

All-Terrain Vehicle (ATV) Laws in Mississippi



All-terrain vehicles (ATVs) are a part of life for many Mississippians. Whether they are used for work or play, riding an ATV can be dangerous. The State of Mississippi has recognized this fact and passed regulations to help reduce the number of ATV injuries and fatalities. Unfortunately, many people—including law enforcement officers—do not know the applicable laws and incorrectly believe that there is a “gray area” regarding ATV use. This publication clarifies the rules and laws concerning ATVs and their use.

What Is the Law?

First, it is important to understand what an ATV is. According to Mississippi law, an ATV is “a motorized vehicle manufactured and designed exclusively for off-road use ... and [that] travels on three or four or more nonhighway tires.” In other words, ATVs are three-wheelers and four-wheelers. Other examples of off-road vehicles include dirt bikes and side-by-side utility vehicles (UTVs).

Now that we know what an ATV is, what are the rules?

1. No off-road vehicle can be operated on public property (state parks, national forests, wildlife management areas) unless one of two conditions are met: the operator has a valid driver’s license or a certificate of completion of a state-certified ATV safety course.
2. Riders under 16 years old must wear a Department of Transportation (DOT)-approved motorcycle/ATV helmet on public property.
3. ATV safety courses are provided by the Mississippi State University Extension Service using 4-H safety course materials. These courses are taught by instructors approved by the Department of Public Safety. Each person who satisfactorily completes this course receives a completion certificate.
4. Other organizations approved by the Department of Public Safety may also hold ATV safety courses and issue certificates.
5. **No ATVs may be used on public roads or highways in Mississippi. There is no way to make an ATV “street legal.”**

The Mississippi Department of Wildlife, Fisheries, and Parks has rules about how and when ATVs may be used at state parks, state lakes, wildlife management areas (WMAs), and recreational facilities.

Here are the basic regulations:

1. ATV riders must have a waiver/consent of liability (good for 1 year) on file at the park office where the ATV will be ridden.
2. Riders must always have proof of age and/or photo identification on their person, and/or a certificate of completion of a state-certified ATV safety course.
3. All ATV riders are required to wear a DOT-approved helmet.
4. ATVs must stay on designated trails.
5. No loaded weapons can be transported by ATV.
6. Passengers are prohibited unless the ATV is specifically designed for a passenger by the manufacturer. The rider must always be able to produce proof of this and carry it on their person.
7. All accidents must be reported to the park office in writing within 24 hours.
8. Both the owner and ATV operator are liable for any damage/injury resulting from an accident or misuse of an ATV on state park property.
9. Anyone involved in an accident/incident while operating an ATV on state park property is subject to drug and alcohol testing.
10. Allowable ATV use varies between parks, so it is best to look up the specific park’s regulations.

The Mississippi State University Extension Service provides ATV safety training to the public. This is done through a half-day course with curriculum provided by the ATV Safety Institute (ASI), an organization formed by the leading ATV manufacturers. Participants in the course learn about the importance of safety gear, controls on the ATV, and how to properly operate an ATV. For more information or to enroll in a safety course, please contact your local Extension office.

Reference

Mississippi Code Title 63, Chapter 31, Operating All-terrain Vehicles.

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By **Brad Staton**, Extension Associate, 4-H Youth Development.



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