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ASSEMBLY, No. 870

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1972

By Assemblymen LITTELL, IMPERIALE, WEIDEL, FORAN, EVERS, BASSANO, PARETI, SPIZZIRI, RYS, HURLEY and WOODSON

Referred to Committee on Agriculture, Conservation and Natural Resources

AN ACT concerning snowmobiles and providing for their registration and regulating the operation thereof.

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

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Environmental
3 Protection of the Department of Environmental Protection.

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

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

13 *****[d.** "Dealer" means every person engaged in the business of
14 buying, selling or exchanging snowmobiles at wholesale or retail,
15 and who has an established place of business.]***

16 *****[e.]***** *****d.***** "Special event" means an organized race,
17 exhibition or demonstration of limited duration which is conducted
18 according to a prearranged schedule and in which general public
19 interest is manifested.

20 *****[f.** "Snowmobile operator's certificate" means a certificate
21 issued by the Director of the Division of Motor Vehicles evidencing
22 that the holder thereof has successfully completed an approved

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

23 course of instruction in snowmobile operation and safety as herein-
24 after provided.】***

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

2 a. the director shall have the power, duty and authority to admin-
3 ister and enforce all statutes, rules and regulations, except as other-
4 wise provided by statute, relating to the operation and use of snow-
5 mobiles ***【within the State】*** *on or across a public highway*
5A *or on public lands or waters****, including but not limited to the
5B following:

- 6 (1) registration, identification, numbering and classification
- 7 (2) equipment
- 8 (3) standards of safety
- 9 (4) educational programs
- 10 (5) promulgate rules and regulation to effectuate the purposes
- 11 of this act.

12 b. the Commissioner of Environmental Protection shall have the
13 power, duty and authority to administer and enforce all statutes,
14 rules and regulations, except as otherwise provided by statute,
15 relating to *【the operation and use of】* snowmobiles *【within the
16 State,】* *on the public lands and waters under the jurisdiction of*
16A *the Department of Environmental Protection** *【including:

- 17 (1) use on State land and waters
- 18 (2) promulgate rules and regulations to effectuate the purposes
- 19 of this act.】*

1 3. Except as otherwise provided, no snowmobile shall be operated
2 or permitted to be operated ***【within the jurisdiction】*** *on*
3 *or across a public highway or on public lands or waters**** of this
4 State unless registered by the owner thereof as provided by this act.
5 The Director of the Division of Motor Vehicles in the Department
6 of Law and Public Safety is authorized to register and assign a
7 registration number to ***【all】*** snowmobiles, upon application
8 and payment of the appropriate fee in accordance with the follow-
8A ing schedule:

- 9 ***【a. for each certificate of ownership, \$3.00 initially;】***
- 10 ***【b.】*** *a.**** for each individual resident registration,
- 11 \$5.00 annually;
- 12 ***【c.】*** *b.**** for each individual nonresident registration,
- 13 \$7.00 annually;
- 14 ***【d. for each dealer registration, \$25.00 annually;】***
- 15 ***【e.】*** *c.**** for replacement of lost, mutilated or
15A destroyed certificate, \$3.00;
- 15B ***【f.】*** *d.**** for a duplicate registration, \$1.00 at the time
15C of issuance.

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16 All such registrations shall be valid for a period of 1 year unless,
 17 prior to expiration of the 1-year period, it is surrendered, canceled,
 18 revoked or suspended pursuant to the provisions of this act.

1 4. Once a registration number is assigned, it shall remain with
 2 the registered snowmobile until the snowmobile is destroyed,
 3 abandoned or permanently removed from the State, or until
 4 changed or terminated by the director.

1 5. Such registrations shall be issued by the director or by agents
 2 as designated by him ****when a snowmobile is operated across a*
 3 *public highway or on public lands or waters**** and shall be in such
 4 form as the director shall prescribe. The registration certificate
 5 shall be subject to inspection by any law enforcement officer on
 5A demand and shall be on the vehicle at all times when in operation.

6 The registration number assigned to any snowmobile shall be dis-
 7 played on each side of the vehicle in such form, location and manner
 8 as prescribed by the director.

9 Whenever ownership is transferred or the use of a snowmobile
 10 for which a registration certificate has already been issued is dis-
 11 continued, the old registration shall be properly signed and ex-
 12 ecuted by the owner, showing that the ownership of the snowmobile
 13 has been transferred or its use discontinued, and returned to the
 14 director within 10 days of said event. If there is a change of owner-
 15 ship of a snowmobile for which a registration certificate has been
 16 previously issued, the new owner shall apply for a new registration
 17 certificate and set forth the original number in the application. He
 18 shall pay the regular fee for the particular snowmobile involved.
 19 The owner of any registration certificate issued under this section
 20 may obtain a duplicate from the division upon application and pay-
 21 ment of the fee prescribed.

1 6. ****a.**** No registration shall be required~~***[:]***~~ ****for a*
 1A *snowmobile operated on private property.****

2 ~~***[a.~~ For a snowmobile owned and operated over the snow on
 3 land on which a person lives or on lands to which he has a con-
 4 tractual right on which he is domiciled;

5 b. For a snowmobile operated by a commercial ski area for the
 6 purpose of packing snow or for rescue operations thereon, unless
 7 the vehicle is required to cross a public way during such operation,
 8 in which case such registration certificate shall be required;~~***~~

9 ~~***[c.]***~~ ****b.**** ~~***[For]***~~ ****No registration fee shall be*
 10 *charged for**** a snowmobile owned by the Federal Government,
 11 the State, county or municipal government or subdivision thereof.

1 ***[7. Any person who is in the business of selling snowmobiles
2 in the State shall register as a dealer and secure a dealer's license
3 from the director.

4 Such license shall permit him to demonstrate snowmobiles for the
5 purpose of sale only and he does not need to be individually regis-
6 tered. Such dealer shall display his dealer's number on each snow-
7 mobile being demonstrated. Upon the sale of said snowmobile, it
8 shall then become the responsibility of the owner to register such
9 vehicle.

10 The dealer's license fee shall be \$25.00 and the license shall be
11 renewable on July 1 of each year.

12 The director may issue temporary numbers and registrations to
13 bona fide dealers who request them subject to such rules and regu-
14 lations as he may deem necessary. The director shall receive a fee
15 of \$1.00 for each temporary plate.

16 Upon the sale or exchange by a dealer of any snowmobile which
17 requires numbering and registration, the purchaser may secure
18 from the dealer a temporary number and registration to operate
19 said snowmobile for a period of 10 consecutive days immediately
20 following the date of sale, provided that the purchaser shall make
21 application for a registration certificate and certificate of ownership
22 from the director to replace the temporary number and registration
23 certificate. The application and fee for the certificate of ownership,
24 together with a copy of the temporary registration issued by the
25 dealer, shall be forwarded by said dealer to the director within 48
26 hours after the date of sale of the vehicle. The dealer shall affix the
27 temporary number to the vehicle in a conspicuous place and shall
28 clearly mark thereon the date issued, date of expiration and his
29 New Jersey dealer's number.

30 The temporary number is nontransferable and must be conspic-
31 uously displayed on the vehicle. The operator of such vehicle shall
32 have the temporary registration in his possession at all times while
33 the vehicle is in operation. After the expiration of the 10-day
34 period, the owner must remove and discard the temporary
35 number.]***

1 ***[8.]*** **7.*** The registration provisions of this act shall
2 not apply to nonresident owners who have complied with the
3 registration and licensing laws of the state***[, province,
4 district]*** or country of residence, provided that the snowmobile
5 is appropriately identified in accordance with the laws of the state
6 of residence ***and conspicuously displays the registration number
7 issued by the state or country of residence***. Nothing in this

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8 section shall be construed to authorize the operation of any snow-
9 mobile contrary to the provisions of this act.

