

CONNECTICUT STATUTES

TITLE 14

MOTOR VEHICLES

Chapter 255 Snowmobiles and All-Terrain Vehicles

Sec. 14-379. Definitions. As used in sections 14-379 to 14-390, inclusive, subsections (3) and (4) of section 12-430 and sections 12-431, 14-33, 14-163 and 53-205, unless the context otherwise requires: "Commissioner" means the Commissioner of Motor Vehicles; "snowmobile" means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail; "snowmobile dealer" means a person engaged in the business of manufacturing and selling new snowmobiles or selling new or used snowmobiles, or both, having an established place of business for the sale, trade and display of such snowmobiles. "All-terrain vehicle" means a self-propelled vehicle designed to travel over unimproved terrain and which has been determined by the Commissioner of Motor Vehicles to be unsuitable for operation on the public highways which is not eligible for registration under chapter 246; "all-terrain vehicle dealer" means any person engaged in the business of manufacturing and selling new all-terrain vehicles, or both, having an established place of business for the manufacture, sale, trade and display of such all-terrain vehicles; "operate" means to control the course of or otherwise use a snowmobile or all-terrain vehicle.

Sec. 14-380. Operation prohibited without valid registration. Exceptions. On or after October 1, 1971, no person shall operate and no owner shall permit the operation of any snowmobile or all-terrain vehicle unless the owner holds a valid, effective registration awarded by this state or by another state or by the United States, provided such state or district of registration grants substantially similar privileges for snowmobiles or all-terrain vehicles owned by residents of this state and registered under its laws, and unless the identification number set forth in such registration is displayed on such snowmobile or all-terrain vehicle as prescribed in section 14-381, provided every resident of this state shall obtain such registration from this state under the provisions of section 14-381, before such operation shall be lawful. The provisions of this section shall not apply (1) to the operation of a snowmobile or all-terrain vehicle on premises owned or leased by the owner of such snowmobile or all-terrain vehicle or (2) to the operation of a snowmobile in any organized contest as long as such snowmobile is operated in the contest area, provided the owner of such snowmobile holds a valid, effective registration awarded by this state or by another state or the United States.

Sec. 14-381. Requirements for registration. Application. Registration plates. Any owner required to register a snowmobile or all-terrain vehicle shall apply to the commissioner and shall file evidence of ownership by affidavit or document. Upon receipt of an application in proper form and the registration fee, the commissioner shall assign an identification number and provide the owner with a certificate of registration and registration plate. The registration plate, which shall be affixed by the owner, shall be displayed on the snowmobile or all-terrain vehicle at a place and in a manner prescribed by the commissioner. In addition to such registration plate, each snowmobile and all-terrain vehicle so registered shall display its registration number on each side of its front section, midway between the top and bottom of said front section, in letters or numbers at least three inches in height and made of a reflective material. The certificate of registration shall be carried on such snowmobile or all-terrain vehicle and shall be available for

inspection whenever such snowmobile or all-terrain vehicle is being operated. The owner shall pay a fee of twenty dollars for each snowmobile or all-terrain vehicle so registered. Each such certificate of registration shall expire biennially on the last day of March.

Sec. 14-382. Change of address. Transfer of ownership. (a) Within forty-eight hours after changing his address, the owner of a snowmobile or all-terrain vehicle registered by this state shall file with the commissioner notice in writing of such change. The owner's certificate of registration may be altered or the commissioner may issue a new certificate to indicate the new address.

(b) The owner of a snowmobile or all-terrain vehicle registered by this state shall notify the commissioner in writing within twenty-four hours of the transfer of all or any part of his interest in, other than the creation of a security interest, or of the destruction or abandonment of, such snowmobile or all-terrain vehicle and surrender with such notice

his certificate of registration and registration plate. Any such transfer, destruction or abandonment shall terminate such certificate.

(c) Any person who transfers to another ownership of a snowmobile or all-terrain vehicle registered in this state, upon surrendering the outstanding certificate of registration and registration plate and upon application to the commissioner, may have another snowmobile or all-terrain vehicle registered in his name for the remainder of the registration period. The fee for such transfer which shall accompany the application shall be three dollars, and on and after July 1, 1992, three dollars and fifty cents.

