

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Transportation to which was referred House Bill
3 No. 808 entitled “An act relating to all-terrain vehicles” respectfully reports
4 that it has considered the same and recommends that the bill be amended by
5 striking out all after the enacting clause and inserting in lieu thereof the
6 following:

7 Sec. 1. 23 V.S.A. chapter 31 is amended to read:

8 CHAPTER 31. ALL-TERRAIN VEHICLES

9 § 3501. DEFINITIONS

10 (a) As used in this chapter:

11 (1) ~~“Commissioner” means the Commissioner of Motor Vehicles unless~~
12 ~~otherwise stated.~~

13 (2) ~~“Department” means Department of Motor Vehicles unless~~
14 ~~otherwise stated.~~

15 (3) ~~“Operate” includes an attempt to operate and shall be construed to~~
16 ~~cover all matters and things connected with the presence and use of all terrain~~
17 ~~vehicles whether they be at motion or rest.~~

18 (4) ~~“Secretary” means the Secretary of Natural Resources.~~

19 (5) “All-terrain vehicle” or “ATV” means any nonhighway recreational
20 vehicle, except snowmobiles, having ~~no~~ not less than two low pressure tires
21 (10 pounds per square inch, or less), not wider than 64 inches with two-wheel

1 ATVs having permanent, full-time power to both wheels, and having a dry
2 weight of less than 1,700 pounds, when used for cross-country travel on trails
3 or on any one of the following or a combination thereof: land, water, snow,
4 ice, marsh, swampland, and natural terrain. An ATV on a public highway shall
5 be considered a motor vehicle, as defined in section 4 of this title, only for the
6 purposes of those offenses listed in subdivisions 2502(a)(1)(H), (N), (R), (U),
7 (Y), (FF), (GG), (II), and (AAA); (2)(A) and (B); (3)(A), (B), (C), and (D);
8 (4)(A) and (B) and (5) of this title; and as provided in section 1201 of this title.
9 An ATV shall not include an electric personal assistive mobility device.

10 (2) “Department” means the Department of Motor Vehicles unless
11 otherwise stated.

12 (3) “Direct supervision” means that the supervisor shall be sufficiently
13 close and able to control, by communicating visually or orally, the operation of
14 an all-terrain vehicle by an operator under 16 years of age, taking into account
15 the noise created by an all-terrain vehicle and protective headgear worn by the
16 operator.

17 (4) “Farm” means a parcel or parcels of land owned, leased, or managed
18 by a person and devoted primarily to farming.

19 (5) “Farming” shall have the same meaning as in 10 V.S.A. § 6001(22).

20 (6) “Forestry operation” shall have the same meaning as in 10 V.S.A.
21 § 2602.

1 (7) “Law enforcement officer” means persons listed in subdivision 4(11)
2 of this title as well as deputy State game wardens certified as described in
3 10 V.S.A. § 4198 and auxiliary State police officers certified pursuant to
4 20 V.S.A. § 2358.

5 (8) “Operate” includes an attempt to operate and shall be construed to
6 cover all matters and things connected with the presence and use of all-terrain
7 vehicles whether they are in motion or at rest.

8 (9) “Secretary” means the Secretary of Natural Resources.

9 (10) “State lands” means land owned, leased, or otherwise controlled by
10 the State.

11 ~~(6)(11)~~ “Club or association” means an all-terrain vehicle club or
12 “VASA” means the Vermont ATV Sportsman’s Association, a statewide
13 association of ATV clubs.

14 (b) As used in sections 3502 and 3506 of this chapter, “highway” and
15 “public highway” mean:

16 (1) a highway as defined in 19 V.S.A. § 1; and

17 (2) a trail as defined in 19 V.S.A. § 301(8).

18 § 3502. REGISTRATION AND TRAIL ACCESS DECAL

19 REQUIRED; EXCEPTIONS

20 (a) ~~(1)~~ Except as otherwise provided in this section, a person shall not
21 operate an all-terrain vehicle may not be operated on a VASA trail, on State

Comment [HG1]: New definition in a new subsec. (b) so that it only applies in 3502 and 3506. Definition includes legally designated trails per Karen Horn request.

Comment [HG2]: Rewrote section heading for accuracy

Comment [HG3]: Restructured 3502(a) for clarity.

Comment [HG4]: Removed language from 3502 (a) re not operating while MV license or privilege to operate is suspended, because already addressed in 3506(b) below.

