

39:3C-1 et al

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 39:3C-1 et al (All-terrain vehicles  
--regulate)

**LAWS OF:** 1985 **CHAPTER:** 375

**BILL NO:** S2336

**Sponsor(s):** Dumont

**Date Introduced:** October 22, 1984

**Committee: Assembly:** Transportation and Communications  
**Senate:** Law, Public Safety and Defense

**Amended during passage:** Yes Amendments denoted by asterisks.  
according to Governor's recommendations

**Date of Passage:** **Assembly:** June 27, 1985 Re-enacted 11-18-85  
**Senate:** March 7, 1985 Re-enacted 9-9-85

**Date of Approval:** November 26, 1985

**Following statements are attached if available:**

<b>Sponsor statement:</b>	Yes	(Below)
<b>Committee statement:</b>	<b>Assembly</b>	Yes
	<b>Senate</b>	Yes
<b>Fiscal Note:</b>	No	
<b>Veto Message:</b>	Yes	
<b>Message on Signing:</b>	No	
<b>Following were printed:</b>		
<b>Reports:</b>	No	
<b>Hearings:</b>	No	

**Sponsor's statement:**

This bill regulates the operation of all-terrain vehicles, which are a certain type of recreational vehicle as defined in the bill, in a manner identical to the present regulation of snowmobiles.

375 85  
11-26-85  
[OFFICIAL COPY REPRINT]

SENATE, No. 2336

STATE OF NEW JERSEY

INTRODUCED OCTOBER 22, 1984

By Senator DUMONT

Referred to Committee on Law, Public Safety and Defense

AN ACT to amend the title of "An act concerning snowmobiles and providing for their registration and regulating the operation thereof," approved December 14, 1973 (P. L. 1973, c. 307) so that the same shall read "An act concerning snowmobiles and all-terrain vehicles and providing for their registration and regulating the operation thereof," and to amend *\*and supplement\** the body of said act.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. The title of P. L. 1973, c. 307 is amended to read as follows:  
2 An act concerning snowmobiles *and all-terrain vehicles* and pro-  
3 viding for their registration and regulating the operation thereof.

1 2. Section 1 of P. L. 1973, c. 307 (C. 39:3C-1) is amended to  
2 read as follows:

3 1. As used in this act:

4 a. "Commissioner" means the Commissioner of Environmental  
5 Protection of the Department of Environmental Protection.

6 b. "Director" means the Director of the Division of Motor  
7 Vehicles in the Department of Law and Public Safety.

8 c. "Snowmobile" means any motor vehicle, designed primarily  
9 to travel over ice or snow, of a type which uses sled type runners,  
10 skis, an endless belt tread, cleats or any combination of these or  
11 other similar means of contact with the surface upon which it is  
12 operated, but does not include any farm tractor, highway or other  
13 construction equipment, or any military vehicle.

14 d. "Special event" means an organized race, exhibition or  
15 demonstration of limited duration which is conducted according to

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

**Matter printed in italics *thus* is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Assembly committee amendments adopted June 20, 1985.**

**\*\*—Senate amendment adopted in accordance with Governor's recommenda-  
tions September 9, 1985.**

16 a prearranged schedule and in which general public interest is  
17 manifested.

18 e. "*All-terrain vehicle*" means a motor vehicle, designed to travel  
19 over any terrain, of a type possessing between three to six rubber  
20 tires and powered by a gasoline engine not exceeding 400 cubic  
21 centimeters \*, but shall not include golf carts\*.

1 3. Section 2 of P. L. 1973, c. 307 (C. 39:3C-2) is amended to  
2 read as follows:

3 2. For the purpose of carrying out the provisions of this act:

4 a. The director shall have the power, duty and authority to ad-  
5 minister and enforce all statutes, rules and regulations, except as  
6 otherwise provided by statute, relating to the operation and use of  
7 snowmobiles *and all-terrain vehicles* on or across a public highway  
8 or on public lands or waters, including but not limited to the  
9 following:

- 10 (1) Registration, identification, numbering and classification
- 11 (2) Equipment
- 12 (3) Standards of safety
- 13 (4) Educational programs
- 14 (5) Promulgate rules and regulations to effectuate the purposes  
15 of this act.

