



General Assembly

February Session, 2006

Raised Bill No. 5806

LCO No. 3166

03166 _____ ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING ALL-TERRAIN VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-380 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) On or after October 1, 1971, no person shall operate and no
4 owner shall permit the operation of any snowmobile or all-terrain
5 vehicle unless the owner holds a valid, effective registration awarded
6 by this state or by another state or by the United States, provided such
7 state or district of registration grants substantially similar privileges
8 for snowmobiles or all-terrain vehicles owned by residents of this state
9 and registered under its laws, and unless the identification number set
10 forth in such registration is displayed on such snowmobile or all-
11 terrain vehicle as prescribed in section 14-381, provided every resident
12 of this state shall obtain such registration from this state under the
13 provisions of section 14-381, before such operation shall be lawful. The
14 provisions of this section shall not apply (1) to the operation of a
15 snowmobile or all-terrain vehicle on premises owned or leased by the
16 owner of such snowmobile or all-terrain vehicle, or (2) to the operation
17 of a snowmobile in any organized contest as long as such snowmobile

18 is operated in the contest area, provided the owner of such
19 snowmobile holds a valid, effective registration awarded by this state
20 or by another state or the United States. The commissioner shall issue a
21 separate registration for an owner of an all-terrain vehicle who uses his
22 or her all-terrain vehicle for farm or forestry work.

23 (b) Any person who violates the provisions of this section shall pay
24 a fine of five hundred dollars for each offense. One hundred dollars of
25 said fine shall be payable to the municipality in which the arrest was
26 made, unless the arrest was made by a conservation officer, special
27 conservation officer or patrolman appointed by the Commissioner of
28 Environmental Protection under authority of section 26-5, in which
29 event said one hundred dollars shall be payable to the Department of
30 Environmental Protection.

31 Sec. 2. Section 14-381 of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective October 1, 2006*):

33 (a) Any owner required to register a snowmobile or all-terrain
34 vehicle shall apply to the commissioner and shall file evidence of
35 ownership by affidavit or document. Upon receipt of an application in
36 proper form and the registration fee, the commissioner shall assign an
37 identification number and provide the owner with a certificate of
38 registration and registration plate. The registration plate, which shall
39 be affixed by the owner, shall be displayed on the snowmobile or all-
40 terrain vehicle at a place and in a manner prescribed by the
41 commissioner. In addition to such registration plate, each snowmobile
42 and all-terrain vehicle so registered shall display its registration
43 number on each side of its front section, midway between the top and
44 bottom of said front section, in letters or numbers at least three inches
45 in height and made of a reflective material. The certificate of
46 registration shall be carried on such snowmobile or all-terrain vehicle
47 and shall be available for inspection whenever such snowmobile or all-
48 terrain vehicle is being operated. The owner of a snowmobile shall pay
49 a fee of twenty dollars for each snowmobile [or all-terrain vehicle] so

50 registered. A state resident who owns an all-terrain vehicle shall pay a
51 fee of seventy-five dollars for each all-terrain vehicle registered and a
52 person who is not a resident of the state who owns an all-terrain
53 vehicle shall pay a fee of one hundred dollars for each all-terrain
54 vehicle registered. No person shall pay a fee for registering an all-
55 terrain vehicle for farm or forest work. Each such certificate of
56 registration shall expire biennially on the last day of March.

57 Sec. 3. Section 14-387 of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective October 1, 2006*):

59 No person shall operate a snowmobile or all-terrain vehicle in the
60 following manner: (1) On any public highway, except such
61 snowmobile or all-terrain vehicle, if operated by a licensed motor
62 vehicle operator, may cross a public highway if the crossing is made at
63 an angle of approximately ninety degrees to the direction of the
64 highway and at a location where no obstruction prevents a quick and
65 safe crossing, the snowmobile or all-terrain vehicle is completely
66 stopped before entering the traveled portion of the highway and the
67 driver yields the right-of-way to motor vehicles using the highway,
68 provided nothing in this subsection shall be construed to permit the
69 operation of a snowmobile or all-terrain vehicle on a limited access
70 highway, as defined in subsection (a) of section 13a-1; (2) in such a
71 manner that the exhaust of the snowmobile or all-terrain vehicle makes
72 an excessive or unusual noise; (3) without a functioning muffler,
73 subject to the provisions of section 14-80, properly operating brakes,
74 sufficient and adequate front and rear lighting and reflecting devices,
75 except an all-terrain vehicle with an engine size of ninety cubic
76 centimeters or less shall not be required to be equipped with front and
77 rear lighting and shall not be operated after dark; (4) in any manner
78 which would cause harassment of any game or domestic animal; (5) on
79 any land without the written permission of the owner, or the agent of
80 the owner, or in the case of state-owned land, without the written
81 permission of the state agency or institution under whose control such
82 land is, or in the case of land under the jurisdiction of a local

