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**IDAHO TRANSPORTATION DEPARTMENT**  
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**ADMINISTRATIVE POLICY 5070**  
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**ALL-TERRAIN VEHICLES, UTILITY TYPE VEHICLES, SPECIALTY OFF-HIGHWAY VEHICLES,  
MOTORBIKE AND SNOWMOBILE TRAVEL AND CROSSING ON THE STATE HIGHWAYS**

**Purpose**

The purpose of this policy is to implement Board Policy 4070 authorizing the Director to designate sections of state highways upon which certain vehicles may travel and cross.

**Legal Authority**

- Idaho Code 49-426(4) - The Board has the authority to regulate travel upon and crossings of state highways by certain types of vehicles registered under Idaho Code.
- Idaho Code 67-7109(1) - Snowmobiles are prohibited from crossing controlled access highways.
- Idaho Code 67-7109(4) - Snowmobiles may be operated on that portion of a highway system or roadway not maintained or utilized for operation of conventional motor vehicles.

Idaho Code assigns authority to the Idaho Transportation Board to designate sections of highways where all-terrain vehicles (ATVs), utility type vehicles (UTVs), specialty off-highway vehicles (SOHVs), and motorbikes may travel upon and cross. The decision-making authority has been assigned to the Director by Board Policy 4070.

Title 49 provides the following:

- 1) Within city limits, and within one mile of city limits, ATVs, UTVs, SOHVs, and motorbikes can travel on non-full access-controlled state highways if the speed limit is 45 mph or less, unless restricted by the Idaho Transportation Board.
- 2) Outside city limits (except for one mile beyond city limits), the Idaho Transportation Board may designate sections of state highways to allow ATV, UTV, SOHV, and motorbike use.
- 3) ATVs, UTVs, SOHVs, and motorbikes are permitted to cross non-full access-controlled highways at public road intersections within and outside of city limits and other locations permitted by the Idaho Transportation Board.

Any designation to allow travel upon non-full-access-controlled state highways and crossing at non-public road intersections, such as designated trail crossings, shall be supported by an engineering investigation and evaluation. The Division of Highways shall manage and track approved ATV, UTV, SOHV, and motorbike crossing points at non-public road intersections on non-full access-controlled highways as an encroachment permit in accordance with IDAPA 39.03.42 – Rules Governing Highway Right-of-Way Encroachments on State Rights-of-Way.

The Division of Highways shall establish guidelines and considerations when evaluating areas on the State Highway system to allow crossings by ATVs, UTVs, SOHVs, and motorbikes. Responsibility to administer the approval, management, and tracking of these areas is hereby assigned to the Chief Operations Officer.

Brian W. Ness  
Director

Date 3/13/2019