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

10 ***[b. Dealer registration number shall conform to the require-
11 ments set forth in subparagraph (a) of this section with the excep-
12 tion that the numbers assigned may be printed upon or attached to
13 a removable plaque or plaques to be temporarily but firmly affixed
14 to the snowmobile being demonstrated or tested.

15 c. Numbers issued to dealers and manufacturers for the purpose
16 of demonstrating or testing, shall be used exclusively for these
17 purposes and no other use is permitted.]***

1 ***[10.]*** ***9.*** Every person operating a snowmobile
2 registered or transferred in accordance with any of the provisions
3 of this act shall upon demand of any peace officer, law enforcement
4 officer, duly authorized official of the Department of Environmental
5 Protection, police officer or motor vehicle inspector, produce for
6 inspection the certificate of registration for such snowmobile and
7 shall furnish to such officer any information necessary for the
8 identification of such snowmobile and its owner. The failure to
9 produce the certificate of registration ***[as provided herein]***
10 ***when operating a snowmobile on public lands and waters or
11 when crossing a public highway*** shall be presumptive evidence
12 in any court of competent jurisdiction of operating a snowmobile
13 which is not registered as required by this act.

1 ***[11.]*** ***10.*** It shall be the duty of every owner holding
2 a certificate of registration to notify the division, in writing, of any
3 change of residence of such person within ***[10]*** ***7.*** days
4 after such change occurs***[, and to inscribe on such certificate, in
5 the place provided, a record of such change of residence]***.

1 ***[12.]*** ***11.*** Whenever the ownership of a snowmobile
2 is transferred or the use of a snowmobile for which a registration
3 certificate has already been issued is discontinued, the old registra-
4 tion certificate shall be properly signed and executed by the owner
5 showing that the ownership of the snowmobile has been transferred
6 or its use discontinued and returned to the division within 10 days

7 after transfer or discontinuance. If there is a change of ownership
8 of a snowmobile for which a registration certificate has previously
9 been issued, the new owner shall apply for a new certificate. He
10 shall set forth the original number issued in the application accom-
11 panied by the old registration properly signed by the previous
12 owner and with the required fee ~~***[of \$5.00]***~~ submit to the
13 division, for registration. ~~***[In the event that such snowmobile~~
14 ~~was purchased through a bona fide dealer then said application~~
15 ~~must be accompanied by a dealer's form, as prescribed by the~~
16 ~~director, numbered, completed and signed by the dealer, or his agent~~
17 ~~and signed by the new owner.]***~~

1 ~~***[13.]***~~ ~~***12.***~~ It shall be the duty of every owner of a
2 snowmobile registered pursuant to this act to notify the division,
3 in writing, of the destruction, theft or permanent removal of such
4 snowmobile from the State, within 10 days thereafter; and in the
5 event of the destruction or theft of such, shall surrender the
6 certificate of registration with such notice.

1 ~~***[14.]***~~ ~~***13.***~~ No political subdivision of the State shall
2 require additional licensing or registration of snowmobiles which
3 are covered by the provisions of this act.

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

1 ~~***[15.]***~~ ~~*** 14.***~~ ~~*[With a view of achieving maximum use~~
2 ~~of snowmobiles and minimizing the detrimental effect thereof upon~~
3 ~~the environment, the]~~ ~~*The* commissioner*, with a view towards~~
4 ~~minimizing detrimental effects on the environment,* shall adopt~~
4A ~~rules and regulations relating to and including, but not limited to,~~
4B ~~the following:~~

5 a. use of snowmobiles insofar as fish, wildlife and plantlife
6 resources are affected;

7 b. use of snowmobiles on public lands and waters under the juris-
8 diction of the Department of Environmental Protection.

9 ~~*[c. requirements for the protection of private property or in-~~
10 ~~terests therein occasioned by the use of snowmobiles.]*~~

1 ~~***[16.]***~~ ~~***15.***~~ The Director of the Division of Motor
2 Vehicles shall adopt rules and regulations relating to and including,
3A but not limited to:

3 a. Specifications relating to equipment required for safety as
4 provided herein.

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5 ***[b. Specifications relating to snowmobile mufflers and the
6 limitations on decibels of sound emitted by snowmobiles.]***

7 ***[c.]*** ***b.*** Establishment of a comprehensive snow-
8 mobile information and safety education and training program***[,
9 including provision for issuance of snowmobile safety certificates
10 for operation of snowmobiles by youthful operators]***.

11 ***[d.]*** ***c.*** The regulations pertaining to and the grant-
12 ing of permits for the conduct of all prearranged special events as
13 provided in this act*, *except* ***that in the case of*** those
14 ***special events*** conducted on public lands and waters under
15 the jurisdiction of the Department of Environmental Protection*
16 ***any regulations must be approved jointly by the director and
17 the commissioner***.

1 ***[17.]*** ***16.*** No person under the age of *[10]* *14*
2 years shall operate or be permitted to operate any snowmobile
3 ***[**except as herein provided**]*** *** on public lands or
4 waters or across a public highway***.

1 ***[18.]*** ***17. a.*** No person shall operate a snowmobile
2 upon ***[controlled]*** ***limited*** access highways or within
2A the right-of-way limits thereof.

3 ***b.*** No person shall operate a snowmobile upon the main
4 traveled portion or the plowed snow banks of any public street or
5 highway ***or within the right-of-way limits thereof*** except as
5A follows:

6 ***[a.]*** ***(1)*** Properly registered snowmobiles may
7 cross, as directly as possible, public streets or highways, except
8 ***[controlled]*** ***limited*** access highways, provided that
9 such crossing can be made in safety and that it does not interfere
10 with the free movement of vehicular traffic approaching from either
11 direction on such public street or highway. Prior to making any
12 such crossing, the operator shall bring the snowmobile to a com-
13 plete stop. It shall be the responsibility of the operator of a snow-
14 mobile to yield the right of way to all vehicular traffic upon any
15 public street or highway before crossing same.

16 ***[b.]*** ***(2)*** Whenever it is impracticable to gain im-
17 mediate access to an area adjacent to a public ***[way]***
18 ***highway*** where a snowmobile is to be operated, such snow-
19 mobile may be operated adjacent and parallel to such public
20 ***[way]*** ***highway*** for the purpose of gaining access to
21 the area of operation. This subsection shall apply to the operation
22 of a snowmobile from the point where it is unloaded from a motor-
23 ized conveyance to the area where the snowmobile is to be operated,
24 or from the area where operated to a motorized conveyance when

25 such loading or unloading cannot be effected in the immediate
26 vicinity of the area of operation without causing a hazard to
27 vehicular traffic approaching from either direction on said public
28 ***[street or]*** highway. Such loading or unloading must be
29 accomplished with due regard to safety, at the nearest possible
30 point to the area of operation.

30A ***[Under no circumstances, except as provided, is a snowmobile
30B to be operated on the main traveled portion of a street or highway,
31 or that portion of a street or highway that has been plowed or on
32 a snow bank immediately adjacent to the plowed portion of the
33 street or highway, unless such operation is conducted for the sole
34 purpose of crossing a public street or highway as provided above.

35 c. Snowmobiles may be operated on that portion of a public way
36 that is not maintained or utilized for the operation of conventional
37 motor type vehicles.]***

38 ***18. a. No person shall operate a snowmobile on the property
39 of another without receiving the consent of the owner of the prop-
40 erty or the person who has a contractual right to the use of such
41 property;

42 b. No person shall continue to operate a snowmobile on the prop-
43 erty of another after consent, as provided in subsection a. above,
44 has been withdrawn.***

1 19. It shall be unlawful for:

2 ***[a. Any person to operate any snowmobile in a reckless or
3 careless manner or at excessive speeds.

4 b. Any person to operate any snowmobile while under the in-
5 fluence of intoxicating beverages or drugs.

