

Secs. 17–18. All-Terrain Vehicles (ATVs) – Pages 33–44.

- General clean up throughout, including to add clarity even if there is no substantive change in the law.
- Changes to codified law in 23 V.S.A. § 3501 to have defined words be in alphabetical order and to add some additional definitions that are used in the chapter on ATVs.
- Changes to codified law in 23 V.S.A. § 3502 to:
 - Require ATV operators to, except as otherwise provided in the section, only operate an ATV on State land designated by the Secretary of Natural Resources, the Vermont ATV Sportsman’s Association (VASA) Trail System, or along a highway that is not adjacent to the operator’s property if the ATV:
 - Is registered (another state or province is ok if the operator is a resident of that state/province); and
 - Displays a VASA Trail Access Decal (TAD), which can be done by showing a processing form (electronic is fine) in the 10 days after processing.
 - Clean up language on existing codified law for when neither registration nor a TAD is required to operate an ATV in certain circumstances.
 - Including on a frozen body of water designated by the Agency of Natural Resources (on which protective headgear is not required).
 - Addition of language to specify that a TAD, in addition to registration, does not constitute a license to operate the ATV on public or private lands.
 - Addition of language to specify that an out-of-State operator is subject to the provisions of the chapter when operating an ATV in the State.
- Changes to codified law in 23 V.S.A. § 3506 to:
 - No longer allow operation of an ATV along a highway that is not being maintained in the snow season;
 - Permit operation of an ATV along a State highway that has been opened to travel by the Secretary of Transportation and posted accordingly (no change to municipal authority to open and post);
 - Prohibit an operator who is 18+ with a suspended license or privilege to operate from supervising an operator under 16 years of age from crossing a public highway or an operator under 12 years of age in general;
 - Allow the display of a TAD to serve as proof that the operator has permission to be on certain privately owned land or privately owned body of water;
 - Require individuals under 12 years of age to wear protective headgear (operator and passenger) and all operators and passengers in general in locations where the ATV must be registered in order to be operated;
 - Modify language on wildlife to prohibit operation “[i]n any manner that could reasonably be expected to harm, harass, drive, or pursue any wildlife[]”;
 - Require liability insurance in the same amounts as for motor vehicles pursuant to 23 V.S.A. § 800, proof of which must be carried by the operator;
 - Modify duty language to prohibit operation “[i]n a careless or negligent manner that is inconsistent with the duty of ordinary care, so as to endanger an individual or property[]”;
 - Prohibit operation, in most locations, if the operator’s license or privilege to operate is suspended;

- Prohibit operation outside the VASA Trail System unless specifically authorized (probably a “belts and suspenders” approach given other language in codified law); and
- Repeal subsection (g) because Vermont has recognized out-of-state registration under 23 V.S.A. § 3502(e) since June 2015.