1 land that may be designated by the Secretary pursuant to subdivision
2 3506(b)(4) of this title, or along any highway that is not adjacent to the
3 property of the operator unless:

4 (A) the ATV is registered pursuant to this chapter ~~or any other~~
5 ~~section of this title by the State of Vermont~~; and unless

6 (B) the all-terrain vehicle displays a valid Vermont ATV
7 Sportsman's Association (VASA) Trail Access Decal (TAD) when operating
8 on a VASA trail, ~~except when operated.~~

9 (2) Registration and display of a TAD is not required for operation:

10 (1)(A) On the property of the owner of the all-terrain vehicle.

11 (2)(B) Off the highway, in a ski area while being used for the purpose of
12 grooming snow, maintenance, or in rescue operations.

13 (3)(C) For official use by a federal, State, or municipal agency and only
14 if the all-terrain vehicle is identified with the name or seal of the agency in a
15 manner approved by the Commissioner.

16 (4)(D) Solely on privately owned land when the operator is specifically
17 invited to do so by the owner of that property and has on his or her person the
18 written consent of the owner.

19 (5)(E) By a person engaged in farming on a farm, provided that at no
20 time shall the person operate the ATV within three feet of the traveled portion
21 of a highway.

Comment [HG5]: Struck "or any other section of this title by the State of Vermont" as it appears to be unnecessary.

1 (c) The possession of a valid TAD or registration of an all-terrain vehicle
2 does not constitute a license to cross or operate an all-terrain vehicle on public
3 or private lands.

4 * * *

5 (e) An all-terrain vehicle owned by a person who is a resident of any other
6 state or province shall be deemed to be properly registered for the purposes of
7 this chapter if it is registered in accordance with the laws of the state or
8 province in which its owner resides. A person who is a resident of any other
9 state or province shall be subject to the provisions of this chapter while
10 operating an all-terrain vehicle within this State, including possessing a valid
11 TAD in the same circumstances that a resident of this State is required to
12 possess a TAD.

13 * * *

14 § 3505. ATV EQUIPMENT

15 (a) All all-terrain vehicles shall be equipped with one or more the
16 following, which shall be fully functional:

17 (1) headlights;

18 (2) a red rear light ~~all in working order, and;~~

19 (3) brake lights and brakes ~~in good mechanical condition and be~~
20 equipped with an efficient;

1 (4) an original equipment manufacturer (OEM) muffler and such other
2 ~~equipment and devices as may be required to meet~~ or a muffler of similar
3 quality that meets the reliability standards of an OEM muffler and meets the
4 noise level specifications of subsection (b)(c) of this section; and

5 (5) if equipped with a windshield it shall be, a windshield that is free
6 from sharp or jagged edges. Lights shall be on during operation

7 (b) Except when parked, every ATV operated within this State shall display
8 illuminated headlights and an illuminated taillight:

9 (1) from 30 minutes after sunset to 30 minutes before sunrise; and

10 (2) at any other time when, due to insufficient light or unfavorable
11 atmospheric conditions, other persons or vehicles are not clearly discernible at
12 a distance of 500 feet ahead.

13 ~~(b)(c)~~ Subject to regulation by rule of the Commissioner, any all-terrain
14 vehicles shall be equipped with a muffler system and such other equipment or
15 devices ~~which~~ that reduce maximum machine operating noise to a noise level
16 of not more than 82 decibels on the A scale at 50 feet, in a normal operating
17 environment.

18 ~~(e)(d)~~ No A person shall not sell or offer to sell within the State of Vermont
19 an all-terrain vehicle unless it complies with the sound requirements specified
20 in subsection ~~(b)(c)~~ of this section. ~~No~~ An all-terrain vehicle shall not be
21 equipped in any manner ~~which~~ that permits the operator to bypass the muffler

1 system; ~~no~~ a person shall not sell or offer to sell at either wholesale or retail a
2 replacement exhaust muffler system ~~which~~ that will not meet or exceed the
3 exhaust noise reduction capabilities of the all-terrain vehicle. In addition, any
4 person selling or offering to sell an all-terrain vehicle or replacement muffler
5 system, whether at wholesale or retail, shall include in the specifications;
6 precise information concerning the designed maximum sound levels of the all-
7 terrain vehicle or replacement muffler system.

