

OLR Bill Analysis

sHB 6638 (as amended by House "B")*

AN ACT CONCERNING THE MAXIMUM PENALTY FOR VIOLATION OF A MUNICIPAL ORDINANCE REGULATING THE OPERATION OR USE OF A DIRT BIKE, ALL-TERRAIN VEHICLE OR SNOWMOBILE.

SUMMARY:

This bill increases the maximum penalties allowed for violations of municipal ordinances regulating certain dirt bike, all-terrain vehicle (ATV), and snowmobile use. It authorizes municipalities with ordinances on dirt bike operation and use on public property, including hours and zones of use, to set the penalty for violating such ordinance at no more than:

1. \$ 1,000 for the first violation,
2. \$ 1,500 for the second violation, and
3. \$ 2,000 for the third or subsequent violation.

The bill allows municipalities to adopt the same penalty structure for ordinance violations related to the use and operation of ATVs or snowmobiles. By law, the fine for violating local ordinances and regulations is capped at \$ 250 unless a statute specifically provides for a different amount (CGS § 7-148).

The bill defines a dirt bike as a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain but not public highways. The definition excludes ATVs and motor-driven cycles (see BACKGROUND).

*House Amendment "B" limits the bill to increasing the potential maximum penalties for dirt bike use on public property instead of also allowing municipalities to regulate all dirt bike operation and use.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

ATVs and Motor-Driven Cycles

The statutes define ATVs as any vehicle that is self-propelled, designed to travel over unimproved terrain, and unsuitable for operation on public highways, as determined by the motor vehicles commissioner (CGS § 14-379). A motor-driven cycle is any motorcycle, motor scooter, or bicycle with an attached motor, a seat height of at least 26 inches, and a motor that produces five brake horsepower or less (CGS § 14-1).

Related Bill

SB 190, reported favorably by the Transportation Committee, allows municipalities to set a penalty of up to \$ 2,000 for violating an ordinance or regulation on unlawful dirt bike operation and requires the motor vehicles commissioner to conduct a study on implementing a system to issue certificates of title to dirt bike owners.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/16/2013)