16 b. The Commissioner of Environmental Protection shall have the  
17 power, duty and authority to administer and enforce all statutes,  
18 rules and regulations, except as otherwise provided by statute,  
19 relating to snowmobiles *and all-terrain vehicles* on the public lands  
20 and waters under the jurisdiction of the Department of Environ-  
21 mental Protection.

1 4. Section 3 of P. L. 1973, c. 307 (C. 39:3C-3) is amended to  
2 read as follows:

3 3. Except as otherwise provided, no snowmobile *or all-terrain*  
4 *vehicle* shall be operated or permitted to be operated on or across  
5 a public highway or on public lands or waters of this State unless  
6 registered by the owner thereof as provided by this act. The Di-  
7 rector of the Division of Motor Vehicles in the Department of Law  
8 and Public Safety is authorized to register and assign a registra-  
9 tion number to snowmobiles *and all-terrain vehicles*, upon applica-  
10 tion and payment of the appropriate fee in accordance with the  
11 following schedule:

- 12 a. For each individual resident registration, \$5.00 annually;
- 13 b. For each individual nonresident registration, \$7.00 annually;
- 14 c. For replacement of lost, mutilated or destroyed certificate,  
15 \$3.00;

16 d. For a duplicate registration, \$1.00 at the time of issuance.

17 All such registrations shall be issued on or after September 1  
18 in any year and shall be valid through September 30 of the follow-  
19 ing year except that the director may suspend or revoke such  
20 registration for any violations of this act or of the rules promul-  
21 gated hereunder.

1 5. Section 4 of P. L. 1973, c. 307 (C. 34:3C-4) is amended to  
2 read as follows:

3 4. Once a registration number is assigned, it shall remain with  
4 the registered snowmobile *or all-terrain vehicle* until the snow-  
5 mobile *or all-terrain vehicle* is destroyed, abandoned or perma-  
6 nently removed from the State, or until changed or terminated by  
7 the director.

1 6. Section 5 of P. L. 1973, c. 307 (C. 39:3C-5) is amended to  
2 read as follows:

3 5. Such registrations shall be issued by the director or by agents  
4 as designated by him when a snowmobile *or all-terrain vehicle* is  
5 operated across a public highway or on public lands or waters and  
6 shall be in such form as the director shall prescribe. The registra-  
7 tion certificate shall be subject to inspection by any law enforce-  
8 ment officer on demand and shall be on the vehicle at all times when  
9 in operation.

10 The registration number assigned [to any snowmobile] shall be  
11 displayed on each side of the vehicle in such form, location and  
12 manner as prescribed by the director.

13 Whenever ownership is transferred or the use of a snowmobile  
14 *or all-terrain vehicle* for which a registration certificate has already  
15 been issued is discontinued, the old registration shall be properly  
16 signed and executed by the owner, showing that the ownership [of  
17 the snowmobile] has been transferred or its use discontinued, and  
18 returned to the director within 10 days of said event. If there is a  
19 change of ownership [of a snowmobile] for which a registration  
20 certificate has been previously issued, the new owner shall apply  
21 for a new registration certificate and set forth the original number  
22 in the application. He shall pay the regular fee for the particular  
23 snowmobile *or all-terrain vehicle* involved. The owner of any regis-  
24 tration certificate issued under this section may obtain a duplicate  
25 from the division upon application and payment of the fee pre-  
26 scribed.

1 7. Section 6 of P. L. 1973, c. 307 (C. 39:3C-6) is amended to  
2 read as follows:

3 6. a. No registration shall be required for a snowmobile *or all-*  
4 *terrain vehicle* operated on private property.

5 b. No registration fee shall be charged for a snowmobile *or all-*  
6 *terrain vehicle* owned by the federal government, the State, county  
7 or municipal government or subdivision thereof.

1 8. Section 7 of P. L. 1973, c. 307 (C. 39:3C-7) is amended to  
2 read as follows:

3 7. The registration provisions of this act shall not apply to  
4 nonresident owners who have complied with the registration and  
5 licensing laws of the state or country of residence, provided that  
6 the snowmobile *or all-terrain vehicle* is appropriately identified in  
7 accordance with the laws of the state of residence and conspicu-  
8 ously displays the registration number issued by the state or  
9 country of residence. Nothing in this section shall be construed  
10 to authorize the operation of any snowmobile *or all-terrain vehicle*  
11 contrary to the provisions of this act.

