

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:

1 Section 1. Subdivision 2 of section 2403 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. Public lands other than highways. No person, except (a) persons
5 that are certified handicapped individuals, or (b) persons who have
6 attained the age of seventy and hold a valid senior game recovery permit
7 issued by the department of environmental conservation, shall operate an
8 ATV on any public lands, waters and property other than a highway,
9 except that an ATV may be operated on any such lands which have been
10 designated and posted for travel by ATVs in accordance with the
11 provisions of section twenty-four hundred five of this article. Persons
12 certified as handicapped individuals may utilize an ATV to enter and
13 exit public lands for the purpose of hunting, whereby such individual
14 may be the operator or a passenger of such vehicle. Persons who have
15 attained the age of seventy and hold a senior game recovery permit may
16 operate an ATV on public lands during an open big game hunting season,
17 for the sole purpose of retrieving a lawfully taken big game animal,
18 whereby such senior permittee may be the operator or a passenger of the
19 ATV for such retrieval purpose.

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

22 § 11-0936. Senior game recovery permit for all-terrain vehicle use.

23 1. The department is authorized and directed to establish a senior
24 game recovery permit program, allowing limited all-terrain vehicle use
25 on state-owned lands for the purpose of retrieving big game by senior
26 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.

LBD14284-01-5

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

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

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

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

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

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

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

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

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

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

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

1 under the senior game recovery permit program shall be conducted in a
2 manner that preserves public safety and the integrity of state lands.
3 § 3. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law. Effective immediately, the addition, amend-
5 ment, and/or repeal of any rule or regulation necessary for the imple-
6 mentation of this act on its effective date are authorized and directed
7 to be made and completed by the department of environmental conservation
8 on or before such effective date.