Sec. 14-383. Registration of snowmobile or all-terrain vehicle dealers. Each snowmobile dealer or all-terrain vehicle dealer, as defined by section 14-379, shall register with the commissioner who shall assign a distinguishing number and issue three registration plates bearing the number assigned to such dealer. The fee for such registration shall be fifteen dollars, and on and after July 1, 1992, eighteen dollars. A registration plate shall be attached to each snowmobile or all-terrain vehicle, which may be used only for the purposes of demonstration or sale.

Sec. 14-384. Temporary registration plates. The commissioner shall provide registered snowmobile dealers and registered all-terrain vehicle dealers with temporary registration plates for a fee of one dollar each. When a snowmobile or all-terrain vehicle is sold at retail the snowmobile dealer or all-terrain vehicle dealer may attach a temporary registration plate to such snowmobile or all-terrain vehicle bearing the date of sale, which shall be valid for ten days from such date, and displayed on such snowmobile or all-terrain vehicle as prescribed by the commissioner.

Sec. 14-385. Renting or leasing of snowmobiles or all-terrain vehicles. Records required.

Any person who is in the business, in whole or in part, of renting or leasing snowmobiles or all-terrain vehicles shall keep a record of the name and address of every person who rents or leases a snowmobile or all-terrain vehicle, the identification number thereof, the departure date and time and the expected time of return. The record shall be preserved for at least one year. Neither the owner nor any agent or employee of such business shall permit any snowmobile or all-terrain vehicle to depart from the premises of such business unless it is provided, either by the owner or lessee, with such safety devices and equipment as may be required by law.

Sec. 14-386. Enforcement. Failure to stop snowmobile or all-terrain vehicle upon request. (a) Any law enforcement officer of the Department of Environmental Protection, motor vehicle inspector, state police officer, uniformed municipal police officer, constable, state park

policeman, state forest policeman or forest ranger may enforce the provisions of sections 14-379 to 14-390, inclusive.

(b) No person operating a snowmobile or all-terrain vehicle shall refuse to stop his snowmobile or all-terrain vehicle after being requested or signaled to do so by an authorized law enforcement officer, or the owner or the agent of the owner of the property upon which such snowmobile or all-terrain vehicle is being operated. Any person operating a snowmobile or all-terrain vehicle who refuses to stop his snowmobile or all-terrain vehicle upon such request or such signal by an authorized law enforcement officer shall have committed an infraction.

Sec. 14-386a. Speed. Operating under the influence. Endangering person or property.

No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) At an unreasonable or imprudent rate of speed for existing conditions; (2) in a negligent manner so as to endanger any person or property; (3) while under the influence of intoxicating liquor or any drug, as defined by section 14-227a. Any person who violates any provision of this section, or any regulation relating hereto shall be fined not more than two hundred and fifty dollars for each offense. In addition thereto, the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator.

Sec. 14-387. Rules of operation. Violations. No person shall operate a snowmobile or all-terrain vehicle in the following manner: (1) On any public highway, except such snowmobile or all-terrain vehicle, if operated by a licensed motor vehicle operator, may cross a public highway if the crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a location where no obstruction prevents a quick and safe crossing, the snowmobile or all-terrain vehicle is completely stopped before entering the traveled portion of the highway and the driver yields the right-of-way to motor vehicles using the highway, provided nothing in this subsection shall be construed to permit the operation of a snowmobile or all-terrain vehicle on a limited access highway, as defined in subsection (a) of section 13a-1; (2) in such a manner that the exhaust of the snowmobile or all-terrain vehicle makes an excessive or unusual noise;

(3) without a functioning muffler, subject to the provisions of section 14-80, properly operating brakes, sufficient and adequate front and rear lighting and reflecting devices, except an all-terrain vehicle with an engine size of ninety cubic centimeters or less shall not be required to be equipped with front and rear lighting and shall not be operated after dark; (4) in any manner which would cause harassment of any game or domestic animal;

