

# STATE OF NEW YORK

5035

2019-2020 Regular Sessions

## IN SENATE

April 4, 2019

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of all-terrain vehicles by minors

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

1 Section 1. Subdivision 2 of section 2409 of the vehicle and traffic  
2 law, as added by chapter 402 of the laws of 1986, is amended to read as  
3 follows:

4 2. Safety certificate. Upon successful completion of a safety course  
5 given in conformity with subdivision one of this section by a person  
6 [~~ten~~] fourteen years of age or over, the person or entity which gave the  
7 course shall notify the commissioner of such completion in a manner  
8 prescribed by the commissioner. The commissioner shall, upon receipt of  
9 such information, issue an ATV safety certificate to the person who has  
10 successfully completed the course. Such certificate may be limited to  
11 the type of vehicle for which the course was given.

12 § 2. Subdivisions 1 and 2 of section 2410 of the vehicle and traffic  
13 law, as added by chapter 402 of the laws of 1986, are amended to read as  
14 follows:

15 1. Except as provided by subdivision two of this section, no person  
16 under the age of sixteen years shall operate an ATV except upon lands  
17 owned or leased by his or her parent or guardian, unless he or she is  
18 under general supervision of a person eighteen years of age or over [~~or~~  
19 ~~a person sixteen years of age or over who holds an ATV safety certifi-~~  
20 ~~cate~~]. "Leased lands" as herein used shall not include lands leased by  
21 an organization of which said operator or his or her parent or guardian  
22 is a member.

23 2. A person [~~ten~~] fourteen years of age but less than sixteen years of  
24 age who has received safety training as prescribed by the commissioner  
25 and has received the appropriate ATV safety certificate issued by the

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

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1 commissioner may operate an ATV in the same manner as a person who is  
2 sixteen years of age or older.  
3 § 3. This act shall take effect on the one hundred twentieth day after  
4 it shall have become a law.