



General Assembly

Substitute Bill No. 5602

February Session, 2008

* HB05602TRA 042208 *

**AN ACT CONCERNING THE DESIGNATION OF ALL-TERRAIN
VEHICLE TRAILS, A TRAIL USER FEE AND ALL-TERRAIN VEHICLE
REGISTRATION.**

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

1 Section 1. (NEW) (*Effective July 1, 2008*) Each purchaser of an all-
2 terrain vehicle from an all-terrain vehicle dealer on or after July 1, 2008,
3 shall pay a trail user fee, equivalent to one per cent of the total
4 purchase price of such all-terrain vehicle, exclusive of sales tax. Each
5 all-terrain vehicle dealer shall collect from the purchaser the full
6 amount of the user fee imposed by this section or an amount equal as
7 nearly as possible or practicable to the average equivalent thereof and
8 transmit such amount to the Commissioner of Revenue Services. In
9 case of the purchase of an all-terrain vehicle other than from an all-
10 terrain vehicle dealer, the purchaser of the all-terrain vehicle shall pay
11 the user fee to the Commissioner of Revenue Services at the time of
12 registration of such all-terrain vehicle, in accordance with section 14-
13 381 of the general statutes, on a form prescribed by the Commissioner
14 of Motor Vehicles, in consultation with the Commissioner of Revenue
15 Services. The Commissioner of Revenue Services shall remit the
16 revenue received from such fee to the Treasurer for deposit into the all-
17 terrain vehicle account established under section 22a-27h of the general
18 statutes, as amended by this act. Nothing in this section shall be
19 construed to affect the amount of sales tax imposed on such all-terrain

20 vehicle. For the purposes of this section, "all-terrain vehicle dealer"
21 shall have the same meaning as in section 14-379 of the general
22 statutes.

23 Sec. 2. Section 22a-27h of the general statutes is amended by adding
24 subsection (d) as follows (*Effective July 1, 2008*):

25 (NEW) (d) There is established the all-terrain vehicle account, which
26 shall be a separate nonlapsing account within the Conservation Fund.
27 The account shall contain any moneys required by law to be deposited
28 in the account. Such account shall contain all of the revenue received
29 by the state from the trail user fee collected in accordance with section
30 1 of this act. The funds in such account shall be distributed as follows:
31 (1) Not more than seventy per cent to the Department of
32 Environmental Protection for the purposes of all-terrain vehicle trail
33 (A) selection, (B) maintenance, (C) alteration, (D) design, and (E)
34 routine repairs; (2) not more than ten per cent for any administrative
35 costs of the Department of Environmental Protection pertaining to the
36 record maintenance required regarding all-terrain vehicles registered
37 in accordance with section 14-380, and for enforcement of any statutes
38 concerning the operation of all-terrain vehicles; and (3) not more than
39 twenty per cent for the purposes of a grant program to be
40 administered by the Department of Environmental Protection. The
41 Department of Environmental Protection shall award funds pursuant
42 to such grant program to a private all-terrain vehicle association for the
43 purpose of providing trail maintenance and safety and education
44 courses for operators of an all-terrain vehicle registered in accordance
45 with section 14-380, and land acquisition for all-terrain vehicle
46 facilities.

47 Sec. 3. Section 23-26c of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective July 1, 2008*):

49 The Commissioner of Environmental Protection shall evaluate the
50 properties under [his] the commissioner's jurisdiction and the
51 jurisdiction of other state agencies for [their] use by persons operating

52 all-terrain vehicles and, not later than January 1, 2010, shall [make
 53 available some of such properties] designate not less than four trails on
 54 such properties for such use, all of which shall be not less than five
 55 miles in contiguous length. Prior to making any such designation, the
 56 commissioner shall hold at least one public hearing, in accordance
 57 with the provisions of chapter 54. In making such [properties
 58 available] designation, the commissioner shall consider minimizing the
 59 impact of all-terrain vehicles on the environment. Before [making]
 60 designating any property [available] that is under the jurisdiction of
 61 another state agency, the commissioner shall consult with such agency.

62 Sec. 4. (NEW) (*Effective October 1, 2008*) Not less than one hundred
 63 eighty days before all-terrain vehicle trails are scheduled to open on
 64 state land, the Commissioner of Motor Vehicles shall establish and
 65 implement a registration system for every all-terrain vehicle driven in
 66 the state. Prior to registrations becoming effective, the commissioner
 67 shall adopt all necessary regulations, in accordance with the provisions
 68 of chapter 54 of the general statutes, and fees for such program. Any
 69 all-terrain vehicle used solely for farming purposes shall be exempt
 70 from a registration fee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	22a-27h
Sec. 3	<i>July 1, 2008</i>	23-26c
Sec. 4	<i>October 1, 2008</i>	New section

ENV *Joint Favorable Subst.*

APP *Joint Favorable*

TRA *Joint Favorable*