§ 21.05 Definitions. As used in this article, unless the context requires otherwise:

1. "Governmental agency" shall mean any agency of the state of New York and all municipalities within the state.

2. "Executive officer" shall mean:

(a) In the case of a county, the county executive unless there is none, in which case it shall mean the county manager if there is one, or the chairman of the county legislative body if there is neither a county executive nor county manager.

(b) In the case of cities, the mayor, except in those cities having a city manager it shall mean such city manager.

(c) In the case of towns, the supervisor or presiding supervisor.

(d) In the case of villages, the mayor, except in those villages having a president or manager it shall mean such president or manager.

3. "Snowmobile" shall mean a self-propelled vehicle equipped with a motor, originally manufactured and designed for travel on snow or ice, steered by skis or runners and supported in whole or in part by one or more skis, belts or tracked cleats.

4. "Owner" shall mean any person having title to a snowmobile. If a snowmobile is sold under a contract of conditional sale whereby the title remains in the vendor, such vendor or his assignee shall not, after delivery of such snowmobile, be deemed an owner within the provisions of this section, but the vendee or his assignee, upon receipt of possession thereof, shall be deemed such owner notwithstanding the terms of such contract, until the vendor or his assignee shall retake possession. A person holding only a security interest in a snowmobile shall not be deemed an owner unless such person also has possession of such snowmobile.

5. "Operate" shall mean to ride in or on, other than as a passenger, or use or control the operation of a snowmobile in any manner, whether or not said snowmobile is under way.

6. "Operator" shall mean every person who operates or is in actual physical control of a snowmobile.

7. "Register" shall mean the act of assigning a registration number to a snowmobile.

8. "Roadway" shall mean that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.

9. "Highway" shall mean the entire width between the boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic.

10. "Shoulder" shall mean that portion of a highway which lies outside the paved or unpaved roadway immediately adjacent to the portion of the roadway which may be used by motor vehicles.

11. "Bank" shall mean a mound, pile or ridge of snow on the edge of a highway accumulated from natural snowfall or by snowplowing operations.

12. "Inside bank" shall mean the portion of a snowbank immediately adjacent to the shoulder of the roadway.

13. "Outside bank" shall mean the portion of a snowbank outside the crest thereof and farthest removed from the roadway.

14. "Cowling" shall mean the forward portion of the snowmobile usually surrounding the motor and clutch assembly.

15. "Dealer" shall mean a person engaged in the business of selling snowmobiles at wholesale or retail.

16. "Special event" shall mean an organized rally, race, exhibition or demonstration of limited duration which is conducted according to a prearranged schedule and in which general public interest is manifested.

17. "Snowmobile operator's certificate" shall mean a certificate

issued by the commissioner evidencing that the holder thereof has successfully completed an approved course of instruction in snowmobile operation and safety as hereinafter provided.

18. "Authorized ambulance snowmobile" shall mean a snowmobile designated as such in writing and filed with the commissioner by the chief executive officer of any duly organized volunteer ambulance company, fire department, or paid fire department, operated by a member thereof and equipped with emergency lights as provided in subdivision four of section 25.17 of this chapter.

19. "Authorized police snowmobile" shall mean a snowmobile operated by a police or other peace officer while engaged in the performance of his official duties within the area of his territorial jurisdiction and equipped with emergency lights as provided in subdivision four of section 25.17 of this chapter.

20. "Authorized civil defense snowmobile" shall mean a snowmobile designated as such in writing and filed with the commissioner by the chief executive officer of a municipality and operated by a member of a civil defense organization of the municipality and equipped with emergency lights as provided in subdivision four of section 25.17 of this chapter.

21. "Operation as emergency vehicle." The operation or parking of an authorized ambulance, police or civil defense snowmobile, including attendant equipment, displaying one or more lighted, red or combination red or white lights which is revolving, rotating, flashing, oscillating or constantly moving light and which snowmobile is engaged in transporting a sick or injured person, pursuing an actual or suspected violator of the law or responding to, or working or assisting at the scene of an accident, disaster, police call, alarm or other emergency but shall not include returning from such service.