6 c. Any person to operate any snowmobile in a manner which is
7 dangerous to persons or property.

8 d. Any person under the age of 14 years to operate any snow-
9 mobile when crossing a public street or highway maintained for
10 travel.]***

11 ***[e.]*** ***a.*** Any person to operate or ride as a passenger
12 on any snowmobile without wearing a ***[crash]*** ***protec-
13 tive*** helmet ***approved by the director***. Any such helmet
14 shall be of a type acceptable for use in conjunction with motor-
14A cycles ***[under the New Jersey Motor Vehicle Laws]*** ***as
14B provided in sections 6 to 9 of P. L. 1967, c. 237 (C. 39:3-76.7 through
14C 39:3-76.10)***.

15 ***[f.]*** ***b.*** Any person to operate a snowmobile that is
16 not equipped with working head lights, tail lights, brakes and
17 proper mufflers as supplied by the motor manufacturer for the par-
18 ticular model without modifications, nor shall any person operate

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19 any snowmobile in such a manner as to cause a harsh, objectionable
20 or unreasonable noise.

21 ***[g.]*** ***c.*** Any person to operate a snowmobile at any
22 time and in any manner intended or reasonably to be expected to
23 harass, drive or pursue any wildlife.

24 ***[h.]*** ***d.*** Any person to operate any snowmobile dur-
25 ing the hours from ½ hour before sunset to ½ hour after sunrise
26 without having lighted headlights and lighted tail lights.

27 ***[i.]*** ***e.*** Any person to operate any snowmobile on
28 the land of another without first securing the ***[*written*]*** per-
29 mission of the landowner or his duly authorized representative.

30 ***[j.]*** ***f.*** Any person to operate a snowmobile upon
31 railroad or right-of-way of an operating railroad, except railroad
32 personnel in the performance of their duties.

33 ***[k.]*** ***g.*** Any person to violate any provision of this
34 act or any rule or regulation adopted pursuant to this act.*

1 20. a. No snowmobile shall be operated or permitted to be
2 operated unless the owner thereof has obtained a policy of in-
3 surance, in such language and form as shall be determined by the
4 Commissioner of the Department of Insurance, from an insurance
5 carrier authorized to do business in this State, the terms of which
6 policy shall indemnify ***[any one person sustaining bodily injury
7 or the death of one person in any one accident in the amount of
8 \$10,000.00, and, subject to said limit of one person, to a limit of
9 \$20,000.00, because of bodily injury to or death of two or more per-
10 sons in any one accident, and to a limit of \$5,000.00, because of
11 injury to or destruction of property of others in any one acci-
12 dent,]*** ***an amount or limit of \$15,000.00, exclusive of interest
13 and costs, on account of injury to, or death of, one person, in any
14 one accident; and an amount or limit, subject to such limit for any
15 one person so injured or killed, of \$30,000.00, exclusive of interest
16 and costs, on account of injury to or death of, more than one per-
17 son, in any one accident; and an amount or limit of \$5,000.00, ex-
18 clusive of interest and costs, for damage to property in any one
19 accident,*** for damages arising out of the negligent operation of
20 said snowmobile. In lieu of such insurance coverage as hereinabove
20A provided, the director, in his discretion and upon application of the
20B State or a municipality having registered in its name one or more
20C snowmobiles, may waive the requirement of insurance by a private
20D insurance carrier and issue a certificate of self-insurance, when he
20E is satisfied of financial ability to respond to judgments obtained
20F against it or them, arising out of the ownership, use or operation of
20G such snowmobile.

21 b. Proof of insurance as hereinabove required shall be produced
22 and displayed by the owner or operator of such snowmobile upon
23 request to any law enforcement officer or to any person who has
24 suffered or claims to have suffered either personal injury or prop-
25 erty damage as a result of the operation of such snowmobile by the
26 owner or operator.

27 c. An owner of a snowmobile who shall operate or permit the
28 same to be operated without having in full force and effect the re-
29 quired liability insurance coverage, and any other person who shall
30 operate any snowmobile with the knowledge that the owner thereof
31 does not have in full force and effect such insurance coverage shall
32 be guilty of a violation of this act and be subject to a fine of not
33 less than \$25.00 nor more than \$100.00.

34 d. The director is hereby authorized to promulgate reasonable
35 regulations to provide effective administration and enforcement of
36 the provisions of this section in accordance with the purposes
37 thereof.

1 21. The operator of any snowmobile involved in an accident
2 resulting in injuries or death of any person or property damage
3 ***shall comply with the procedures in R. S. 39:4-129 and R. S.
4 39:4-130.*** **[to the estimated amount of \$50.00 or more, or
5 some person acting for him, or the owner of the snowmobile having
6 knowledge of the accident should the operator of the same be un-
7 known, shall immediately report any such accident to the nearest
8 law enforcement officer or agency and send a copy to the
9 director.]***

1 22. The director may authorize the holding of organized special
2 events. He shall adopt and may, from time to time, amend rules and
3 regulations determining the special events which shall be subject
4 to division permit and designating the equipment and facilities
5 necessary for safe operation of snowmobiles and for the safety of
6 operators, participants, and observers in such special events.
7 Whenever such special event requiring permit of the division is
8 proposed to be held in the State of New Jersey, the person in charge
9 thereof shall, at least **[60]** **20** days prior thereto, file an ap-
10 plication with the director to hold such special event. The applica-
11 tion shall set forth the date of and location where it is proposed to
12 hold such rally, race, exhibition, or organized event, and such other
13 information as the director may require, and it shall not be con-
14 ducted without written authorization of the director ***and if the
15 event is desired to be held upon public lands or waters a written
16 authorization of the commissioner***. Copies of such regulations

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16A shall be furnished by the division to any person making an applica-
16B tion therefor.

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

1 23. Snowmobiles operated at special events shall be exempt from
2 the provisions of this act concerning registration *****[, mufflers]*****
3 and lights during the time of such operation, including all prerace
4 practice at the location of said meet.

1 24. All snowmobiles operating within the State of New Jersey
2 shall be equipped with:

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

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

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

12 d. Reflector material. Reflector material of a minimum area of
13 16 square inches mounted on each side of the cowling. Registration
14 numbers or other decorative material, may be included in computing
15 the required 16-square-inch area.

16 e. Mufflers. An adequate muffler system in good working con-
17 dition. *****[From and after June 1, 1973, no snowmobile manu-**
18 **factured after June 1, 1973, shall be sold or offered for sale, unless**
19 **it is equipped with a muffler that limits engine noise to not more**
20 **than 82 decibels as measured on the "A" scale at 50 feet. From**
21 **and after June 1, 1975, no such snowmobile manufactured after**
22 **June 1, 1975, shall be sold or offered for sale unless such muffler**
23 **system limits engine noise to not more than 73 decibels.]*****

1 25. Inspection and testing. The director may adopt rules and
2 regulations with respect to the inspection of snowmobiles and the
3 testing of snowmobile mufflers.

1 26. No person shall have for sale, sell, or offer for sale in this
2 State any snowmobile which fails to comply with the provisions of
3 this act or which does not comply with the specifications for such
4 equipment required by the rules and regulations of the director
5 after the effective date of such rules and regulations.

