



General Assembly

February Session, 2006

**Substitute Bill No. 5806**

\*            HB05806ENV            032006            \*

**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 Section 14-380 of the general statutes is repealed and the  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  
17      operation of a snowmobile in any organized contest as long as such  
18      snowmobile is operated in the contest area, provided the owner of  
19      such snowmobile holds a valid, effective registration awarded by this  
20      state or by another state or the United States. The commissioner shall

21 issue a separate registration for an owner of an all-terrain vehicle who  
22 uses his 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 two hundred fifty dollars for each offense. One hundred  
25 dollars of said fine shall be payable to the municipality in which the  
26 arrest was made, unless the arrest was made by a conservation officer,  
27 special conservation officer or patrolman appointed by the  
28 Commissioner of Environmental Protection under authority of section  
29 26-5, in which event said one hundred dollars shall be payable to the  
30 Department of 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 vehicle operation and damage from all-terrain vehicles; (2)  
119 payment of bond debt created by section 5 of this act; and (3) expenses

120 incurred by the Commissioner of Environmental Protection for the  
121 development and maintenance of state-owned property designated for  
122 all-terrain 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

**ENV**      *Joint Favorable Subst.*