8 ~~(d)~~(e) This section and section 3504 of this title shall not apply to any all-
9 terrain vehicle entered into a racing contest sponsored by a racing or all-terrain
10 vehicle organization or association during the period the all-terrain vehicle is
11 actually participating in or practicing or preparing for a racing event ~~at~~ if the
12 all-terrain vehicle is operating in an area especially provided for the purpose of
13 racing.

14 ~~(e)~~(f) The provisions of section 1222 of this title shall not apply to any all-
15 terrain vehicle registered pursuant to this chapter.

16 ~~(f)~~(g) Every all-terrain vehicle shall be equipped with a U.S. Forest Service
17 qualified spark arrester.

Comment [HG6]: Removed subsec. (h) re: headgear because headgear is addressed in 3506(b)(16) below. Unnecessary to have in 2 places.

1 § 3506. OPERATION; PROHIBITED ACTS; **FINANCIAL**
2 **RESPONSIBILITY; HEADGEAR**

Comment [HG7]: Added “financial responsibility” and “headgear” to section heading and removed “authority of enforcement officers” to accurately reflect section’s scope

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

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

7 (1) Along a public highway unless:

8 **(A)** it is not being maintained and plowed for use during the snow
9 season; ~~or unless~~

10 **(B)** the highway has been opened to all-terrain vehicle travel by the
11 ~~selectboard or trustees or local governing body~~ legislative body of the
12 municipality in which the highway is located in the case of town highways, or
13 by the Secretary of Transportation in the case of State highways, and is so
14 posted ~~by the municipality except an;~~ or

Comment [HG8]: For clarity, restructured to list exceptions as (A)-(C).

15 **(C)** the all-terrain vehicle is being used for ~~agricultural purposes~~ may
16 be farming or a forestry operation and is operated not closer than at least three
17 feet from the traveled portion of any highway for the purpose of traveling
18 within the confines of the farm or the forestry operation, as specified in
19 subdivision 3502(a)(2)(E) or (F) of this title.

20 (2) Across a public highway unless all of the following conditions
21 are met:

1 (A) the crossing is made at an angle of approximately 90 degrees to
2 the direction of the highway and at a place where no obstruction prevents a
3 quick and safe crossing; ~~and~~

4 (B) the operator brings the all-terrain vehicle to a complete stop
5 before entering the ~~travelled~~ traveled portion of the highway; ~~and~~

6 (C) the operator yields the ~~right-of-way~~ right of way to motor
7 vehicles and pedestrians using the highway; ~~and~~

8 (D) the operator is 12 years of age or older; ~~and that~~

9 (E) an operator under 16 years of age ~~must be~~ is under the direct
10 supervision of a person 18 years of age or older who does not have a
11 suspended motor vehicle license.

12 (3) On any privately owned land or body of private water unless either:

13 (A) the operator is the owner; or is a member of the immediate family
14 of the owner of the land or the land surrounding the private water; ~~or~~

15 (B) the operator has, on his or her person, the written consent of the
16 owner or lessee of the land or the land surrounding the private water to operate
17 an all-terrain vehicle in the specific area, and during the specific hours ~~and/or~~
18 or days, or both, in which the operator is operating; ~~or~~;

19 (C) the all-terrain vehicle displays a valid VASA Trail Access Decal
20 ~~TAD decal~~ (TAD) as required by subsection 3502(a) of this title that serves as
21 proof that the all-terrain vehicle and its operator, by virtue of the TAD, are

1 members of a ~~VASA affiliated club to which such~~ VASA and consent has
2 been given orally or in writing to operate an all-terrain vehicle in the area in
3 which the operator is operating; or

4 ~~(C)~~(D) the owner of the land or the land surrounding the private
5 water has designated the area for use by all-terrain vehicles by posting the area
6 in a manner approved by the Secretary to give reasonable notice that use is
7 permitted.

8 (4) On any ~~public land~~ municipal lands unless opened for use by the
9 legislative body of the municipality, or on any State lands, body of public
10 water, or natural area established under the provisions of 10 V.S.A. § 2607
11 unless ~~the Secretary has designated the area by the Secretary~~ for use by all-
12 terrain vehicles ~~pursuant to~~ in rules promulgated adopted under ~~provisions of~~
13 3 V.S.A. chapter 25.

14 (5) By a person under 12 years of age unless he or she is wearing on his
15 or her head protective headgear of a type approved by the Commissioner while
16 operating the all-terrain vehicle or while riding as passenger and either:

17 (A) he or she is on land owned by his or her parents, family, or
18 guardian;

19 (B) he or she has written permission of the landowner or lessee; or

20 (C) he or she is under the direct supervision of a person ~~at least~~ 18
21 years of age or older who does not have a suspended motor vehicle license.

