



OLR RESEARCH REPORT

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NEW HAVEN'S "OPERATION BIKE LIFE"

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You asked for information on (1) the New Haven Police Department's "Operation Bike Life," (2) New Haven's dirt bike ordinance, and (3) the 2013 legislation allowing municipalities to increase dirt bike and all-terrain vehicle (ATV) penalties.

SUMMARY

For 10 weeks in 2013, the New Haven Police Department conducted an investigation and sting operation, named "Operation Bike Life," to crack down on reckless behavior by dirt bike and ATV riders. The operation involved police videotaping offenders and has led to 18 warrants and 15 arrests.

The City of New Haven has an ordinance prohibiting riding dirt bikes and other recreational vehicles on public areas or private land without prior permission. Violators are subject to community service and fines between \$50 and \$100.

[PA 13-154](#) allows municipalities to increase the fine amounts they impose on individuals for illegally operating dirt bikes on public property by setting maximum penalties for initial and subsequent violations. Prior law limited the fine to \$250.

“OPERATION BIKE LIFE”

In 2013, the New Haven Police Department conducted an investigation and sting operation, named “Operation Bike Life,” to crack down on reckless behavior by dirt bike and ATV riders. It was believed that this behavior, which included disobeying traffic laws, such as speeding and riding recklessly (e.g., between cars) was scaring pedestrians and caused injuries.

For 10 weeks, the department’s criminal intelligence unit (including eight officers and detectives from the unit and several other patrol officers) drove around the city in unmarked cars filming dirt bikers and ATV riders on the city streets. Once the riders were videotaped, the police could identify them and obtain a warrant for their arrest. With these tapes, the police had created a database of evidence on the riders that includes, among other things, their name, address, photos of the rider and bikes, and other information from social media (e.g., YouTube clips of reckless riding).

Based on the video secured in “Operation Bike Life,” the police were able to obtain and execute 16 of 18 warrants. To date, they have arrested 15 people for illegally operating dirt bikes and ATVs and seized one bike, with more arrests and bike seizures expected.

The New Haven police policy prohibits officers from pursuing riders because of the possibility of injuring bystanders, which happened in the past. “Operation Bike Life” has made such arrests possible.

(See the New Haven Independent Newspaper article for interviews and other information on “Operation Bike Life” http://www.newhavenindependent.org/index.php/archives/entry/9_arrested_in_dirt_bike_sting/.)

NEW HAVEN ORDINANCE

New Haven has an ordinance that prohibits riding dirt bikes and other recreational vehicles on public areas or private land without permission (New Haven, CT., Code § 29-131). These do not include registered motorcycles or motor vehicles, as defined by state law ([CGS § 14-1](#)).

The ordinance makes it unlawful for anyone, within the city, to operate a dirt bike or ride as a passenger on any (1) public property, including any street or sidewalk, school property, playgrounds and parks or (2) private property without first obtaining written permission of the property owner. The ordinance also deems it a violation if the dirt bike owner knowingly allows any of these actions by someone else.

Any of these violations can result in a summons to community court and if convicted, a sentence of community service and fine. The fine amount depends on the violation type. For operating a bike in a prohibited public property or private property without prior permission, the city can impose a \$99 fine and on riding passengers, a \$50 fine.

The New Haven ordinance allows a police officer who observes a person violating any of these provisions to detain him or her to enforce the ordinance. It also allows the police to take custody of the bike, at the owner's expense, pending a disposition of the bike by court order, or by law and proof of ownership.

RECENT LEGISLATION TO INCREASE DIRT BIKE/ATV PENALTIES

[PA 13-154](#) allows municipalities with ordinances on dirt bike operation and use on public property, including hours and zones of use, to set higher penalties for violating such ordinance. 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](#)).

The act allows the penalties to be up to (1) \$1,000 for the first violation, (2) \$1,500 for the second violation, and (3) \$2,000 for the third or subsequent violation. The act also allows municipalities to adopt the same penalty structure for ordinance violations related to the use and operation of ATVs.

If the act becomes law, it will be effective October 1, 2013.

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