(5) on any land without the written permission of the owner, or the agent of the owner, or in the case of state-owned land, without the written permission of the state agency or institution under whose control such land is, or in the case of land under the jurisdiction of a local municipality without the written permission of such municipality, which written permission shall be carried on the person operating the all-terrain vehicle while on such land; and (6) on any railroad right-of-way. Nothing in sections 14-379 to 14-390, inclusive, shall preclude the operation of a snowmobile or all-terrain vehicle (A) on the frozen surface of any public body of water, provided any municipality may by ordinance regulate the hours of operation of snowmobiles and all-terrain vehicles on public waters within such municipality and provided the operation of a snowmobile or all-terrain vehicle shall be subject to the provisions of section 25-

43c; or (B) on any abandoned or disused railroad right-of-way or in any place or upon any land specifically designated for the operation of snowmobiles and all-terrain vehicles by statute, regulation or local ordinance. Any person who violates any provision of this section shall have committed a separate infraction for each such violation.

Sec. 14-388. Penalties. Liability. Except as otherwise provided, any person who violates any of sections 14-379 to 14-390, inclusive, or any regulation relating thereto shall have committed an infraction for each such offense. In addition thereto the operator or owner, or both, of a snowmobile or all-terrain vehicle, shall be responsible and held accountable to the owner of any land where trees, shrubs, crops, fences or other property have been damaged as a result of travel of such snowmobiles or all-terrain vehicles over such land, or where consequential damage has resulted from such travel. Proof of the registration number of the snowmobile or all-terrain vehicle shall be prima facie evidence in any prosecution or action for damages that the owner was the operator.

Sec. 14-389. Administration by Commissioner of Motor Vehicles. Reciprocal agreements. In the performance of his duties under sections 14-379 to 14-390, inclusive, the commissioner shall (1) prescribe uniform standards for such safety devices and equipment as he deems necessary and certify the types of devices and equipment which meet such standards and (2) promulgate such regulations respecting the registration, operation, sale and leasing of snowmobiles and all-terrain vehicles as he finds necessary for public safety. The commissioner may enter into reciprocal agreements with the commissioner of motor vehicles or other like authority of any other state for the purposes of carrying out the provisions of said sections.

Sec. 14-390. Municipal regulation of operation and use. Any municipality may, by ordinance, regulate the operation and use, including hours and zones of use, of snowmobiles and all-terrain vehicles in a manner not inconsistent with the provisions of sections 14-379 to 14-390, inclusive, or any regulations adopted pursuant thereto.

Secs. 14-390a to 14-390e. Reserved for future use.

Sec. 14-390f. All-terrain vehicles: Effect of U.S. District Court consent decree. (a) As used in this section:

(1) "All-terrain vehicle" means any three or more wheeled motorized vehicle, generally characterized by large, low-pressure tires, a seat designed to be straddled by the operator and handlebars for steering, which is intended for off-road use by an individual rider on various types of nonpaved terrain. Such vehicles do not include trail bikes, golf carts, agricultural tractors, farm implements and construction machines;

(2) "All-terrain vehicle dealer" means any person engaged in the business of selling, leasing or renting all-terrain vehicles at retail, at a regular place of business; and

(3) "All-Terrain Vehicle Consent Decree" means the consent decree approved by the United States District Court for the District of Columbia on April 28, 1988, in settlement of Civil Action No. 87-3525, U.S. v. American Honda, et al.

(b) Each all-terrain vehicle offered for sale, lease or rental by an all-terrain vehicle dealer shall bear the safety warning hang tags pursuant to Paragraph H.3.b.(4) (a) of the All-Terrain Vehicle Consent Decree. Each all-terrain vehicle dealer shall: (1) Deliver a copy of the all-terrain vehicle safety alert to each all-terrain vehicle purchaser pursuant to Paragraph H.3.b.(4)(c) of the All-Terrain Vehicle Consent Decree; (2) prominently display the safety poster, pursuant to Paragraph H.3.b.(4) (d) of the All-Terrain Vehicle Consent Decree; (3) have the safety video readily available for viewing by prospective and actual all-terrain vehicle