1 9. Section 8 of P. L. 1973, c. 307 (C. 39:3C-8) is amended to  
2 read as follows:

3 8. The registration numbers assigned to a snowmobile *or all-*  
3A *terrain vehicle* shall be displayed on the vehicle at all times in such  
3B manner as the director may, by regulation, prescribe. No number  
4 other than the number assigned [to a snowmobile] by the director  
5 or the identification number of the registration in another state,  
6 shall be painted, attached or otherwise displayed on either side of  
7 the cowling except that racing numbers on a snowmobile *or all-*  
8 *terrain vehicle* being operated in prearranged organized special  
9 events may be temporarily displayed for the duration of the race.

1 10. Section 9 of P. L. 1973, c. 307 (C. 39:3C-9) is amended to  
2 read as follows:

3 9. Every person operating a snowmobile *or all-terrain vehicle*  
4 registered or transferred in accordance with any of the provisions  
5 of this act shall, upon demand of any peace officer, law enforce-  
6 ment officer, duly authorized official of the Department of Environ-  
7 mental Protection, or a police officer, produce for inspection the  
8 certificate of registration [for such snowmobile] and shall furnish  
9 to such officer any information necessary for the identification of  
10 such snowmobile *or all-terrain vehicle* and its owner. The failure  
11 to produce the certificate of registration when operating a snow-  
12 mobile *or all-terrain vehicle* on public lands and waters or when  
13 crossing a public highway shall be presumptive evidence in any  
14 court of competent jurisdiction of operating a snowmobile *or all-*  
15 *terrain vehicle* which is not registered as required by this act.

1 11. Section 11 of P. L. 1973, c. 307 (C. 39:3C-11) is amended to  
2 read as follows:

3 11. Whenever the ownership of a snowmobile *or all-terrain vehi-*  
 4 *cle* is transferred or the use **[of a snowmobile]** or which a regis-  
 5 tration certificate has already been issued is discontinued, the old  
 6 registration certificate shall be properly signed and executed by the  
 7 owner showing that the ownership of the snowmobile *or all-terrain*  
 8 *vehicle* has been transferred or its use discontinued and returned  
 9 to the division within 10 days after transfer or discontinuance. If  
 10 there is a change of ownership **[of a snowmobile]** for which a regis-  
 11 tration certificate has previously been issued, the new owner shall  
 12 apply for a new certificate. He shall set forth the original number  
 13 issued in the application accompanied by the old registration prop-  
 14 erly signed by the previous owner and with the required fee submit  
 15 to the division, for registration.

1 12. Section 12 of P. L. 1973, c. 307 (C. 39:3C-12) is amended to  
 2 read as follows:

3 12. It shall be the duty of every owner of a snowmobile *or all-*  
 4 *terrain vehicle* registered pursuant to this act to notify the divi-  
 5 sion, in writing, of the destruction, theft or permanent removal of  
 6 such **[snowmobile]** from the State, within 10 days thereafter; and  
 7 in the event of the destruction or theft of such, shall surrender the  
 8 certificate of registration with such notice.

1 13. Section 13 of P. L. 1973, c. 307 (C. 39:3C-13) is amended to  
 2 read as follows:

3 13. No political subdivision of the State shall require additional  
 4 licensing or registration of snowmobiles *or all-terrain vehicles*  
 5 which are covered by the provisions of this act.

6 Nothing herein shall however prohibit the requirement of a  
 7 permit by State or local parks for use of snowmobiles on park lands  
 8 or in any way affect the authority of the Department of Environ-  
 9 mental Protection, the commissioner thereof, or those responsible  
 10 for the operation of a park from adopting rules and regulations  
 11 concerning the use of snowmobiles *and all-terrain vehicles*.

1 14. Section 14 of P. L. 1973, c. 307 (C. 39:3C-14) is amended to  
 2 read as follows:

3 14. The commissioner, with a view towards minimizing detri-  
 4 mental effects on the environment, shall adopt rules and regulations  
 5 relating to and including, but not limited to, the following:

6 a. Use of snowmobiles *and all-terrain vehicles* insofar as fish,  
 7 wildlife and plantlife resources are affected;

8 b. Use of snowmobiles *and all-terrain vehicles* on public lands  
 9 and waters under the jurisdiction of the Department of Environ-  
 10 mental Protection.

