



# House of Representatives

General Assembly

**File No. 527**

February Session, 2014

House Bill No. 5141

*House of Representatives, April 14, 2014*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

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

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

1 Section 1. Section 14-390m of the 2014 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2014*):

4 (a) Any municipality that adopts an ordinance pursuant to section  
5 7-148 to regulate the operation and use on public property, including  
6 hours of use, of dirt bikes may prescribe a penalty for violation of such  
7 ordinance (1) in an amount not to exceed one thousand dollars for a  
8 first violation, (2) in an amount not to exceed one thousand five  
9 hundred dollars for a second violation, and (3) (A) in an amount not to  
10 exceed two thousand dollars for a third or subsequent violation, or (B)  
11 to provide for the seizure and forfeiture to the municipality of such  
12 dirt bike for a third or subsequent violation, subject to any bona fide  
13 lien, lease or security interest in the dirt bike, including, but not limited

14 to, a lien under section 14-66c.

15 (b) For the purposes of this section, "dirt bike" means a two-wheeled  
16 motorized recreational vehicle designed to travel over unimproved  
17 terrain and not designed for travel on a highway, as defined in section  
18 14-1. "Dirt bike" does not include an all-terrain vehicle, as defined in  
19 section 14-379, or a motor-driven cycle, as defined in section 14-1.

20 Sec. 2. Section 14-390 of the 2014 supplement to the general statutes  
21 is repealed and the following is substituted in lieu thereof (*Effective*  
22 *October 1, 2014*):

23 Any municipality may, by ordinance, regulate the operation and  
24 use, including hours and zones of use, of snowmobiles and all-terrain  
25 vehicles in a manner not inconsistent with the provisions of sections  
26 14-379 to 14-390, inclusive, or any regulations adopted pursuant  
27 thereto, and may prescribe a penalty for violation of such ordinance (1)  
28 in an amount not to exceed one thousand dollars for a first violation,  
29 (2) in an amount not to exceed one thousand five hundred dollars for a  
30 second violation, and (3) (A) in an amount not to exceed two thousand  
31 dollars for a third or subsequent violation, or (B) to provide for the  
32 seizure and forfeiture to the municipality of such snowmobile or all-  
33 terrain vehicle for a third or subsequent violation, subject to any bona  
34 fide lien, lease or security interest in the snowmobile or all-terrain  
35 vehicle, including, but not limited to, a lien under section 14-66c.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	14-390m
Sec. 2	October 1, 2014	14-390

**PD** Joint Favorable C/R JUD  
**JUD** Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

---

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which allows municipalities to confiscate snowmobiles, all-terrain vehicles (ATVs) and dirt bikes on third and subsequent violations of municipal ordinances, has no fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 5141*****AN ACT CONCERNING THE MAXIMUM PENALTY FOR VIOLATION OF A MUNICIPAL ORDINANCE REGULATING THE OPERATION OR USE OF A DIRT BIKE, SNOWMOBILE OR ALL-TERRAIN VEHICLE.*****SUMMARY:**

This bill broadens the range of penalties a municipality may impose for multiple violations of certain motorized vehicle ordinances. It does so by authorizing municipalities with ordinances concerning (1) dirt bike operation and use on public property or (2) all-terrain vehicle (ATV) or snowmobile operation and use, to include in the ordinances a provision authorizing the municipality to confiscate a dirt bike, ATV, or snowmobile used in a third or subsequent ordinance violation. Under the bill, the confiscated item is forfeited, subject to any bona fide lien, lease, or security interest. (The bill does not specify (1) whether a dirt bike, ATV, or snowmobile is subject to forfeiture if its owner did not know, and could not have known, it would be used to violate an ordinance or (2) what the municipality must do with the item after confiscating it.)

Current law authorizes municipalities with ordinances on dirt bike, snowmobile, and ATV operation and use to set the penalty for violating such ordinances 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.

EFFECTIVE DATE: October 1, 2014

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Change of Reference

Yea 15 Nay 0 (03/12/2014)

Judiciary Committee

Joint Favorable

Yea 39 Nay 1 (04/02/2014)