1 *****[27. No person under the age of 14 years shall operate a snow-**
2 **mobile **except upon lands owned or leased by his parent or**
3 **guardian unless he is accompanied by a person 14 years of age or**

4 over. "Leased lands" as herein used shall not include lands leased
5 by an organization of which said operator or his parent or guardian
6 is a member** ***[**except upon lands owned or leased by his
7 parent**]***** or guardian unless he is accompanied by a person 14
8 years of age or over. "Leased lands" as herein used shall not in-
9 clude lands leased by an organization of which said operator or his
10 parent or guardian is a member**]**.*

1 ***[**28. Snowmobile safety certificate. On and after October 1,
2 1973, except as otherwise provided in this act, no person 10 years
3 and over and who has not reached his fourteenth birthday shall
4 operate a snowmobile in this State, except upon lands of his parent
5 or guardian unless and until he has received safety training as pre-
6 scribed by the director and has received the appropriate snowmobile
7 safety certificate issued by the director.**]***

1 ***[**29. The failure of such a youthful operator to exhibit a snow-
2 mobile safety certificate upon demand to any officer having au-
3 thority to enforce the provisions of this act, shall be presumptive
4 evidence that such person is not the holder of such certificate.**]***

1 ***[**30. After October 1, 1973, no owner of a snowmobile shall au-
2 thorize or permit the operation thereof within the State by any
3 person under the age of 14 years unless the operator is the holder
4 of a valid snowmobile safety certificate or except as authorized by
5 this act.**]***

1 *****[****28. Snowmobile safety certificate. On and after October 1,
2 1973, except as otherwise provided in this act, no person 10 years
3 and over and who has not reached his fourteenth birthday shall
4 operate a snowmobile in this State, except upon lands of his parent
5 or guardian unless and until he has received safety training as
6 prescribed by the director and has received the appropriate snow-
7 mobile safety certificate issued by the director.**]*****

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2 mobile safety certificate upon demand to any officer having au-
3 thority to enforce the provisions of this act, shall be presumptive
4 evidence that such person is not the holder of such certificate.**]*****

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2 thorize or permit the operation thereof within the State by any
3 person under the age of 14 years unless the operator is the holder
4 of a valid snowmobile safety certificate or except as authorized by
5 this act.**]*****

1 ***[**31.**]*** ****[***28.**]**** *****[****31.**]**** Whenever any snowmobile
2 meets with an accident involving a loss of life, personal injury or
3 damage to property and the operator thereof has knowledge of such
4 accident, he shall stop and give his name and address, the name

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5 and address of the owner thereof and the registration number
6 assigned to said snowmobile to the injured person or the person
7 sustaining the damage, or to a police officer, or in case no police
8 officer nor the person sustaining the damage is present at the place
9 where the damage occurred then he shall immediately report as
10 soon as physically able, the same to the nearest law enforcement
11 agency.]***

1 ***[32.]*** ****[*29.*]**** *****[**32.**]*** A police, sheriff, judicial officer
2 or State police officer who investigates or receives information
3 of an accident involving a snowmobile shall make a written report
4 of the investigation or information received, and such additional
5 facts relating to the accident as may come to his knowledge and mail
6 the same within 48 hours to the division and keep a record thereof
7 in his office.]***

1 ***[33.]*** ****[*30.*]**** *****[**33.**]*** Failure of such persons to
2 give notice of any accident requiring notice shall be prima facie
3 evidence that such accident was not reported.]***

1 ***[34.]*** ****[*31.*]**** *****[**34.**]**** *****27.**** Every law en-
2 forcement officer in the State, including authorized officers of the
3 Division of Motor Vehicles, Department of Environmental Protec-
4 tion, forest rangers and State park police and other designated
5 officers and employees of the department shall enforce this act
6 **within their respective jurisdictions*.*

1 ***[35.]*** ****[*32.*]**** *****[**35.**]*** The director shall be authorized
2 to prescribe the form of summons and complaint on all cases in-
3 volving a violation of any provision of this act or of any ordinance,
4 rule or regulation relating to snowmobiles, or of any class or
5 category of such cases, and to establish procedures for proper
6 administrative controls over the disposition thereof.]***

1 ***[36.]*** ****[*33.*]**** *****[**36.**]*** The chief executive officer of
2 each local police force including county or municipal police de-
3 partments, sheriffs, and the Superintendent of State Police shall
4 prepare or cause to be prepared such records and reports as may
5 be prescribed hereunder.]***

1 ***[37.]*** ****[*34.*]**** *****[**37.**]*** The director shall have the
2 power to adopt such rules and regulations as may be deemed
3 necessary to accomplish the purposes and enforce the provisions of
4 this section including requirements for reporting by trial courts
5 having jurisdiction over snowmobile violations.

6 Any person who disposes of any uniform snowmobile summons or
7 complaint in any other manner than that prescribed by law, rule or
8 regulation shall be guilty of a misdemeanor.]***

1 ***[38.]*** ****[*35.*]**** *****[**38.****** When a snowmobile summons
 2 has been served by a peace officer in cases of violation of any pro-
 3 vision of this act or any ordinance, rule or regulation enacted pur-
 4 suant thereto or pursuant to any other law relating to snowmobiles,
 5 any chief, deputy chief, captain, lieutenant or acting lieutenant,
 6 sergeant, or acting sergeant of a police department, or any sheriff,
 7 undersheriff, chief deputy, deputy sergeant or deputy in charge of
 8 snowmobiles maintained by any sheriff in any county to whom the
 9 service of the snowmobile summons is reported, is hereby autho-
 10 rized to administer to such peace officer all necessary oaths in con-
 11 nection with the execution of the complaint to be presented in court
 12 by such peace officer in the prosecution of such offense, but a com-
 13 plaint need not be verified provided it shall be affirmed under
 14 penalty of perjury.】***

1 ***[39.]*** ****[*36.*]**** *****[**39.****** An action to recover any penalty
 2 imposed under the provisions of this act may be brought in any
 3 court of competent jurisdiction in this State on order of the director
 4 *or the Department of Environmental Protection* and in the name
 5 of the people of the State of New Jersey. In any action all penalties
 6 incurred up to the time of commencing the action may be sued for
 7 and recovered therein and the commencement of an action to re-
 8 cover any such penalty shall not be, or be held to be, a waiver of the
 9 right to recover any other penalty. In case of recovery of any
 10 amount in an action brought to recover any such penalty the people
 11 shall be entitled to recover full costs, of course, and at the rates
 12 provided for civil actions.】***

1 ***[40.]*** ****[*37*]**** *****[**40.****** No person shall be excused
 2 from testifying or producing any books, papers or other documents
 3 in any civil action to recover any such penalty, upon the ground that
 4 his testimony might tend to convict him of a crime, or to subject
 5 him to a penalty or forfeiture. But no person shall be prosecuted,
 6 punished or subjected to any penalty of forfeiture for or on
 7 account of any such act, transaction, matter or thing concerning
 8 which he shall, under oath, have testified or produced documentary
 9 evidence and no testimony so given or produced shall be received
 10 against him upon any criminal investigation or proceeding; pro-
 11 vided, however, that no person so testifying shall be exempt from
 12 prosecution or punishment for any perjury committed by him in
 13 his testimony. Nothing herein contained is intended to give, or shall
 14 be construed as in any manner giving, unto any corporation, im-
 15 munity of any kind.】***

1 ***[41.]*** ****[*38.*]**** *****[**41.****** A defendant charged with a
 2 violation of any provision of this act may himself plead guilty to the

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3 charge in open court. He may also submit to the judge having
 4 jurisdiction, in person, by duly authorized agent, or by registered
 5 mail, a statement, a. that he waives arraignment in open court
 6 and the aid of counsel, b. that he pleads guilty to the offense as
 7 charged, c. that he elects and requests that the charge be disposed
 8 of and the fine or penalty fixed by the court, d. any explanation
 9 that he desires to make concerning the offense charged, and e. that
 10 he makes all statements under penalty of perjury. Thereupon the
 11 judge may proceed as though the defendant had been convicted
 12 upon a plea of guilty in open court, provided, however, that any
 13 imposition of fine or penalty hereunder shall be deemed tentative
 14 until such fine or penalty shall have been paid and discharged in
 15 full. If upon receipt of the aforesaid statement the judge shall
 16 deny the same, he shall thereupon notify the defendant of this fact,
 17 and that he is required to appear before the said magistrate at a
 18 stated time and place to answer the charge which shall thereafter
 19 be disposed of pursuant to the applicable provisions of law.***

