
OLR Bill Analysis

sHB 6638

AN ACT CONCERNING THE MAXIMUM PENALTY FOR VIOLATION OF A MUNICIPAL ORDINANCE REGULATING THE OPERATION OR USE OF A DIRT BIKE, ALL-TERRAIN VEHICLE OR SNOWMOBILE.

SUMMARY:

This bill authorizes municipalities to regulate, by ordinance, dirt bike operation and use, including hours and zones of use. It defines a dirt bike as a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain but not public highways. The definition excludes all-terrain vehicles (ATVs) and motor-driven cycles (see BACKGROUND).

The bill also allows municipalities to set the penalty for violating an ordinance regulating dirt bikes, ATVs, or snowmobiles at no more than:

1. \$1,000 for the first violation,
2. \$1,500 for the second violation, and
3. \$2,000 for the third or subsequent violation.

Under current law municipalities can, by ordinance, regulate the operation and use of snowmobiles and ATVs.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Capped Fine

By law, the fine for violating local ordinances and regulations is capped at \$250 unless a statute specifically provides for a different amount (CGS § 7-148).

ATVs and Motor-Driven Cycles

The statutes define ATVs as any vehicle that is self-propelled, designed to travel over unimproved terrain, and unsuitable for operation on public highways, as determined by the motor vehicles commissioner (CGS § 14-379). A motor-driven cycle is any motorcycle, motor scooter, or bicycle with an attached motor, a seat height of at least 26 inches, and a motor that produces five brake horsepower or less (CGS § 14-1).

Related Bill

SB 190, reported favorably by the Transportation Committee, allows municipalities to set a penalty of up to \$2,000 for violating an ordinance or regulation on unlawful dirt bike operation and requires the motor vehicles commissioner to conduct a study on implementing a system to issue certificates of title to dirt bike owners.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/16/2013)