1 15. Section 15 of P. L. 1973, c. 307 (C. 39:3C-15) is amended to  
2 read as follows:

3 15. The Director of the Division of Motor Vehicles shall adopt  
4 rules and regulations relating to and including, but not limited to:

5 a. Specifications relating to equipment required for safety as  
6 provided herein.

7 b. Establishment of a comprehensive snowmobile *and all-terrain*  
8 *vehicle* information and safety education and training program.

9 c. The regulations pertaining to and the granting of permits  
10 for the conduct of all prearranged special events as provided in this  
11 act, except that in the case of those special events conducted on  
12 public lands and waters under the jurisdiction of the Department  
13 of Environmental Protection any regulations must be approved  
14 jointly by the director and the commissioner.

1 16. Section 16 of P. L. 1973, c. 307 (C. 39:3C-16) is amended to  
2 read as follows:

3 16. No person under the age of 14 years shall operate or be  
4 permitted to operate any snowmobile *or all-terrain vehicle* on  
5 public lands or waters or across a public highway.

1 17. Section 17 of P. L. 1973, c. 307 (C. 39:3C-17) is amended to  
2 read as follows:

3 17. a. No person shall operate a snowmobile *or all-terrain vehicle*  
4 upon limited access highways or within the right-of-way limits  
5 thereof.

6 b. No person shall operate a snowmobile *or all-terrain vehicle*  
7 upon the main traveled portion or the plowed snow banks of any  
8 public street or highway or within the right-of-way limits thereof  
9 except as follows:

10 (1) Properly registered snowmobiles *or all-terrain vehicles* may  
11 cross, as directly as possible, public streets or highways, except  
12 limited access highways, provided that such crossing can be made  
13 in safety and that it does not interfere with the free movement of  
14 vehicular traffic approaching from either direction on such public  
15 street or highway. Prior to making any such crossing, the operator  
16 shall bring the snowmobile *or all-terrain vehicle* to a complete  
17 stop. It shall be the responsibility of the operator of a snowmobile  
18 *or all-terrain vehicle* to yield the right-of-way to all vehicular traffic  
19 upon any public street or highway before crossing same.

20 (2) Whenever it is impracticable to gain immediate access to an  
21 area adjacent to a public highway where a snowmobile *or all-terrain*  
22 *vehicle* is to be operated, [such snowmobile] *it* may be operated  
23 adjacent and parallel to such public highway for the purpose of

24 gaining access to the area of operation. This subsection shall apply  
 25 to the operation of a snowmobile *or all-terrain vehicle* from the point  
 26 where it is unloaded from a motorized conveyance to the area where  
 27 **the snowmobile** *it* is to be operated, or from the area where oper-  
 28 ated to a motorized conveyance when such loading or unloading  
 29 cannot be effected in the immediate vicinity of the area of operation  
 30 without causing a hazard to vehicular traffic approaching from  
 31 either direction on said public highway. Such loading or unloading  
 32 must be accomplished with due regard to safety, at the nearest  
 33 possible point to the area of operation.

1 18. Section 18 of P. L. 1973, c. 307 (C. 39:3C-18) is amended to  
 2 read as follows:

3 18. a. No person shall operate a snowmobile *or all-terrain vehicle*  
 4 on the property of another without receiving the consent of the  
 5 owner of the property or the person who has a contractual right  
 6 to the use of such property;

7 b. No person shall continue to operate a snowmobile *or all-terrain*  
 8 *vehicle* on the property of another after consent, as provided in  
 9 subsection a. above, has been withdrawn.

1 19. Section 19 of P. L. 1973, c. 307 (C. 39:3C-19) is amended to  
 2 read as follows:

3 19. It shall be unlawful for:

4 a. Any person to operate or ride as a passenger on any snow  
 5 mobile *or all-terrain vehicle* without wearing a protective helmet  
 6 approved by the director. Any such helmet shall be of a type ac-  
 7 ceptable for use in conjunction with motorcycles as provided in  
 8 sections 6 to 9 of P. L. 1967, c. 237 (C. 39:3-76.7 through  
 9 39:3-76.10).

10 b. Any person to operate a snowmobile *or all-terrain vehicle* that  
 11 is not equipped with working headlights, taillights, brakes and  
 12 proper mufflers as supplied by the motor manufacturer for the  
 13 particular model without modifications, nor shall any person oper-  
 14 ate any snowmobile *or all-terrain vehicle* in such a manner as to  
 15 cause a harsh, objectionable or unreasonable noise.