1 (6) In any manner ~~intended or~~ that could be reasonably ~~to be~~ expected to
2 harm, harass, drive, or pursue any wildlife.

3 (7) If the registration certificate or consent form ~~is~~ and proof of
4 insurance are not available for inspection, and the registration number, or plate
5 of a size and type approved by the Commissioner, is not displayed on the all-
6 terrain vehicle in a manner approved by the Commissioner.

7 (8) While the operator is under the influence of drugs or alcohol as
8 defined by this title.

9 (9) In a careless or negligent manner ~~or in a manner~~ that is inconsistent
10 with the duty of ordinary care, so as to endanger a person or property.

11 (10) Within a cemetery, public or private, as defined in 18 V.S.A.
12 § 5302.

13 (11) On limited access highways, ~~rights-of-way~~ rights-of-way, or
14 approaches unless permitted by the Traffic Committee under section 1004 of
15 this title. In no cases shall the use of all-terrain vehicles be permitted on any
16 portion of the National System of Interstate and Defense Highways unless the
17 Traffic Committee permits operation on these highways.

18 (12) On a sidewalk unless permitted by the selectboard or trustees of the
19 local governing body.

20 (13) Without liability insurance as described in this subdivision. The
21 owner or operator of an all-terrain vehicle shall not operate or permit the

1 operation of an all-terrain vehicle at locations where the ATV is required to be
2 registered and display a TAD under section 3502 of this title without having in
3 effect a bond or a liability policy in the amounts of at least \$25,000.00 for one
4 person and \$50,000.00 for two or more persons killed or injured and
5 \$10,000.00 for damages to property in any one accident. In lieu of a bond or
6 liability policy, evidence of self-insurance in the amount of \$115,000.00 must
7 be filed with the Commissioner. Financial responsibility shall be maintained
8 and evidenced in a form prescribed by the Commissioner, and persons who
9 self-insure shall be subject to the provisions of subsection 801(c) of this title.

10 (14) While the operator's license or privilege to operate a motor vehicle
11 is suspended, unless operated at a location described in subdivision
12 3502(a)(2)(A) or (D) of this title.

13 (15) Outside the boundaries of trails established by the VASA Trail
14 System unless such operation is specifically authorized pursuant to another
15 provision of this chapter.

16 (16) Unless the operator and all passengers wear upon their heads
17 properly secured protective headgear of a type approved by the Commissioner,
18 if the ATV is operated at locations where the ATV is required to be registered
19 and display a TAD under section 3502 of this title.

20 (17) In an unreasonable or imprudent manner. For example, and in
21 addition:

Comment [HG9]: Moved up from (d)(3) below and rephrased; placement here is analogous to similar placement in the snowmobile chapter.

1 (A) A person shall not operate an all-terrain vehicle on the VASA
2 Trail System, on a trail designated by the Secretary pursuant to 10 V.S.A.
3 § 2362, or on a public highway open to all-terrain vehicles, at a speed greater
4 than 35 miles per hour unless otherwise posted, having regard for the actual
5 and potential hazards there existing. In every event, speed shall be controlled
6 as necessary to avoid collision with any person, all-terrain vehicle, vehicle, or
7 other object.

8 (B) The operator of every all-terrain vehicle shall drive at an
9 appropriate reduced speed when approaching and crossing an intersection or
10 railway grade crossing, when approaching and going around a curve, when
11 approaching a hill crest, when traveling upon any narrow or winding trail, and
12 when a special hazard exists with respect to pedestrians or other traffic by
13 reason of weather or trail conditions.

14 (C) All-terrain vehicles operating on a public highway open to all-
15 terrain vehicles shall comply with the provisions established in sections 1003,
16 1007, and 1008 of this title.

17 (D) A law enforcement officer or emergency personnel may
18 disregard speed regulations in accordance with section 1015 of this title.

19 ***

Comment [HG10]: Moved headgear requirement from (d)(3) to (b)(16) above. Similarly, snowmobile head protection requirement is in parallel list at 3206(b).

1 (e) In addition to all other requirements, an all-terrain vehicle may not be
2 operated by an operator who is less than ~~18~~ 16 years of age unless one of the
3 following criteria is met:

4 (1) the operator is operating on property owned or leased by the operator
5 or his or her parents or guardian; ~~or~~

6 (2) the operator is taking a prescribed safety education training course
7 and operating under the direct supervision of a certified all-terrain vehicle
8 safety instructor; or

9 (3) the operator holds an appropriate safety education certificate issued
10 by this State or issued under the authority of another state or province of
11 Canada.