purchasers pursuant to Paragraph H.3.b (4)(b) of the All-Terrain Vehicle Consent Decree; (4) conform to the guidelines for advertising and promotional materials attached as Appendix K to the All-Terrain Vehicle Consent Decree; (5) represent affirmatively, including in print and electronic media for advertising or promoting all-terrain vehicles and in point-of-purchase oral communications, that all-terrain vehicles with engine sizes of more than ninety cubic centimeters shall be used only by persons sixteen years of age or older; (6) comply with point-of-purchase communication requirements of the All-Terrain Vehicle Consent Decree; (7) orally inform the prospective or actual all-terrain vehicle purchaser of the free training courses offered by the manufacturers pursuant to Paragraph K of the final All-Terrain Vehicle Consent Decree and of the financial incentives for taking the course. Oral communications of all-terrain vehicle dealers shall not contain information inconsistent with any safety-related requirements of this section.

(c) Any person who violates any provision of subsection (b) of this section shall have committed an infraction.

TITLE 23

PARKS, FORESTS AND PUBLIC SHADE TREES

Sec. 23-26a. "All-terrain vehicle" defined. As used in sections 23-26b to 23-26g, inclusive, "all-terrain vehicle" means a motorized vehicle, not suitable for operation on a highway that (1) is not more than fifty inches in width, (2) has a dry weight of not more than six hundred pounds, (3) travels on two or more tires specifically designed for unimproved terrain, (4) has a seat or saddle designed to be straddled by the operator, and (5) has an engine with a piston displacement of more than fifty cubic centimeters.

Sec. 23-26b. Certificate to operate all-terrain vehicles on state land. (a) No person shall operate an all-terrain vehicle on state land without first obtaining a certificate from the Commissioner of Environmental Protection and unless such vehicle is registered pursuant to section 14-380. No certificate to operate an all-terrain vehicle on state land shall be issued to any person under eighteen years of age unless such person has completed a safety education course for all-terrain vehicles given pursuant to section 2326d.

(b) The commissioner may require that any person operating an all-terrain vehicle on state land (1) furnish proof of liability and property damage insurance on the vehicle, and

(2) agree to indemnify and hold harmless the state of Connecticut against any and all suits, claims, demands or judgments, including claims presented under the provisions of chapter 53, that may be allowed against the state for injury to any person as a result of the operation of an all-terrain vehicle on state land.

Sec. 23-26c. Availability of state land for use by persons operating all-terrain vehicles. The Commissioner of Environmental Protection shall evaluate the properties under his jurisdiction and the jurisdiction of other state agencies for their use by persons operating all-terrain vehicles and shall make available some of such properties for such use. In making such properties available the commissioner shall consider minimizing the impact of all-terrain vehicles on the environment. Before making any property available that is under the jurisdiction of another state agency, the commissioner shall consult with such agency.

Sec. 23-26d. Regulations re safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection, in consultation with the Commissioner of Consumer Protection, shall, by regulations adopted in accordance with the provisions of chapter 54, formulate safety education courses for the operation of all-terrain vehicles. The Commissioner of Environmental Protection may designate as his agent for giving a course any person or organization he deems qualified to act in such capacity.

Sec. 23-26e. Operation of all-terrain vehicles on state land by certain minors. No person less than twelve years of age shall operate an all-terrain vehicle on state land. A person between twelve and sixteen years of age may operate an all-terrain vehicle on state land provided such person has obtained a certificate pursuant to section 23-26b and is supervised by a person eighteen years of age or older who has completed a safety education course given pursuant to section 23-26d.

Sec. 23-26f. Regulations re operation of all-terrain vehicles. The Commissioner of Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54 (1) establishing standards and procedures for certification of operators of all-terrain vehicles and the use of all-terrain vehicles on state land, (2) setting a fee sufficient to cover the cost of implementing the certification program required pursuant to section 23-26b and (3) establishing safety requirements for the operation of all-terrain vehicles on state land which shall include provisions for noise levels. Any regulations concerning safety shall be adopted in consultation with the Commissioner of Consumer Protection.