16 c. Any person to operate a snowmobile *or all-terrain vehicle* at  
 17 any time and in any manner intended or reasonably to be expected  
 18 to harass, drive or pursue any wildlife.

19 d. Any person to operate any snowmobile *or all-terrain vehicle*  
 20 during the hours from  $\frac{1}{2}$  hour before sunset to  $\frac{1}{2}$  hour after sun-  
 21 rise without having lighted headlights and lighted taillights..

22 e. Any person to operate any snowmobile *or all-terrain vehicle*  
 23 on the land of another without first securing the permission of the



24 landowner or his duly authorized representative.

25 f. Any person to operate a snowmobile *or all-terrain vehicle* upon  
26 railroad or right-of-way of an operating railroad, except railroad  
27 personnel in the performance of their duties.

28 g. Any person to violate any provision of this act or any rule  
29 or regulation adopted pursuant to this act.

1 20. Section 20 of P. L. 1973, c. 307 (C. 39:3C-20) is amended to  
2 read as follows :

3 20. a. No snowmobile *or all-terrain vehicle* shall be operated or  
4 permitted to be operated unless the owner thereof has obtained a  
5 policy of insurance, in such language and form as shall be deter-  
6 mined by the Commissioner of the Department of Insurance, from  
7 an insurance carrier authorized to do business in this State, the  
8 terms of which policy shall indemnify an amount or limit of  
9 \$15,000.00, exclusive of interest and costs, on account of injury to,  
10 or death of, one person, in any one accident; and an amount or  
11 limit, subject to such limit for any one person so injured, or killed,  
12 of \$30,000.00 exclusive of interest and costs, on account of injury  
13 to or death of, more than one person, in any one accident; and an  
14 amount or limit of \$5,000.00, exclusive of interest and costs, for  
15 damage to property in any one accident, for damages arising out of  
16 the negligent operation of said snowmobile *or all-terrain vehicle*.  
17 In lieu of such insurance coverage as hereinabove provided, the  
18 director, in his discretion and upon application of the State or a  
19 municipality having registered in its name one or more snowmobiles  
20 *or all-terrain vehicles*, may waive the requirement of insurance by  
21 a private insurance carrier and issue a certificate of self-insurance,  
22 when he is satisfied of financial ability to respond to judgments  
23 obtained against it or them, arising out of the ownership, use or  
24 operation of **【such snowmobiles】** *the snowmobiles or all-terrain*  
25 *vehicles*.

26 b. Proof of insurance as hereinabove required shall be produced  
27 and displayed by the owner or operator of such snowmobile *or all-*  
28 *terrain vehicle* upon request to any law enforcement officer or to  
29 any person who has suffered or claims to have suffered either per-  
30 sonal injury or property damage as a result of the operation of  
31 **【such snowmobile】** *it* by the owner or operator.

32 c. An owner of a snowmobile *or all-terrain vehicle* who shall  
33 operate or permit the same to be operated without having in **【full**  
34 **force and】** effect the required liability insurance coverage, and any  
35 other person who shall operate any snowmobile *or all-terrain vehi-*  
36 *cle* with the knowledge that the owner thereof does not have in

37 [full force and] effect such insurance coverage shall be guilty of  
 38 a violation of this act and be subject to a fine of not less than \$25.00  
 39 nor more than \$100.00.

40 d. The director is hereby authorized to promulgate reasonable  
 41 regulations to provide effective administration and enforcement of  
 42 the provisions of this section in accordance with the purposes  
 43 thereof.

1 21. Section 21 of P. L. 1973, c. 307 (C. 39:3C-21) is amended to  
 2 read as follows:

3 21. The operator of any snowmobile *or all-terrain vehicle* in-  
 4 volved in an accident resulting in injuries or death of any person  
 5 or property damage shall comply with the procedures in R. S.  
 6 39:4-129 and R. S. 39:4-130.