12 (f) A person who is required to hold an appropriate safety education
13 certificate under the provisions of subsection (e) of this section shall exhibit
14 the safety education certificate upon demand of a law enforcement officer
15 having authority to enforce the provisions of this section.

16 (g) ~~Notwithstanding any other provision of law or rule to the contrary, the~~
17 ~~Commissioner may authorize the temporary operation of all terrain vehicles~~
18 ~~not registered in this State on Route 253 in Beecher Falls for an annual special~~
19 ~~event, provided the all terrain vehicle is registered in another state or province.~~

20 [Repealed.]

Comment [HG11]: Added repeal of this subsection, as it appears to do nothing: Vermont has recognized out-of-state/province registrations under 3502(e) *without requiring reciprocity* since 2015.

1 § 3507. ENFORCEMENT; PENALTIES AND REVOCATION OF
2 REGISTRATION

3 (a) A person who violates a provision of this chapter shall be ~~fined not~~
4 ~~more than \$300.00~~ subject to the following penalties for each offense unless
5 otherwise provided by law:

6 (1) Unless otherwise specified in subdivision (2) or (3) of this
7 subsection, a person who violates any provision of this chapter shall be subject
8 to a civil penalty of not more than \$300.00 for each violation.

9 (2) A person who violates any of the following provisions of this
10 chapter shall be subject to a civil penalty of not more than \$500.00 for each
11 violation:

12 (A) § 3505(a) and (c) (operation with improper equipment, improper
13 muffling device);

14 (B) § 3506(b)(6) (harming, harassing, driving, or pursuing any
15 wildlife);

16 (C) § 3506(b)(13) (operation without liability insurance);

17 (D) § 3506(b)(15) (operation off the VASA Trail System).

18 (3) A person who violates any of the following provisions of this
19 chapter shall be imprisoned for not more than one year or fined not more than
20 \$1,000.00, or both. If the person has been previously convicted of the same

1 violation, the person shall be imprisoned for not more than two years or fined
2 not more than \$3,000.00, or both:

3 (A) § 3506(b)(9) (careless or negligent operation);

4 (B) § 3511 (leaving scene of a crash);

5 (C) § 3512 (attempting to elude a law enforcement officer).

6 (b) In addition to the ~~fin~~ penalties provided in subsection (a) of this
7 section, the Commissioner may suspend or revoke the registration of an all-
8 terrain vehicle involved in a violation of this chapter.

9 (c) The provisions of this chapter and the rules adopted pursuant thereto
10 shall be enforced by law enforcement officers in accordance with the
11 provisions of 4 V.S.A. chapter 29.

12 (d) Law enforcement officers may conduct safety inspections on all-terrain
13 vehicles stopped for other all-terrain vehicle law violations on the VASA Trail
14 System. Safety inspections may also be conducted in a designated area by law
15 enforcement officials. A designated area shall be warned solely by blue lights
16 either on a stationary all-terrain vehicle parked on a trail or on a cruiser parked
17 at a roadside trail crossing.

18 § 3508. ~~DESIGNATED AREAS~~ SIGNAGE

19 ~~The Secretary shall print a list of public lands and waters designated for use~~
20 ~~by all-terrain vehicles pursuant to subdivision 3506(b)(4) of this title and make~~
21 ~~the publication available to the public~~ All all-terrain vehicle signage placed

1 along or adjacent to public highways shall comply with the Manual on
2 Uniform Traffic Control Devices.

3 § 3509. DEFACING IDENTIFYING NUMBERS; SIGNS

4 (a) A person ~~may~~ shall not willfully change or attempt to change, or tamper
5 with, obliterate, deface, or in any manner interfere with the original or assigned
6 motor number or manufacturer's serial number of any all-terrain vehicle.

7 (b) A person ~~may~~ shall not remove, deface, alter, or destroy trail signs,
8 ~~markers signals,~~ or ~~posters~~ markings erected pursuant to this chapter.

9 § 3510. MUNICIPAL ORDINANCES

10 ~~Municipalities~~ A municipality shall have the power to adopt ordinances
11 pursuant to 24 V.S.A. chapter 59 for the purpose of regulating the time,
12 manner, and location or operation of all-terrain vehicles within ~~their~~ the limits
13 of the municipality, provided the ordinances do not ~~controvert~~ conflict with the
14 provisions of this chapter.