1 ***[42.]*** ****[*39.*]**** *****[**42.**]** The court or judge before whom
 2 any person shall be tried, or the clerk of the court, if there be a
 3 clerk, shall at the termination of such trial or proceeding, forthwith
 4 mail or deliver to the division a certified statement of the disposi-
 5 tion of the case or proceeding, giving the date thereof, the name of
 6 the defendant, the date and place of the violation, the name of each
 7 witness sworn in support of the charges, and the amount of the fine
 8 or penalty paid.***

1 ***[43.]*** ****[*40.*]**** *****[**43.**]** The provisions of sections ***[39]**
 2 to **[43]*** **[*36 to 40*** shall in no way prohibit the prosecution of viola-
 3 tions of this act in any court of competent jurisdiction in the same
 4 manner as other offenses and crimes.***

1 ***[44.]*** ****[*41.*]**** *****[**44.**]***** **28.*** Any person who
 2 shall violate any provisions of this act or any rule or regulation
 3 ***[of the division]*** promulgated pursuant to this act shall *****[be]**
 4 guilty of a violation and*** be punished by a fine of not ***[less]**
 5 than \$5.00 nor* more than \$100.00.

1 ***[45.]*** ****[*42.*]**** *****[**45.**]** The director may suspend or
 2 revoke a dealer's registration certificate, a snowmobile safety
 3 certificate and permits for special events upon satisfactory proof
 4 of violation of any provisions of this act or rules and regulations
 5 promulgated pursuant thereto. Upon said suspension or revocation
 6 all rights and privileges accruing to such registrant, youthful
 7 operator or permittee shall terminate.***

1 ***[46.]*** ****[*43.*]**** *****[**46.**]** On the first day of each month
 2 or within 10 days thereafter, all fines and penalties collected for

3 violations of this act under judgment of any court, shall be paid
4 over by such court or justice to the State Treasurer, with a state-
5 ment accompanying the same, setting forth the action or proceeding
6 in which such moneys were collected, the name and residence of the
7 defendant, the nature of the offense, and the fines and penalty
8 imposed.】***

1 *【47.】* **【44.】** ***【**47.**】*** **29.*** The director shall
2 deposit all moneys received by him from the registration of snow-
3 mobiles, the sale of snowmobile registration information, snow-
4 mobile publications and other services provided by the depart-
5 ment***【, all fines and penalties resulting from violations of this
6 act in regard to the operation and use of snowmobiles】*** and all
7 fees collected by him under this act to the credit of the General
8 Treasury.

1 ***30. *Owners and operators of snowmobiles shall, when operat-*
2 *ing a snowmobile across a public highway or on public lands or*
3 *waters, comply with the following provisions of chapter 4 of Title*
4 *39 of the Revised Statutes: R. S. 39:4-48 through R. S. 39:4-51;*
5 *R. S. 39:4-64; R. S. 39:4-72; R. S. 39:4-80; R. S. 39:4-81; R. S.*
6 *39:4-92; R. S. 39:4-96 through R. S. 39:4-98; R. S. 39:4-99; R. S.*
7 *39:4-100; R. S. 39:4-104; R. S. 39:4-129 through R. S. 39:4-134;*
8 *R. S. 39:4-203. The failure to comply with any of these provisions*
9 *shall be a violation of this act and the penalty for such a violation*
10 *shall be as provided in section 28 of this act rather than the penalty*
11 *provided in the sections cited above.****

1 *【48.】* **【45.】** ***【**48.**】*** **31.*** *【 It is the intent
2 that upon the enactment of this act into law all proceedings under-
3 taken thereafter relative to the operation and use of snowmobiles in
4 the State, as defined in this act, shall be administered nuder the
5 authority of and by the provisions contained in this act.】* If any
6 clause, sentence, paragraph or part of this act shall, for any reason
7 be adjudged by any court of competent jurisdiction to be invalid,
8 such judgment shall not affect, impair or invalidate the remainder
9 thereof but shall be confined in its operation to the clause, sentence,
10 paragraph or part thereof, directly involved in the controversy in
11 which such judgment shall have been rendered.

1 *【49.】* **【46.】** ***【**49.**】*** **32.*** This act shall
2 take effect ***【120 days after its enactment】*** *** *imme-*
3 *diately****.

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[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 870

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1972

By Assemblymen LITTELL, IMPERIALE, WEIDEL, FORAN,
EVERS, BASSANO, PARETI, SPIZZIRI, RYS, HURLEY and
WOODSON

Referred to Committee on Agriculture, Conservation and
Natural Resources

AN ACT concerning snowmobiles and providing for their registra-
tion and regulating the operation thereof.

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

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Environmental
3 Protection of the Department of Environmental Protection.

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

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

13 d. "Dealer" means every person engaged in the business of buy-
14 ing, selling or exchanging snowmobiles at wholesale or retail, and
15 who has an established place of business.

16 e. "Special event" means an organized race, exhibition or demon-
17 stration of limited duration which is conducted according to a pre-
18 arranged schedule and in which general public interest is
19 manifested.

20 f. "Snowmobile operator's certificate" means a certificate issued
21 by the Director of the Division of Motor Vehicles evidencing that
22 the holder thereof has successfully completed an approved course

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

23 of instruction in snowmobile operation and safety as hereinafter
24 provided.

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

2 a. the director shall have the power, duty and authority to admin-
3 ister and enforce all statutes, rules and regulations, except as other-
4 wise provided by statute, relating to the operation and use of snow-
5 mobiles within the State, including but not limited to the following:

6 (1) registration, identification, numbering and classification

7 (2) equipment

8 (3) standards of safety

9 (4) educational programs

10 (5) promulgate rules and regulation to effectuate the purposes
11 of this act.

12 b. the Commissioner of Environmental Protection shall have the
13 power, duty and authority to administer and enforce all statutes,
14 rules and regulations, except as otherwise provided by statute,
15 relating to ***the operation and use of*** snowmobiles ***within the**
16 **State,*** *on the public lands and waters under the jurisdiction of*
16A *the Department of Environmental Protection** **including:**

17 (1) use on State land and waters

18 (2) promulgate rules and regulations to effectuate the purposes
19 of this act.]*

1 3. Except as otherwise provided, no snowmobile shall be operated
2 or permitted to be operated within the jurisdiction of this State
3 unless registered by the owner thereof as provided by this act. The
4 Director of the Division of Motor Vehicles in the Department of
5 Law and Public Safety is authorized to register and assign a
6 registration number to all snowmobiles, upon application and pay-
7 ment of the appropriate fee in accordance with the following
8 schedule:

9 a. for each certificate of ownership, \$3.00 initially;

10 b. for each individual resident registration, \$5.00 annually;

11 c. for each individual nonresident registration, \$7.00 annually;

12 d. for each dealer registration, \$25.00 annually;

13 e. for replacement of lost, mutilated or destroyed certificate,
14 \$3.00;

15 f. for a duplicate registration, \$1.00 at the time of issuance.

16 All such registrations shall be valid for a period of 1 year unless,
17 prior to expiration of the 1-year period, it is surrendered, cancelled,
18 revoked or suspended pursuant to the provisions of this act.

1 4. Once a registration number is assigned, it shall remain with
2 the registered snowmobile until the snowmobile is destroyed,

3 abandoned or permanently removed from the State, or until
4 changed or terminated by the director.

1 5. Such registrations shall be issued by the director or by agents
2 as designated by him and shall be in such form as the director shall
3 prescribe. The registration certificate shall be subject to inspection
4 by any law enforcement officer on demand and shall be on the
5 vehicle at all times when in operation.

