§ 2282. Registration and permit. 1. Except as hereinafter provided, no person shall operate any ATV within the state unless such ATV has been registered and numbered in accordance with the provisions of this article, and the registration number for such ATV is in full force and effect and displayed as provided under this article and regulations promulgated thereunder.

2. The commissioner is authorized to register an ATV, issue a registration certificate and assign a registration number to such ATV. All such registrations shall be valid for a period prescribed by the commissioner unless, prior to expiration of the period prescribed by the commissioner, it is surrendered, cancelled, revoked or suspended pursuant to the provisions of this article.

3. Unless otherwise prescribed by regulation of the commissioner, a number once assigned under this section shall remain with the registered ATV until the ATV is destroyed, abandoned or permanently removed from the state, or until changed or terminated by the commissioner.

4. Fees. Fees for registration of ATVs to be collected by the commissioner under this article are as follows.

(a) An annual fee of twelve dollars and fifty cents for each individual resident registration.

(b) An annual fee of twelve dollars and fifty cents for each individual nonresident registration.

(c) An annual fee of twenty-five dollars for each dealer registration.

(d) An annual fee of five dollars for each additional dealer demonstrator registration number.

(e) A fee of three dollars for replacement of a lost, mutilated or destroyed certificate.

(f) Provided, however, that the provisions of paragraphs (c) and (d) of this subdivision with respect to the payment of dealer registration fees shall not apply to dealers registered pursuant to section four hundred fifteen of this chapter.

(g) Annual fees shall not be prorated and such fees shall be applicable to a year or any portion of a year.

Notwithstanding any inconsistent provision of this section, the

difference collected between the fees set forth in paragraphs (a) and (b) of this subdivision in effect on and after September first, two thousand nine and the fees set forth in such paragraphs in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

5. Application. The owner of each ATV requiring registration under this section shall present an application for registration to the commissioner, on a blank to be prepared and furnished by the commissioner for that purpose. Such application shall contain or be accompanied by such evidence of the ownership of the ATV described in the application as may be required by the commissioner.

6. Dealers. (a) Any person who is a dealer, and who is not registered as a dealer pursuant to section four hundred fifteen of this chapter, shall register as an ATV dealer and operate in accordance with the rules and regulations of the commissioner for ATV dealers. The commissioner, upon receipt of an application and the required fee, shall assign a distinctive dealer registration number to the registrant and issue an appropriate registration certificate to him and assign two dealer demonstrator registration numbers and upon the payment of the appropriate fee, such additional numbers as shall be requested. Dealer registrations and dealer demonstrator registration numbers shall not be transferable. Provided, however, the commissioner may limit the number of dealer demonstration registration numbers issued to a dealer.

(b) No dealer shall sell or offer for retail sale any ATV, other than an ATV identified and sold for use only in off-highway competitions, which is not equipped with all equipment necessary for the registration of an ATV.

6-a. Registration at time of sale. Every all terrain vehicle defined by section twenty-two hundred eighty-one of this article sold by a dealer shall be registered at the time of sale of such vehicle. Such registration shall be valid until the thirty-first day of August following the date of such sale; provided, however, that any all terrain vehicle sold after April first of each year shall be issued a registration valid until the thirty-first day of August in the year

following that in which the all terrain vehicle is sold. Any all terrain vehicle purchased for use exclusively outside of the state of New York shall not require registration at the time of purchase, and the purchaser of such all terrain vehicle shall sign a declaration, provided by the dealer, which shall state that such purchaser understands the conditions under which an all terrain vehicle must be registered and the penalty for violation of such registration provisions. Each signed declaration shall be forwarded by the dealer to the commissioner. The form of such declaration shall be provided by the commissioner to each dealer.

7. Renewal. Every owner of an ATV and dealer shall renew his registration in such manner as the commissioner shall prescribe, on payment of the same registration fees as provided in subdivision four of this section.

8. Indicia of registration. At the time of the original registration and at the time of each renewal thereof, the commissioner shall also issue validating forms in a manner he has prescribed indicating the validity of the current registration and the expiration date thereof, which indicia of registration shall be affixed to the vehicle in such manner as the commissioner may prescribe.

No ATV shall be considered as validly registered within the meaning of this section unless a current registration certificate, registration number and current indicia of registration have been issued.

9. Equipment required. No ATV shall be registered, nor shall such a registration be renewed, unless the ATV is equipped with brakes, muffler, spark arrester and tires as prescribed in subdivision one of section twenty-four hundred six of this chapter.

10. ATVs owned by governmental agencies. A registration number shall be assigned, without payment of a fee, for ATVs owned by governmental agencies, or by volunteer organizations if used exclusively for emergency purposes, provided that each such ATV shall display the proper registration number assigned to it.

11. Exemption. No registrations shall be required for the following described ATVs:

(a) ATVs owned and used by the United States, another state, or a political subdivision thereof, but such ATV shall display the name of the owner on the vehicle thereof.

(b) ATVs covered by a valid registration or license of another state, province or country, as provided in subdivision twelve of this section.

12. Out of state ATV registration. The registration provisions of this article shall not apply to non-resident owners who have registered their ATVs in compliance with the registration and licensing laws of the state, province, district or country of residence, provided that the ATV is appropriately identified in accordance with the laws of the state of residence. The provisions of this subdivision shall not apply to a resident of another state, province, district or country which does not have an ATV registration and identification law. Nothing in this subdivision shall be construed to authorize the operation of any ATV contrary to the provisions of this article.