1	H.444	
2	Introduced by Representative Burditt of West Rutland	
3	Referred to Committee on	
4	Date:	
5	Subject: Snowmobiles; all-terrain vehicles; helmets; seating capacity	
6	Statement of purpose of bill as introduced: This bill proposes to:	
7	(1) require persons under 10 years of age who operate or ride on a	
8	snowmobile or ATV anywhere in the State to wear protective headgear;	
9	(2) require persons in a device pulled by a snowmobile or all-terrain	
10	vehicle to wear protective headgear, and that operators are responsible if such	
11	persons fail to wear required headgear;	
12	(3) prohibit operation of a snowmobile or ATV if a passenger or person	
13	drawn by the snowmobile or ATV who is required to wear protective headgear	
14	is not wearing the headgear;	
15	(4) prohibit operation of a snowmobile or ATV with passengers in	
16	excess of the manufacturer's rated seating capacity.	
17 18	An act relating to helmet and seating capacity requirements for snowmobile and ATV operation	
19	It is hereby enacted by the General Assembly of the State of Vermont:	

1	* * * Snowmobiles * * *
2	Sec. 1. 23 V.S.A. § 3206 is amended to read:
3	§ 3206. OPERATION ON AND ACROSS PUBLIC HIGHWAYS,
4	SIDEWALKS; AGE RESTRICTIONS; PRIVATE LANDS;
5	PROHIBITED AREAS AND PROHIBITED METHODS OF
6	OPERATION; RECKLESS OPERATION; SWI; FINANCIAL
7	RESPONSIBILITY; TRAIL ACCESS LIMITED; HEAD AND
8	FACE PROTECTION
9	(a) A person shall operate, or cause to be operated, a snowmobile only in
10	accordance with this chapter.
11	(b) A snowmobile shall not be operated:
12	* * *
13	(21) Without proper head and face protection.
14	(A) No $\underline{A}$ person shall <u>not</u> operate, $\underline{or}$ ride in or on a snowmobile or
15	on a sled or device pulled by a snowmobile on the Statewide Snowmobile
16	Trails System (SSTS), or operate or ride on a snowmobile anywhere in the
17	State if under 10 years of age, without wearing, upon on his or her head,
18	protective headgear of a type approved by the Commissioner, unless the
19	operator of the snowmobile person not wearing headgear is an operator in the
20	process of grooming the trail. The headgear shall be equipped with a strap to
21	secure the headgear in place.

1	(B) A person shall not ride on a sled or device pulled by a
2	snowmobile without wearing on his or her head protective headgear of a type
3	approved by the Commissioner.
4	(C) A snowmobile operator shall not permit another person required
5	to wear protective headgear under this subdivision (b)(21) to ride on or to be
6	pulled by the snowmobile if that person is not wearing headgear in accordance
7	with this subdivision.
8	(D) Required headgear shall be equipped with a strap to secure it in
9	place.
10	(B)(E) No A person shall <u>not</u> operate a snowmobile on the SSTS that
11	is not equipped with a factory-installed or approved factory or aftermarket
12	replacement windshield that adequately protects the operator's face, or the
13	operator shall wear eyeglasses, goggles, or a protective face shield.
14	* * *
15	(24) With passengers in excess of the manufacturer's rated seating
16	capacity of the snowmobile. Both a passenger and an operator may be
17	penalized under this subdivision.
18	* * *

1	Sec. 2. 23 V.S.A. § 3207 is ame	nded to read:
2	§ 3207. PENALTIES AND REV	VOCATION OF REGISTRATION; SWI;
3	PRIVILEGE; SUSPENSION; CRIMINAL PENALTY	
4	(a) A person who violates any of the following sections of this title shall be	
5	subject to a fine of \$35.00 for each violation:	
6	§ 3203 fai	lure to return transferred registration
7	§ 3205(a)–(c) op	eration with defective or inadequate
8	eq	uipment, except improper muffling device
9	§ 3205(e) sal	e of a snowmobile for operation without
10	required equipment; improper operation; permitting improper operation	
11	§ 3206(b)(8) by	a person under 12 years of age
12	§ 3206(b)(1)(D) by	a person under age 16 years of age
13	§ 3206(b)(10) dis	play of registration plate
14	(b) A person who violates an	y of the following sections of this title shall be
15	subject to a fine of \$55.00 for each violation:	
16	§ 3206(b)(1) on	a public highway
17	§ 3206(b)(2), (3) on	a plowed highway
18	§ 3206(b)(4) on	a municipal highway
19	§ 3206(b)(13) in	cemeteries
20	§ 3206(b)(14) int	erstate and limited access highways
21	§ 3206(b)(15) sid	lewalks

1	(c) A person who violate	s any of the following sections of this title shall be	
2	subject to a fine of \$135.00 for each violation:		
3	§ 3202	operation of an unregistered snowmobile	
4	§ 3205(a)	alterations made to headlight lenses	
5	§ 3206(a)	permitting operation of an unregistered	
6		snowmobile	
7	§ 3206(b)(6)	natural area	
8	§ 3206(b)(20)	trail access limited	
9	§ 3206(b)(21)	failure to wear proper protective headgear;	
10		failure to wear; operating while another fails to	
11		<u>wear</u>	
12	§ 3206(b)(24)	exceeding rated seated capacity	
13		* * *	
14	* * * All-Terrain Vehicles * * *		
15	Sec. 3. 23 V.S.A. § 3506 is	Sec. 3. 23 V.S.A. § 3506 is amended to read:	
16	§ 3506. OPERATION	§ 3506. OPERATION	
17	(a) A person may only on	(a) A person may only operate or permit an all-terrain vehicle owned by	
18	him or under his or her contr	him or under his or her control to be operated in accordance with this chapter.	
19	(b) An all-terrain vehicle	may not be operated:	
20		* * *	
21	(13) Without proper h	nead protection.	

1	(A) A person under 10 years of age shall not operate or ride on an
2	all-terrain vehicle without wearing on his or her head protective headgear of a
3	type approved by the Commissioner.
4	(B) A person shall not ride on a device pulled by an all-terrain
5	vehicle without wearing on his or her head protective headgear of a type
6	approved by the Commissioner.
7	(C) An all-terrain vehicle operator shall not permit another person
8	required to wear protective headgear under this subdivision (b)(13) to ride on
9	or to be pulled by the all-terrain vehicle if that person is not wearing headgear
10	in accordance with this subdivision.
11	(D) Required headgear shall be equipped with a strap to secure it in
12	place.
13	(14) With passengers in excess of the manufacturer's rated seating
14	capacity of the all-terrain vehicle. Both a passenger and an operator may be
15	penalized under this subdivision.
16	* * *
17	* * * Effective Date * * *
18	Sec. 4. EFFECTIVE DATE
19	This act shall take effect on July 1, 2015.