6 The registration number assigned to any snowmobile shall be dis-
7 played on each side of the vehicle in such form, location and manner
8 as prescribed by the director.

9 Whenever ownership is transferred or the use of a snowmobile
10 for which a registration certificate has already been issued is dis-
11 continued, the old registration shall be properly signed and ex-
12 ecuted by the owner, showing that the ownership of the snowmobile
13 has been transferred or its use discontinued, and returned to the
14 director within 10 days of said event. If there is a change of owner-
15 ship of a snowmobile for which a registration certificate has been
16 previously issued, the new owner shall apply for a new registration
17 certificate and set forth the original number in the application. He
18 shall pay the regular fee for the particular snowmobile involved.
19 The owner of any registration certificate issued under this section
20 may obtain a duplicate from the division upon application and pay-
21 ment of the fee prescribed.

1 6. No registration shall be required:

2 a. For a snowmobile owned and operated over the snow on land
3 on which a person lives or on lands to which he has a contractual
4 right on which he is domiciled;

5 b. For a snowmobile operated by a commercial ski area for the
6 purpose of packing snow or for rescue operations thereon, unless
7 the vehicle is required to cross a public way during such operation,
8 in which case such registration certificate shall be required;

9 c. For a snowmobile owned by the Federal Government, the
10 State, county or municipal government or subdivision thereof.

1 7. Any person who is in the business of selling snowmobiles in the
2 State shall register as a dealer and secure a dealer's license from
3 the director.

4 Such license shall permit him to demonstrate snowmobiles for the
5 purpose of sale only and he does not need to be individually regis-
6 tered. Such dealer shall display his dealer's number on each snow-
7 mobile being demonstrated. Upon the sale of said snowmobile, it
8 shall then become the responsibility of the owner to register such
9 vehicle.

10 The dealer's license fee shall be \$25.00 and the license shall be
11 renewable on July 1 of each year.

12 The director may issue temporary numbers and registrations to
13 bona fide dealers who request them subject to such rules and regu-
14 lations as he may deem necessary. The director shall receive a fee
15 of \$1.00 for each temporary plate.

16 Upon the sale or exchange by a dealer of any snowmobile which
17 requires numbering and registration, the purchaser may secure
18 from the dealer a temporary number and registration to operate
19 said snowmobile for a period of 10 consecutive days immediately
20 following the date of sale, provided that the purchaser shall make
21 application for a registration certificate and certificate of ownership
22 from the director to replace the temporary number and registration
23 certificate. The application and fee for the certificate of ownership,
24 together with a copy of the temporary registration issued by the
25 dealer, shall be forwarded by said dealer to the director within 48
26 hours after the date of sale of the vehicle. The dealer shall affix the
27 temporary number to the vehicle in a conspicuous place and shall
28 clearly mark thereon the date issued, date of expiration and his
29 New Jersey dealer's number.

30 The temporary number is nontransferable and must be conspic-
31 uously displayed on the vehicle. The operator of such vehicle shall
32 have the temporary registration in his possession at all times while
33 the vehicle is in operation. After the expiration of the 10-day
34 period, the owner must remove and discard the temporary number.

1 8. The registration provisions of this act shall not apply to non-
2 resident owners who have complied with the registration and licens-
3 ing laws of the state, province, district or country of residence,
4 provided that the snowmobile is appropriately identified in
5 accordance with the laws of the state of residence. Nothing in this
6 section shall be construed to authorize the operation of any snow-
7 mobile contrary to the provisions of this act.

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

10 b. Dealer registration number shall conform to the requirements
11 set forth in subparagraph (a) of this section with the exception

12 that the numbers assigned may be printed upon or attached to a
13 removable plaque or plaques to be temporarily but firmly affixed to
14 the snowmobile being demonstrated or tested.

15 c. Numbers issued to dealers and manufacturers for the purpose
16 of demonstrating or testing, shall be used exclusively for these
17 purposes and no other use is permitted.

1 10. Every person operating a snowmobile registered or trans-
2 ferred in accordance with any of the provisions of this act shall
3 upon demand of any peace officer, law enforcement officer, duly au-
4 thorized official of the Department of Environmental Protection,
5 police officer or motor vehicle inspector, produce for inspection the
6 certificate of registration for such snowmobile and shall furnish to
7 such officer any information necessary for the identification of such
8 snowmobile and its owner. The failure to produce the certificate of
9 registration as provided herein shall be presumptive evidence in
10 any court of competent jurisdiction of operating a snowmobile
11 which is not registered as required by this act.

1 11. It shall be the duty of every owner holding a certificate of
2 registration to notify the division, in writing, of any change of
3 residence of such person within 10 days after such change occurs,
4 and to inscribe on such certificate, in the place provided, a record
5 of such change of residence.

1 12. Whenever the ownership of a snowmobile is transferred or
2 the use of a snowmobile for which a registration certificate has
3 already been issued is discontinued, the old registration certificate
4 shall be properly signed and executed by the owner showing that
5 the ownership of the snowmobile has been transferred or its use
6 discontinued and returned to the division within 10 days after
7 transfer or discontinuance. If there is a change of ownership of a
8 snowmobile for which a registration certificate has previously been
9 issued, the new owner shall apply for a new certificate. He shall
10 set forth the original number issued in the application accompanied
11 by the old registration properly signed by the previous owner and
12 with the required fee of \$5.00 submit to the division, for registra-
13 tion. In the event that such snowmobile was purchased through a
14 bona fide dealer then said application must be accompanied by a
15 dealer's form, as prescribed by the director, numbered, completed
16 and signed by the dealer, or his agent and signed by the new owner.

1 13. It shall be the duty of every owner of a snowmobile registered
2 pursuant to this act to notify the division, in writing, of the destruc-
3 tion, theft or permanent removal of such snowmobile from the
4 State, within 10 days thereafter; and in the event of the destruction

5 or theft of such, shall surrender the certificate of registration with
6 such notice.

1 14. No political subdivision of the State shall require additional
2 licensing or registration of snowmobiles which are covered by the
3 provisions of this act.

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

1 15. ***【**With a view of achieving maximum use of snowmobiles and
2 minimizing the detrimental effect thereof upon the environment,
3 **】*** **The* commissioner*, with a view towards minimizing*
4 *detrimental effects on the environment,** shall adopt rules and
4A regulations relating to and including, but not limited to, the
4B following:

5 a. use of snowmobiles insofar as fish, wildlife and plantlife
6 resources are affected;

7 b. use of snowmobiles on public lands and waters under the juris-
8 diction of the Department of Environmental Protection.

9 **【*c. requirements for the protection of private property or in-
10 *terests therein occasioned by the use of snowmobiles.】**

1 16. The Director of the Division of Motor Vehicles shall adopt
2 rules and regulations relating to and including, but not limited to:

3 a. Specifications relating to equipment required for safety as
4 provided herein.

5 b. Specifications relating to snowmobile mufflers and the limita-
6 tions on decibels of sound emitted by snowmobiles.

7 c. Establishment of a comprehensive snowmobile information
8 and safety education and training program, including provision for
9 issuance of snowmobile safety certificates for operation of snow-
10 mobiles by youthful operators.

11 d. The regulations pertaining to and the granting of permits for
12 the conduct of all prearranged special events as provided in this
13 act*, *except those conducted on public lands and waters under the*
14 *jurisdiction of the Department of Environmental Protection*.*

1 17. No person under the age of ***【10】*** **14** years shall operate
2 or be permitted to operate any snowmobile ***except as herein pro-*
3 *vided**.*

1 18. No person shall operate a snowmobile upon controlled access
2 highways or within the right-of-way limits thereof.

