



General Assembly

Amendment

February Session, 2014

LCO No. 3769

HB0514103769HDO

Offered by:

REP. ROJAS, 9th Dist.

SEN. OSTEN, 19th Dist.

To: House Bill No. 5141

File No. 527

Cal. No. 334

"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."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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4 statutes is repealed and the following is substituted in lieu thereof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

6 (a) Any municipality that adopts an ordinance pursuant to section
7 7-148 to regulate the operation and use on public property, including
8 hours of use, of dirt bikes may prescribe a penalty for violation of such
9 ordinance (1) in an amount not to exceed one thousand dollars for a
10 first violation, (2) in an amount not to exceed one thousand five
11 hundred dollars for a second violation, and (3) (A) in an amount not to
12 exceed two thousand dollars for a third or subsequent violation, or (B)

13 to provide for the seizure and forfeiture to the municipality of such
14 dirt bike for a third or subsequent violation, subject to any bona fide
15 lien, lease or security interest in the dirt bike, including, but not limited
16 to, a lien under section 14-66c.

17 (b) No dirt bike shall be forfeited under this section to the extent of
18 the interest of an owner or lienholder by reason of any act or omission
19 committed by another person if such owner or lienholder did not
20 know and could not have reasonably known that such dirt bike was
21 being used or was intended to be used in violation of a municipal
22 ordinance.

23 (c) Any dirt bike ordered forfeited pursuant to this section shall be
24 sold at public auction conducted by the chief executive officer of the
25 municipality. The proceeds of such sale shall be paid to the treasurer of
26 the municipality, who shall deposit such proceeds into the general
27 fund.

28 (d) For the purposes of this section, "dirt bike" means a two-wheeled
29 motorized recreational vehicle designed to travel over unimproved
30 terrain and not designed for travel on a highway, as defined in section
31 14-1. "Dirt bike" does not include an all-terrain vehicle, as defined in
32 section 14-379, or a motor-driven cycle, as defined in section 14-1.

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34 is repealed and the following is substituted in lieu thereof (*Effective*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

36 (a) Any municipality may, by ordinance, regulate the operation and
37 use, including hours and zones of use, of snowmobiles and all-terrain
38 vehicles in a manner not inconsistent with the provisions of sections
39 14-379 to 14-390, inclusive, or any regulations adopted pursuant
40 thereto, and may prescribe a penalty for violation of such ordinance (1)
41 in an amount not to exceed one thousand dollars for a first violation,
42 (2) in an amount not to exceed one thousand five hundred dollars for a
43 second violation, and (3) (A) in an amount not to exceed two thousand

44 dollars for a third or subsequent violation, or (B) to provide for the
 45 seizure and forfeiture to the municipality of such snowmobile or all-
 46 terrain vehicle for a third or subsequent violation, subject to any bona
 47 fide lien, lease or security interest in the snowmobile or all-terrain
 48 vehicle, including, but not limited to, a lien under section 14-66c.

49 (b) No snowmobile or all-terrain vehicle shall be forfeited under this
 50 section to the extent of the interest of an owner or lienholder by reason
 51 of any act or omission committed by another person if such owner or
 52 lienholder did not know and could not have reasonably known that
 53 such snowmobile or all-terrain vehicle was being used or was intended
 54 to be used in violation of a municipal ordinance.

55 (c) Any snowmobile or all-terrain vehicle ordered forfeited pursuant
 56 to this section shall be sold at public auction conducted by the chief
 57 executive officer of the municipality. The proceeds of such sale shall be
 58 paid to the treasurer of the municipality, who shall deposit such
 59 proceeds into the general fund."

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| 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 |