apply only to snowmobiles and off-highway motorcycles. Second, the law creates a new registration exception for APVs: an owner does not have to register an APV that is used primarily on a farm as a farm implement. The law also increases the penalties for operating an unregistered APV, snowmobile or off-highway motorcycle to no less than \$50 and no more than \$100.

License plate requirements. The new law requires operators of APVs to display a license plate and validation sticker rather than a registration number after July 1, 2010. An owner must display the license plate so that it is “distinctly visible” and in accordance with rules to be adopted by the Board of Motor Vehicles (BMV). After an owner obtains a license plate, the BMV will issue a new validation sticker to display on the license plate for each three-year registration period. The new license plate provision does not affect snowmobiles or off-highway motorcycles.

Registration fees. The new law increases the registration fees for APVs, snowmobiles and off-highway motorcycles from \$5 to \$31.25 for the three-year registration period. The registrar may retain up to \$5 of the fee and must deposit the remainder into the state treasury for the state recreational vehicle fund, which also receives amounts from fines issued under the law. Purposes of the fund include enforcing and administering laws regarding registration and operation of snowmobiles, off-highway motorcycles, and APVs, purchasing additional land to provide trails and other areas for such vehicles on state-controlled land and waters, and providing safety programs.

Out of state driver’s licenses. The old law requires the operator of an APV, snowmobile or off-highway motorcycle to hold a valid driver’s license from the State of Ohio. The new law allows a person holding a driver’s license from another state to operate the vehicles.

Impoundment. The new law allows a court to impound the registration and license plate of an APV for no less than 60 days whenever a person is found guilty of operating the vehicle in violation of Ohio law.

See these Ohio Revised Code sections at <http://codes.ohio.gov/orc/> for the new provisions of the APV law: O.R.C. 2911.21, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, and 4519.47.