3 No person shall operate a snowmobile upon the main traveled
4 portion or the plowed snow banks of any public street or highway
5 except as follows:

6 a. Properly registered snowmobiles may cross, as directly as
7 possible, public streets or highways, except controlled access high-
8 ways, provided that such crossing can be made in safety and that
9 it does not interfere with the free movement of vehicular traffic
10 approaching from either direction on such public street or high-
11 way. Prior to making any such crossing, the operator shall bring
12 the snowmobile to a complete stop. It shall be the responsibility of
13 the operator of a snowmobile to yield the right of way to all
14 vehicular traffic upon any public street or highway before crossing
15 same.

16 b. Whenever it is impracticable to gain immediate access to an
17 area adjacent to a public way where a snowmobile is to be operated,
18 such snowmobile may be operated adjacent and parallel to such
19 public way for the purpose of gaining access to the area of opera-
20 tion. This subsection shall apply to the operation of a snowmobile
21 from the point where it is unloaded from a motorized conveyance
22 to the area where the snowmobile is to be operated, or from the
23 area where operated to a motorized conveyance when such loading
24 or unloading cannot be effected in the immediate vicinity of the
25 area of operation without causing a hazard to vehicular traffic
26 approaching from either direction on said public street or highway.
27 Such loading or unloading must be accomplished with due regard
28 to safety, at the nearest possible point to the area of operation.

29 Under no circumstances, except as provided, is a snowmobile to
30 be operated on the main traveled portion of a street or highway,
31 or that portion of a street or highway that has been plowed or on
32 a snow bank immediately adjacent to the plowed portion of the
33 street or highway, unless such operation is conducted for the sole
34 purpose of crossing a public street or highway as provided above.
35 c. Snowmobiles may be operated on that portion of a public way
36 that is not maintained or utilized for the operation of conventional
37 motor type vehicles.

1 19. It shall be unlawful for:

2 a. Any person to operate any snowmobile in a reckless or care-
3 less manner or at excessive speeds.

4 b. Any person to operate any snowmobile while under the in-
5 fluence of intoxicating beverages or drugs.

6 c. Any person to operate any snowmobile in a manner which is
7 dangerous to persons or property.

8 d. Any person under the age of 14 years to operate any snow-
9 mobile when crossing a public street or highway maintained for
10 travel.

11 e. Any person to operate or ride as a passenger on any snow-
12 mobile without wearing a crash helmet. Any such helmet shall be
13 of a type acceptable for use in conjunction with motorcycles under
14 the New Jersey Motor Vehicle Laws.

15 f. Any person to operate a snowmobile that is not equipped with
16 working head lights, tail lights, brakes and proper mufflers as
17 supplied by the motor manufacturer for the particular model with-
18 out modifications, nor shall any person operate any snowmobile in
19 such a manner as to cause a harsh, objectionable or unreasonable
20 noise.

21 g. Any person to operate a snowmobile at any time and in any
22 manner intended or reasonably to be expected to harass, drive or
23 pursue any wildlife.

24 h. Any person to operate any snowmobile during the hours from
25 $\frac{1}{2}$ hour before sunset to $\frac{1}{2}$ hour after sunrise without having
26 lighted headlights and lighted tail lights.

27 i. Any person to operate any snowmobile on the land of another
28 without first securing the ****["written"]**** permission of the land-
29 owner or his duly authorized representative.

30 **j. Any person to operate a snowmobile upon railroad or right-
31 of-way of an operating railroad, except railroad personnel in the
32 performance of their duties.*

33 *k. Any person to violate any provision of this act or any rule or
34 regulation adopted pursuant to this act.**

1 20. a. No snowmobile shall be operated or permitted to be
2 operated unless the owner thereof has obtained a policy of in-
3 surance, in such language and form as shall be determined by the
4 Commissioner of the Department of Insurance, from an insurance
5 carrier authorized to do business in this State, the terms of which
6 policy shall indemnify any one person sustaining bodily injury or
7 the death of one person in any one accident in the amount of
8 \$10,000.00, and, subject to said limit of one person, to a limit of
9 \$20,000.00, because of bodily injury to or death of two or more per-
10 sons in any one accident, and to a limit of \$5,000.00, because of
11 injury to or destruction of property of others in any one accident,
12 for damages arising out of the negligent operation of said snow-
13 mobile. In lieu of such insurance coverage as hereinabove provided,
14 the director, in his discretion and upon application of the State
15 or a municipality having registered in its name one or more snow-
16 mobiles, may waive the requirement of insurance by a private in-

17 surance carrier and issue a certificate of self-insurance, when he is
18 satisfied of financial ability to respond to judgments obtained
19 against it or them, arising out of the ownership, use or operation of
20 such snowmobile.

21 b. Proof of insurance as hereinabove required shall be produced
22 and displayed by the owner or operator of such snowmobile upon
23 request to any law enforcement officer or to any person who has
24 suffered or claims to have suffered either personal injury or prop-
25 erty damage as a result of the operation of such snowmobile by the
26 owner or operator.

27 c. An owner of a snowmobile who shall operate or permit the
28 same to be operated without having in full force and effect the re-
29 quired liability insurance coverage, and any other person who shall
30 operate any snowmobile with the knowledge that the owner thereof
31 does not have in full force and effect such insurance coverage shall
32 be guilty of a violation of this act and be subject to a fine of not
33 less than \$25.00 nor more than \$100.00.

34 d. The director is hereby authorized to promulgate reasonable
35 regulations to provide effective administration and enforcement of
36 the provisions of this section in accordance with the purposes
37 thereof.

1 21. The operator of any snowmobile involved in an accident
2 resulting in injuries or death of any person or property damage to
3 the estimated amount of \$50.00 or more, or some person acting for
4 him, or the owner of the snowmobile having knowledge of the
5 accident should the operator of the same be unknown, shall im-
6 mediately report any such accident to the nearest law enforcement
7 officer or agency and send a copy to the director.

1 22. The director may authorize the holding of organized special
2 events. He shall adopt and may, from time to time, amend rules and
3 regulations determining the special events which shall be subject
4 to division permit and designating the equipment and facilities
5 necessary for safe operation of snowmobiles and for the safety of
6 operators, participants, and observers in such special events.
7 Whenever such special event requiring permit of the division is
8 proposed to be held in the State of New Jersey, the person in charge
9 thereof shall, at least ****[60]**** ****20**** days prior thereto, file an ap-
10 plication with the director to hold such special event. The applica-
11 tion shall set forth the date of and location where it is proposed to
12 hold such rally, race, exhibition, or organized event, and such other
13 information as the director may require, and it shall not be con-
14 ducted without written authorization of the director. Copies of

15 such regulations shall be furnished by the division to any person
16 making an application therefor.

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

1 23. Snowmobiles operated at special events shall be exempt from
2 the provisions of this act concerning registration, mufflers and
3 lights during the time of such operation, including all prerace
4 practice at the location of said meet.

1 24. All snowmobiles operating within the State of New Jersey
2 shall be equipped with:

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

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

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

12 d. Reflector material. Reflector material of a minimum area of
13 16 square inches mounted on each side of the cowling. Registration
14 numbers or other decorative material, may be included in computing
15 the required 16-square-inch area.

16 e. Mufflers. An adequate muffler system in good working con-
17 dition. From and after June 1, 1973, no snowmobile manufactured
18 after June 1, 1973, shall be sold or offered for sale, unless it is
19 equipped with a muffler that limits engine noise to not more than 82
20 decibels as measured on the "A" scale at 50 feet. From and after
21 June 1, 1975, no such snowmobile manufactured after June 1, 1975,
22 shall be sold or offered for sale unless such muffler system limits
23 engine noise to not more than 73 decibels.

1 25. Inspection and testing. The director may adopt rules and
2 regulations with respect to the inspection of snowmobiles and the
3 testing of snowmobile mufflers.