1 22. Section 22 of P. L. 1973, c. 307 (C. 39:3C-22) is amended to  
 2 read as follows:

3 22. The director may authorize the holding of organized special  
 4 events. He shall adopt and may, from time to time, amend rules and  
 5 regulations determining the special events which shall be subject  
 6 to division permit and designating the equipment and facilities  
 7 necessary for safe operation of snowmobiles *and all-terrain vehicles*  
 8 and for the safety of operators, participants, and observers in such  
 9 special events. Whenever such special event requiring permit of  
 10 the division is proposed to be held in the State of New Jersey, the  
 11 person in charge thereof shall, at least 20 days prior thereto, file  
 12 an application with the director to hold such special event. The  
 13 application shall set forth the date of and location where it is pro-  
 14 posed to hold such rally, race, exhibition, or organized event, and  
 15 such other information as the director may require, and it shall  
 16 not be conducted without written authorization of the director and  
 17 if the event is desired to be held upon public lands or waters a  
 18 written authorization of the commissioner. Copies of such regula-  
 19 tions shall be furnished by the division to any person making an  
 20 application therefor.

21 Any person sponsoring the event who shall violate any regulation  
 22 adopted pursuant to this section shall for every such violation be  
 23 subject to a fine not to exceed \$250.00.

1 23. Section 23 of P. L. 1973, c. 307 (C. 37:3C-23) is amended to  
 2 read as follows:

3 23. Snowmobiles *and all-terrain vehicles* operated at special  
 4 events shall be exempt from the provisions of this act concerning  
 5 registration and lights during the time of such operation, including  
 6 all prerace practice at the location of said meet.

1 24. Section 24 of P. L. 1973, c. 307 (C. 39:3C-24) is amended to  
2 read as follows:

3 24. All snowmobiles *and all-terrain vehicles* operating within the  
4 State of New Jersey shall be equipped with:

5 a. Headlights. At least one white or amber headlamp having a  
6 minimum candlepower of sufficient intensity to reveal persons and  
7 vehicles at a distance of at least 100 feet ahead during hours of  
8 darkness under normal atmospheric conditions.

9 b. Taillight. At least one red taillamp having a minimum candle-  
10 power of sufficient intensity to exhibit a red light plainly visible  
11 from a distance of 500 feet to the rear during hours of darkness  
12 under normal atmospheric conditions.

13 c. Brakes. A brake system in good mechanical condition.

14 d. Reflector material. Reflector material of a minimum area of  
15 16 square inches mounted on each side of the cowling. Registration  
16 numbers or other decorative material, may be included in computing  
17 the required 16-square-inch area.

18 e. Mufflers. An adequate muffler system in good working con-  
19 dition.

1 25. Section 25 of P. L. 1973, c. 307 (C. 39:3C-25) is amended to  
2 read as follows:

3 25. Inspection and testing. The director may adopt rules and  
4 regulations with respect to the inspection of snowmobiles *and all-*  
5 *terrain vehicles* and the testing of **【snowmobile】** mufflers *for those*  
6 *vehicles*.

1 26. Section 26 of P. L. 1973, c. 307 (C. 39:3C-26) is amended to  
2 read as follows:

3 26. No person shall have for sale, sell, or offer for sale in this  
4 State any snowmobile *or all-terrain vehicle* which fails to comply  
5 with the provisions of this act or which does not comply with the  
6 specifications for such equipment required by the rules and regula-  
7 tions of the director after the effective date of such rules and  
8 regulations.

1 27. Section 29 of P. L. 1973, c. 307 (C. 39:3C-29) is amended to  
2 read as follows:

3 29. The director shall deposit all moneys received by him from  
4 the registration of snowmobiles *and all-terrain vehicles*, the sale of  
5 **【snowmobile】** registration information, **【snowmobile】** publications  
6 and other services provided by the department and all fees col-  
7 lected by him under this act to the credit of the General Treasury.

1 28. Section 30 of P. L. 1973, c. 307 (C. 39:3C-30) is amended to  
2 read as follows:

3 30. Owners and operators of snowmobiles *and all-terrain vehicles*  
 4 shall, when operating [a snowmobile] *such* across a public highway  
 5 or on public lands or waters, comply with the following provisions  
 6 of chapter 4 of Title 39 of the Revised Statutes: R. S. 39:4-48  
 7 through R. S. 39:4-51; R. S. 39:4-64; R. S. 39:4-72; R. S. 39:4-80;  
 8 R. S. 39:4-81; R. S. 39:4-92; R. S. 39:4-96 through R. S. 39:4-98;  
 9 R. S. 39:4-99; R. S. 39:4-100; R. S. 39:4-104; R. S. 39:4-129  
 10 through R. S. 39:4-134; R. S. 39:4-203. The failure to comply with  
 11 any of these provisions shall be a violation of this act and the  
 12 penalty for such a violation shall be as provided in section 28 of  
 13 [this act] *P. L. 1973, c. 307 (C. 39:3C-28)* rather than the penalty  
 14 provided in the sections cited above.