83 municipality without the written permission of such municipality,
84 which written permission shall be carried on the person operating the
85 all-terrain vehicle while on such land; [and] (6) on any railroad right-
86 of-way; and (7) on any state-owned land except for land purchased by
87 the Department of Environmental Protection with the proceeds of
88 bonds from section 5 of this act, that is designated for all-terrain
89 vehicle use. Nothing in sections 14-379 to 14-390, inclusive, shall
90 preclude the operation of a snowmobile or all-terrain vehicle (A) on
91 the frozen surface of any public body of water, provided any
92 municipality may by ordinance regulate the hours of operation of
93 snowmobiles and all-terrain vehicles on public waters within such
94 municipality and provided the operation of a snowmobile or all-terrain
95 vehicle shall be subject to the provisions of section 25-43c; or (B) on any
96 abandoned or disused railroad right-of-way or in any place or upon
97 any land specifically designated for the operation of snowmobiles and
98 all-terrain vehicles by statute, regulation or local ordinance. Any
99 person who violates any provision of this section shall have committed
100 a separate infraction for each such violation.

101 Sec. 4. Section 22a-27h of the 2006 supplement to the general statutes
102 is amended by adding subsection (d) as follows (*Effective October 1,*
103 *2006*):

104 (NEW) (d) There is established the all-terrain vehicle account, which
105 shall be a separate, nonlapsing account within the Conservation Fund.
106 All revenue received by the state from fees for the registration of all-
107 terrain vehicles pursuant to section 14-381 of the general statutes, as
108 amended by this act, and shall be paid to the Treasurer for deposit into
109 the Conservation Fund and credited to the all-terrain vehicle account.
110 Any funds remaining in the all-terrain vehicle account at the end of
111 any fiscal year shall be carried forward in the account for the
112 succeeding fiscal year. Investment earnings credited to the assets of the
113 account shall become part of the assets of the account. The all-terrain
114 vehicle account shall be used for the following purposes: (1) Expenses
115 incurred by the Commissioner of Motor Vehicles and the

116 Commissioner of Environmental Protection in the administration and
117 enforcement of the laws and regulations of the state respecting all-
118 terrain operation and damage from all-terrain vehicles; (2) payment of
119 bond debt created by section 5 of this act; and (3) expenses incurred by
120 the Commissioner of Environmental Protection for the development
121 and maintenance of state-owned property designated for all-terrain
122 vehicle use.

123 Sec. 5. (*Effective July 1, 2006*) (a) For the purposes described in
124 subsection (b) of this section, the State Bond Commission shall have
125 the power, from time to time, to authorize the issuance of bonds of the
126 state in one or more series and in principal amounts not exceeding in
127 the aggregate one million five hundred thousand dollars.

128 (b) The proceeds of the sale of said bonds, to the extent of the
129 amount stated in subsection (a) of this section, shall be used by the
130 Department of Environmental Protection for the purpose of the
131 purchase of two noncontiguous properties to be used as all-terrain
132 vehicle riding areas.

133 (c) All provisions of section 3-20 of the general statutes, or the
134 exercise of any right or power granted thereby, which are not
135 inconsistent with the provisions of this section are hereby adopted and
136 shall apply to all bonds authorized by the State Bond Commission
137 pursuant to this section, and temporary notes in anticipation of the
138 money to be derived from the sale of any such bonds so authorized
139 may be issued in accordance with said section 3-20 and from time to
140 time renewed. Such bonds shall mature at such time or times not
141 exceeding twenty years from their respective dates as may be provided
142 in or pursuant to the resolution or resolutions of the State Bond
143 Commission authorizing such bonds. None of said bonds shall be
144 authorized except upon a finding by the State Bond Commission that
145 there has been filed with it a request for such authorization which is
146 signed by or on behalf of the Secretary of the Office of Policy and
147 Management and states such terms and conditions as said commission,

148 in its discretion, may require. Said bonds issued pursuant to this
149 section shall be general obligations of the state and the full faith and
150 credit of the state of Connecticut are pledged for the payment of the
151 principal of and interest on said bonds as the same become due, and
152 accordingly and as part of the contract of the state with the holders of
153 said bonds, appropriation of all amounts necessary for punctual
154 payment of such principal and interest is hereby made, and the State
155 Treasurer shall pay such principal and interest as the same become
156 due.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	14-380
Sec. 2	<i>October 1, 2006</i>	14-381
Sec. 3	<i>October 1, 2006</i>	14-387
Sec. 4	<i>October 1, 2006</i>	22a-27h
Sec. 5	<i>July 1, 2006</i>	New section

Statement of Purpose:

To require the Department of Environmental Protection to purchase property specifically for all-terrain vehicle use, to increase the fees for registration of all-terrain vehicles, and to establish an all-terrain vehicle account.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]