15 § 3511. ~~ACCIDENTS~~ CRASHES; DUTY TO STOP AND REPORT

16 (a) The operator of an all-terrain vehicle who has caused or is involved in
17 ~~an accident~~ a crash resulting in injury to any person or property, other than the
18 all-terrain vehicle then under his or her control, shall immediately stop and
19 render whatever assistance may be reasonably necessary. He or she shall give
20 his or her name, residence, registration number, and the name of the owner of
21 the all-terrain vehicle to the party whose person or property is injured.

1 (b) The operator of an all-terrain vehicle involved in ~~an accident~~ a crash
2 resulting in death or injury to any person or damage to property, other than the
3 all-terrain vehicle he or she is operating, in excess of ~~\$100.00~~ \$500.00, shall
4 notify an enforcement officer immediately and file a report of the incident with
5 the Commissioner within 72 hours, on forms prescribed by the Commissioner.

6 * * *

7 § 3513. TRAIL LIABILITY INSURANCE; AUTHORITY TO CONTRACT
8 FOR LAW ENFORCEMENT SERVICES

9 (a) The amount of ~~85~~ 90 percent of the fees and penalties collected under
10 this ~~subchapter~~ chapter, except interest, is ~~hereby~~ allocated to the Agency of
11 Natural Resources for use by ~~the Vermont ATV Sportsman's Association~~
12 ~~(VASA)~~ for development and maintenance of a Statewide ATV Trail Program,
13 for trail liability insurance, and to contract for law enforcement services with
14 any constable, sheriff's department, municipal police department, the
15 Department of Public Safety, and the Department of Fish and Wildlife for
16 purposes of trail compliance pursuant to this chapter. The Departments of
17 Public Safety and of Fish and Wildlife are authorized to contract with VASA
18 to provide these law enforcement services. ~~The Agency of Natural Resources~~
19 ~~may retain for its use up to \$7,000.00 during each fiscal year to be used for~~
20 ~~administration of the State grant that supports this program.~~

1 (b) The ~~Office of the~~ Secretary of Administration shall assist VASA with
2 the procurement of trail liability and other related insurance.

3 (c) VASA shall purchase a trail liability insurance policy in the amount of
4 \$1,000,000.00. The State of Vermont shall be named an additional insured.
5 The policy shall extend to ~~all VASA-affiliated ATV clubs and their respective~~
6 VASA and its employees and agents to provide for trail liability coverage for
7 development and maintenance of the Statewide ATV Trail Program.

8 * * *

9 § 3515. ALL-TERRAIN SAFETY EDUCATION COURSE; ISSUANCE OF
10 CERTIFICATE

11 * * *

12 (b) The Commissioner of Public Safety may approve any appropriate all-
13 terrain vehicle safety education course, regardless of whether or not it includes
14 hands-on instruction in operating the vehicle, if the course meets minimum
15 standards established by the Commissioner. An approved course shall include
16 information about the appropriate use of ~~helmets~~ protective headgear and the
17 dangers of carrying a passenger. Such courses offered by the manufacturers or
18 distributors of all-terrain vehicles, by community organizations such as 4-H, or
19 by others, may be approved.

20 (c) The Commissioner of Public Safety shall develop and make available a
21 written examination appropriate for certification of all-terrain vehicle operators

1 as required by this section. In the discretion of the Commissioner, the
2 examination may be administered by employees of the Department of Public
3 Safety or by the persons who offer any approved all-terrain vehicle safety
4 education course.

5 (d) ~~No~~ An all-terrain vehicle safety education course ~~which~~ that includes
6 actual operation of the vehicle shall not be approved unless adequate insurance
7 coverage is provided.

8 (e) The instructors and persons providing an all-terrain vehicle safety
9 education course approved by the Commissioner of Public Safety are exempt
10 from compliance with the State's driver training laws.

11 * * *

Comment [HG12]: Removed section 3518 in its entirety, leaving the status quo intact.

12 Sec. 2. EFFECTIVE DATES

13 This act shall take effect on July 1, 2018, except that in Sec. 1, 23 V.S.A.
14 §§ 3507 and 3513 shall take effect on January 1, 2019.

15
16
17 (Committee vote: _____)

18 _____

19 Representative _____

20 FOR THE COMMITTEE