STATE OF NEW YORK

11097

IN ASSEMBLY

April 24, 2026

Introduced by M. of A. GRAY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the environmental conservation law, in relation to permitting certified handicapped individuals and senior citizens to use all-terrain vehicles on state land for hunting purposes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 2403 of the vehicle and traffic law, as added by chapter 402 of the laws of 1986, is amended to read as follows:

2. Public lands other than highways. No person**, except (a) persons that are certified handicapped individuals, or (b) persons who have attained the age of seventy and hold a valid senior game recovery permit issued by the department of environmental conservation,** shall operate an ATV on any public lands, waters and property other than a highway, except that an ATV may be operated on any such lands which have been designated and posted for travel by ATVs in accordance with the provisions of section twenty-four hundred five of this article. **Persons certified as handicapped individuals may utilize an ATV to enter and exit public lands for the purpose of hunting, whereby such individual may be the operator or a passenger of such vehicle. Persons who have attained the age of seventy and hold a senior game recovery permit may operate an ATV on public lands during an open big game hunting season, for the sole purpose of retrieving a lawfully taken big game animal, whereby such senior permittee may be the operator or a passenger of the ATV for such retrieval purpose.**

§ 2. The environmental conservation law is amended by adding a new section 11-0936 to read as follows:

§ 11-0936. Senior game recovery permit for all-terrain vehicle use.

1. The department is authorized and directed to establish a senior game recovery permit program, allowing limited all-terrain vehicle use on state-owned lands for the purpose of retrieving big game by senior hunters. A person who has attained the age of seventy years may apply to

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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the department for a senior game recovery permit. The applicant shall be a New York state resident and shall meet any additional criteria set by the department pursuant to subdivision three of this section.

2. Notwithstanding any provision of this chapter, the rules and regulations of the department, or any other law to the contrary, a holder of a valid senior game recovery permit may operate or have operated an all-terrain vehicle for the sole purpose of retrieving lawfully taken big game animals, as defined in section 11-0103 of this article, from lands under the jurisdiction of the department, subject to the following provisions:

a. Such operation of an all-terrain vehicle shall only be permitted during an open big game hunting season and only in an area where the permittee is lawfully engaged in big game hunting;

b. The permittee shall carry the permit on their person at all times during any all-terrain vehicle operation authorized by this section and shall produce it upon request by an enforcement officer;

c. Any all-terrain vehicle use pursuant to the permit is done in compliance with department regulations and guidelines aimed at minimizing environmental impact, including but not limited to restrictions on the specific trails or routes that may be used for retrieval, time-of-day limitations, or requirements to obtain site-specific authorization from a forest ranger or land manager if deemed necessary;

d. No firearms or crossbows on or within the all-terrain vehicle shall be loaded or cocked during the retrieval process, consistent with the provisions of section 11-0931 of this title, unless the permittee possesses a separate valid non-ambulatory hunter permit issued pursuant to section 11-0931 of this title allowing such possession;

e. The all-terrain vehicle operated pursuant to the permit shall be duly registered and in compliance with the provisions of article forty-eight-C of the vehicle and traffic law, unless such all-terrain vehicle qualifies as exempt from registration under such article, and the operator of such all-terrain vehicle shall hold a valid driver's license or all-terrain vehicle safety certificate if required by law; and

f. The permittee shall adhere to any other conditions the department may require as part of the permit.

3. The department shall promulgate rules and regulations to implement the provisions of this section. Such rules may include, but shall not be limited to, the application process and documentation required, such as proof of age and residency, or a physician's statement attesting to any mobility impairment if the department deems it appropriate to require such documentation, and the duration and renewal of permits, revocation of permits for misuse, and specific limitations on all-terrain vehicle use for game retrieval on different categories of state lands. In developing such rules, the department shall consider both the needs of senior hunters for reasonable access and the potential impacts on natural resources, and shall consult with stakeholder groups as appropriate.

4. A senior game recovery permit shall not be transferable and may be used only by the individual to whom it was issued. The permittee may be accompanied by a helper to assist in operating the all-terrain vehicle or loading the game, and such helper shall be authorized to operate the all-terrain vehicle in the presence of the permittee for the retrieval purpose.

5. Nothing in this section shall be construed to authorize recreational all-terrain vehicle riding on state lands or any use of an all-terrain vehicle contrary to other provisions of law, except as explicitly allowed herein for big game retrieval. All use of all-terrain vehicles

under the senior game recovery permit program shall be conducted in a manner that preserves public safety and the integrity of state lands.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the department of environmental conservation on or before such effective date.