

ATVs Along Public Highways for Utility Purposes

I. Proposed Language

Sec. X1. 23 V.S.A. § 3506 is amended to read:

§ 3506. OPERATION

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

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

(1) Along a public highway ~~unless it~~ except if one or more of the following applies:

(A) the highway is not being maintained during the snow season or unless;

(B) 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 an;

(C) the all-terrain vehicle is being used for agricultural purposes may be and is operated not closer than three feet from the traveled portion of any highway for the purpose of traveling within the confines of the farm; or

(D) the all-terrain vehicle is being used by an employee or agent of an electric transmission or distribution company subject to the jurisdiction of the Public Utility Commission under 30 V.S.A. § 203 for utility purposes, including safely accessing utility corridors, provided that the all-terrain vehicle shall be operated along the edge of the roadway and shall yield to other vehicles.

* * *

II. Definition of “edge of the roadway”

23 V.S.A. § 4(9):

(9) “Edge of the roadway” is the extreme right-hand limit of any improved area within the right-of-way of the highway.