1 \*29. (New section) *The provisions of this 1985 amendatory and*  
 2 *supplementary act insofar as they pertain to all-terrain vehicles*  
 3 *shall not be applicable to their operation and use on golf courses in*  
 4 *this State.\**

1 \***[29.]**\* \*30.\* This act shall take effect on the \*\***[30th]**\*\*  
 2 \*\*180th\*\* day after enactment.

---

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

**SENATE, No. 2336**

with Assembly committee amendment

---

**STATE OF NEW JERSEY**

---

DATED: JUNE 20, 1985

This bill regulates all-terrain vehicles in the same manner in which snowmobiles are now regulated by law.

The bill originally defined all-terrain vehicles as motor vehicles designed to travel over any terrain, possessing from three to six rubber tires, and powered by a gasoline engine not exceeding 400 cubic centimeters. The Committee amended the bill so that this definition does not apply to golf carts. In addition, the Committee stipulated in the bill that the provisions of this bill insofar as they pertain to all-terrain vehicles shall not be applicable to their operation and use on golf courses in this State.

The bill contains requirements for registration and transfer of ownership; equipment, insurance coverage, and inspections; procedures to be followed in the case of an accident that results in death or injury involving an all-terrain vehicle; and procedures to be followed when an all-terrain vehicle crosses a public street or highway.

The committee reported the bill, as amended, favorably.

SENATE LAW, PUBLIC SAFETY AND DEFENSE  
COMMITTEE

STATEMENT TO

**SENATE, No. 2336**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1985

Senate Bill No. 2336 regulates all-terrain vehicles in the same manner in which snowmobiles are now regulated by law.

The bill defines all-terrain vehicles as motor vehicles designed to travel over all terrain, possessing from three to six rubber tires, and powered by a gasoline engine not exceeding 400 cubic centimeters.

The bill requires that all-terrain vehicles be registered if they are operated on public highways or lands. The fee for registration is \$5.00 per year.

The bill contains procedures that must be followed when the ownership of an all-terrain vehicle is transferred or when the use of an all-terrain vehicle is discontinued.

The Department of Environmental Protection is authorized to adopt rules concerning where and how all-terrain vehicles can be used, in order to minimize their detrimental effects on the environment.

Also contained in the bill are requirements for equipment, insurance coverage, and inspections; procedures to be followed in the case of an accident that results in death or injury involving an all-terrain vehicle; and procedures to be followed when an all-terrain vehicle crosses a public street or highway.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

August 28, 1985

SENATE BILL NO. 2336 Aca

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2336 Aca with my objections, for reconsideration.

This bill would regulate the operation of all-terrain vehicles in a manner identical to the present regulation of snowmobiles. An all-terrain vehicle is defined in the bill as a motor vehicle designed to travel over any terrain, possessing between three to six rubber tires and powered by a gasoline engine not exceeding 400 cubic centimeters. Golf carts are specifically excluded from the definition of all-terrain vehicles.

All-terrain vehicles would not be permitted on public highways or lands unless registered with the Division of Motor Vehicles.

I would like to commend the sponsor, Senator Dumont, for introducing this bill. Registration of these vehicles will protect against theft and will have safety benefits in that the vehicles will be traceable by their registration numbers.

However, the Division of Motor Vehicles has informed me that the effective date, 30 days after enactment, is much too short a time frame for the Division to properly implement the legislation. The Division must order new forms from the printer, reprogram its computers, design and produce new license plates and draft, review and promulgate any necessary implementing regulations. Because operation of these vehicles will be illegal if they cannot be registered after 30 days, I believe an extension of the implementation date to 180 days after enactment is necessary.

Therefore, I herewith return Senate Bill No. 2336 Aca and recommend that it be amended as follows:

Page 11, Section 30, Line 1: After "the" delete "30th" and insert  
"180th"

Respectfully,  
/s/ Thomas H. Kean  
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards

Chief Counsel