Sec. 23-26g. Penalties. (a) Any person who violates section 23-26b or 23-26e or any regulations adopted pursuant to section 23-26f shall have committed an infraction. For a second and each subsequent violation of any of said laws or regulations the Commissioner of Environmental Protection may suspend any certificate issued pursuant to section 23-26b and the right to obtain any such permit for not more than two years.

(b) Any person who (1) knowingly permits a person less than eighteen years of age who has not obtained a certificate pursuant to section 23-26b to operate an all-terrain vehicle on state land, (2) permits a person less than twelve years of age to operate an all-terrain vehicle on state land or (3) allows a person between twelve and sixteen years of age to operate an all-terrain vehicle on state land without being supervised by a person more than eighteen years of age, shall have committed an infraction.

TITLE 25

WATER RESOURCES FLOOD AND EROSION CONTROL

Sec. 25-43c. Permitted recreation in watersheds and reservoirs. (a) Sport fishing from designated locations on shoreline or from boats propelled by oars or by electric motors with sealed storage batteries on public water supply storage and distribution reservoirs, as defined in subsection (a) of section 25-43, or aquifer protection areas as mapped pursuant to section 22a-354c, and additional recreational activities subject to the provisions of subsection (b) of this section, within designated areas of the watersheds of such reservoirs or aquifer protection areas may be permitted by a water company, as defined in section 25-32a, in accordance with rules

made by such water company after consultation with the Commissioner of Public Health and the Department of Environmental Protection.

(b) The Commissioner of Public Health, upon application by a water company, may issue to such company a permit authorizing recreational activities on storage and distribution reservoirs or aquifer protection areas. Any person who engages in any recreational activity which involves the use of a boat on reservoirs which are wholly owned by a water company shall use boats owned by said water company. If, in the opinion of the commissioner, the proposed recreational activities may have a significant adverse impact upon the applicant's water supply, said commissioner may, within thirty days of receipt of a complete permit application, refer such application for detailed review to a consultant, chosen by the commissioner, with skills in the fields of water

supply, hydrology, aquatic biology, forestry, geology, planning or other related fields, whose fee shall be paid by the applicant. The commissioner shall notify the applicant of such referral. The permit shall be issued subject to any terms or conditions the commissioner deems necessary to maintain the purity of the water in such storage and distribution reservoirs or aquifer protection areas. The commissioner may approve the use of electric motors with sealed storage batteries in a storage or distribution reservoir with an existing approved fishing program, provided such reservoir has conventional filtration treatment and is adequately supervised at all times when electric motors are in use, subject to monitoring, inspection and reporting by the water company satisfactory to the commissioner. The commissioner may adopt regulations in accordance with the provisions of chapter 54 establishing criteria for such recreational activities on storage and distribution reservoirs or aquifer protection areas and for monitoring the water quality thereof. The Commissioner of Public Health shall prohibit fishing and recreational activities in those cases where treatment facilities are deemed inadequate by the commissioner to properly safeguard the health of persons drinking the water.

(c) Water companies are empowered, after consultation with the Department of Environmental Protection, to issue permits and to charge fees for the issuance of such permits in order to reimburse such companies for the cost to them of such fishing and other recreational activities in public water supply storage and distribution reservoirs and on the watersheds of such public water supply and distribution reservoirs or within aquifer protection areas.

(d) All public water supply reservoirs constructed on or after January 1, 1975, except for such reservoirs as may be under construction before January 1, 1975, shall have such water treatment or purification facilities as the Commissioner of Public Health determines are necessary to assure the purity of the water supplies from sources in such reservoirs in which sport fishing is permitted or in watersheds of such reservoirs in which such recreational activities are permitted as provided in this section, provided nothing in this section shall be deemed to permit any recreational use of an existing reservoir or of the watershed land of such reservoir which use would require the installation of new water treatment or purification facilities.

(e) No water company shall be liable in damages except with respect to wilful or wanton conduct for injury or property damage to any person who enters upon its lands or waters under the provisions of this section.