

1 H.308

2 Introduced by Representative Conquest of Newbury

3 Referred to Committee on

4 Date:

5 Subject: Snowmobiles; Statewide Snowmobile Trail System; Vermont

6 Association of Snow Travelers; liability

7 Statement of purpose of bill as introduced: This bill proposes to limit the
8 liability of the Vermont Association of Snow Travelers (VAST) for ordinary
9 negligence in connection with any property damage or personal injury arising
10 from snowmobile operation outside the Statewide Snowmobile Trail System
11 (SSTS), provided that VAST has exercised reasonable care in marking the
12 boundaries of the SSTS.

13 An act relating to limiting the liability of VAST arising from snowmobile
14 operation outside the Statewide Snowmobile Trail System

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 23 V.S.A. § 3206(d) is amended to read:

17 (d)(1) No public or private landowner or their agents shall be liable for any
18 property damage or personal injury sustained by any person operating or riding
19 as a passenger on a snowmobile, or upon a vehicle or other device drawn by a
20 snowmobile upon the public or private landowner's property, whether or not

1 the public or private landowner has given permission to use the land, unless the
2 public or private landowner charges a cash fee to the operator or owner of the
3 snowmobile for the use of the property, or unless ~~said~~ the damage or injury is
4 intentionally inflicted by the landowner.

5 (2) If VAST has exercised reasonable care in marking the boundaries of
6 the SSTS, it shall not be liable for ordinary negligence for any property
7 damage or personal injury sustained by any person which arises from operation
8 of a snowmobile outside the SSTS. However, VAST's liability shall not be
9 limited under this subdivision if an operator leaves the SSTS because of an
10 unsafe condition on the SSTS and the damage or injury occurs before the
11 operator is able to return safely to the SSTS.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, ~~2015~~ 2016 .