

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 An act relating to helmet and seating capacity requirements for snowmobile
18 and ATV operation

19 It is hereby enacted by the General Assembly of the State of Vermont:

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* * * Snowmobiles * * *

Sec. 1. 23 V.S.A. § 3206 is amended to read:

§ 3206. OPERATION ON AND ACROSS PUBLIC HIGHWAYS,
SIDEWALKS; AGE RESTRICTIONS; PRIVATE LANDS;
PROHIBITED AREAS AND PROHIBITED METHODS OF
OPERATION; RECKLESS OPERATION; SWI; FINANCIAL
RESPONSIBILITY; TRAIL ACCESS LIMITED; HEAD AND
FACE PROTECTION

(a) A person shall operate, or cause to be operated, a snowmobile only in accordance with this chapter.

(b) A snowmobile shall not be operated:

* * *

(21) Without proper head and face protection.

(A) ~~No~~ A person shall not operate, or ride ~~in or~~ on a snowmobile ~~or~~
~~on a sled or device pulled by a snowmobile~~ on the Statewide Snowmobile
Trails System (SSTS), or operate or ride on a snowmobile anywhere in the
State if under 10 years of age, without wearing, ~~upon~~ on his or her head,
protective headgear of a type approved by the Commissioner, unless the
~~operator of the snowmobile~~ person not wearing headgear is an operator in the
process of grooming the trail. ~~The headgear shall be equipped with a strap to~~
~~secure the headgear in place.~~

1 Sec. 2. 23 V.S.A. § 3207 is amended to read:

2 § 3207. PENALTIES AND REVOCATION 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 failure to return transferred registration

7 § 3205(a)–(c) operation with defective or inadequate
8 equipment, except improper muffling device

9 § 3205(e) sale 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) display of registration plate

14 (b) A person who violates any 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) interstate and limited access highways

21 § 3206(b)(15) sidewalks

1 (c) A person who violates 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 wear

12 § 3206(b)(24) exceeding rated seated capacity

13 * * *

14 * * * All-Terrain Vehicles * * *

15 Sec. 3. 23 V.S.A. § 3506 is amended to read:

16 § 3506. OPERATION

17 (a) A person may only operate or permit an all-terrain vehicle owned by
18 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 head protection.

