

H.308

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

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

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

(d)(1) No public or private landowner or their agents shall be liable for any property damage or personal injury sustained by any person operating or riding as a passenger on a snowmobile, or upon a vehicle or other device drawn by a snowmobile upon the public or private landowner's property, whether or not the public or private landowner has given permission to use the land, unless the public or private landowner charges a cash fee to the operator or owner of the snowmobile for the use of the property, or unless ~~said~~ the damage or injury is intentionally inflicted by the landowner.

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

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2016.