

§ 3506. OPERATION; PROHIBITED ACTS; AUTHORITY OF LAW

ENFORCEMENT OFFICERS

(a) A person ~~may~~ shall only operate an all-terrain vehicle, or shall only permit an all-terrain vehicle owned by him or her or under his or her control to be operated, in accordance with this chapter.

(b) An all-terrain vehicle ~~may~~ shall not be operated:

(1) Along a public highway unless it is not being maintained and plowed for use during the snow season or unless the highway has been opened to all- terrain vehicle travel by the selectboard or trustees or local governing body and is so posted by the municipality, except that an all-terrain vehicle being used for agricultural purposes farming or a forestry operation may be operated ~~not~~ closer than at least three feet from the traveled portion of any highway for the purpose of traveling within the confines of the farm or the forestry operation, as specified in subdivision 3502(a)(5) or (6) of this title.

Current Condition:

- *VTrans is utilizing its authority under 19 VSA § 10 granting the same powers that selectboard have with respect to town highways.*

Proposed Changes:

- *Revise the language highlighted to explicitly grant the State the power to open highway rights-of-ways up to ATV use.*