STATE OF NEW YORK

767

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. COONEY -- 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 operation of an all-terrain vehicle by a minor on public or private property

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

Section 1. Section 2410 of the vehicle and traffic law is amended by adding a new subdivision 6 to read as follows:

6. No person shall operate an ATV bearing a certification label conforming to ANSI/SVIA 1-2010 in violation of the age recommendation warning label affixed by the manufacturer. An ATV not bearing a certification label conforming to ANSI/SVIA 1-2010 operating in the state by a person who is ten or eleven years of age shall have an engine size of 70cc or less. An ATV not bearing a certification label conforming to ANSI/SVIA 1-2010 operated in the state by a person who is between twelve and fifteen years of age shall have an engine size of 90cc or less.

§ 2. Subdivision 2 of section 2406 of the vehicle and traffic law, as added by chapter 402 of the laws of 1986, is amended to read as follows:

2. No person shall operate an ATV or ride as a passenger on an ATV **on public or private property** unless he is wearing a protective helmet of a type approved by the commissioner pursuant to subdivision six of section three hundred eighty-one of this chapter.

§ 3. This act shall take effect immediately.

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

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