1 26. No person shall have for sale, sell, or offer for sale in this
2 State any snowmobile which fails to comply with the provisions of
3 this act or which does not comply with the specifications for such
4 equipment required by the rules and regulations of the director
5 after the effective date of such rules and regulations.

1 27. No person under the age of 14 years shall operate a snow-
2 mobile ***except upon lands owned or leased by his parent or*
3 *guardian unless he is accompanied by a person 14 years of age or*

4 over. "Leased lands" as herein used shall not include lands leased
 5 by an organization of which said operator or his parent or guardian
 6 is a member** ***[except upon lands owned or leased by his parent**
 7 or guardian unless he is accompanied by a person 14 years of age
 8 or over. "Leased lands" as herein used shall not include lands
 9 leased by an organization of which said operator or his parent or
 10 guardian is a member].

1 ***[28. Snowmobile safety certificate. On and after October 1,**
 2 1973, except as otherwise provided in this act, no person 10 years
 3 and over and who has not reached his fourteenth birthday shall
 4 operate a snowmobile in this State, except upon lands of his parent
 5 or guardian unless and until he has received safety training as pre-
 6 scribed by the director and has received the appropriate snowmobile
 7 safety certificate issued by the director.]*

1 ***[29. The failure of such a youthful operator to exhibit a snow-**
 2 mobile safety certificate upon demand to any officer having au-
 3 thority to enforce the provisions of this act, shall be presumptive
 4 evidence that such person is not the holder of such certificate.]*

1 ***[30. After October 1, 1973, no owner of a snowmobile shall au-**
 2 thorize or permit the operation thereof within the State by any
 3 person under the age of 14 years unless the operator is the holder
 4 of a valid snowmobile safety certificate or except as authorized by
 5 this act.]*

1 **28. *Snowmobile safety certificate. On and after October 1,*
 2 *1973, except as otherwise provided in this act, no person 10 years*
 3 *and over and who has not reached his fourteenth birthday shall*
 4 *operate a snowmobile in this State, except upon lands of his parent*
 5 *or guardian unless and until he has received safety training as*
 6 *prescribed by the director and has received the appropriate snow-*
 7 *mobile safety certificate issued by the director.*

1 29. *The failure of such a youthful operator to exhibit a snow-*
 2 *mobile safety certificate upon demand to any officer having au-*
 3 *thority to enforce the provisions of this act, shall be presumptive*
 4 *evidence that such person is not the holder of such certificate.*

1 30. *After October 1, 1973, no owner of a snowmobile shall au-*
 2 *thorize or permit the operation thereof within the State by any*
 3 *person under the age of 14 years unless the operator is the holder*
 4 *of a valid snowmobile safety certificate or except as authorized by*
 5 *this act.***

1 ***[31.]* **[*28.]*** **31.**** Whenever any snowmobile meets
 2 with an accident involving a loss of life, personal injury or damage
 3 to property and the operator thereof has knowledge of such ac-
 4 cident, he shall stop and give his name and address, the name

5 and address of the owner thereof and the registration number
6 assigned to said snowmobile to the injured person or the person
7 sustaining the damage, or to a police officer, or in case no police
8 officer nor the person sustaining the damage is present at the place
9 where the damage occurred then he shall immediately report as
10 soon as physically able, the same to the nearest law enforcement
11 agency.

1 ***[32.]*** ****[*29.*]**** **32.** A police, sheriff, judicial officer
2 or State police officer who investigates or receives information
3 of an accident involving a snowmobile shall make a written report
4 of the investigation or information received, and such additional
5 facts relating to the accident as may come to his knowledge and mail
6 the same within 48 hours to the division and keep a record thereof
7 in his office.

1 ***[33.]*** ****[*30.*]**** **33.** Failure of such persons to give
2 notice of any accident requiring notice shall be prima facie evidence
3 that such accident was not reported.

1 ***[34.]*** ****[*31.*]**** **34.** Every law enforcement officer in the
2 State, including authorized officers of the Division of Motor
3 Vehicles, Department of Environmental Protection, forest rangers
4 and State park police and other designated officers and employees
5 of the department shall enforce this act **within their respective*
6 *jurisdictions**.

1 ***[35.]*** ****[*32.*]**** **35.** The director shall be authorized to
2 prescribe the form of summons and complaint on all cases involving
3 a violation of any provision of this act or of any ordinance, rule
4 or regulation relating to snowmobiles, or of any class or category
5 of such cases, and to establish procedures for proper administra-
6 tive controls over the disposition thereof.

1 ***[36.]*** ****[*33.*]**** **36.** The chief executive officer of each
2 local police force including county or municipal police departments,
3 sheriffs, and the Superintendent of State Police shall prepare or
4 cause to be prepared such records and reports as may be prescribed
5 hereunder.

1 ***[37.]*** ****[*34.*]**** **37.** The director shall have the power to
2 adopt such rules and regulations as may be deemed necessary to
3 accomplish the purposes and enforce the provisions of this section
4 including requirements for reporting by trial courts having juris-
5 diction over snowmobile violations.

6 Any person who disposes of any uniform snowmobile summons or
7 complaint in any other manner than that prescribed by law, rule or
8 regulation shall be guilty of a misdemeanor.

1 ***[38.]*** ****[*35.*]**** **38.** When a snowmobile summons has
2 been served by a peace officer in cases of violation of any provision
3 of this act or any ordinance, rule or regulation enacted pursuant
4 thereto or pursuant to any other law relating to snowmobiles, any
5 chief, deputy chief, captain, lieutenant or acting lieutenant,
6 sergeant, or acting sergeant of a police department, or any sheriff,
7 undersheriff, chief deputy, deputy sergeant or deputy in charge of
8 snowmobiles maintained by any sheriff in any county to whom the
9 service of the snowmobile summons is reported, is hereby autho-
10 rized to administer to such peace officer all necessary oaths in con-
11 nection with the execution of the complaint to be presented in court
12 by such peace officer in the prosecution of such offense, but a com-
13 plaint need not be verified provided it shall be affirmed under
14 penalty of perjury.

1 ***[39.]*** ****[*36.*]**** **39.** An action to recover any penalty
2 imposed under the provisions of this act may be brought in any
3 court of competent jurisdiction in this State on order of the director
4 **or the Department of Environmental Protection** and in the name
5 of the people of the State of New Jersey. In any action all penalties
6 incurred up to the time of commencing the action may be sued for
7 and recovered therein and the commencement of an action to re-
8 cover any such penalty shall not be, or be held to be, a waiver of the
9 right to recover any other penalty. In case of recovery of any
10 amount in an action brought to recover any such penalty the people
11 shall be entitled to recover full costs, of course, and at the rates
12 provided for civil actions.

1 ***[40.]*** ****[*37.*]**** **40.** No person shall be excused from
2 testifying or producing any books, papers or other documents in
3 any civil action to recover any such penalty, upon the ground that
4 his testimony might tend to convict him of a crime, or to subject
5 him to a penalty or forfeiture. But no person shall be prosecuted,
6 punished or subjected to any penalty of forfeiture for or on
7 account of any such act, transaction, matter or thing concerning
8 which he shall, under oath, have testified or produced documentary
9 evidence and no testimony so given or produced shall be received
10 against him upon any criminal investigation or proceeding; pro-
11 vided, however, that no person so testifying shall be exempt from
12 prosecution or punishment for any perjury committed by him in
13 his testimony. Nothing herein contained is intended to give, or shall
14 be construed as in any manner giving, unto any corporation, im-
15 munity of any kind.

1 ***[41.]*** ****[*38.*]**** **41.** A defendant charged with a viola-
2 tion of any provision of this act may himself plead guilty to the

3 charge in open court. He may also submit to the judge having
 4 jurisdiction, in person, by duly authorized agent, or by registered
 5 mail, a statement, a. that he waives arraignment in open court
 6 and the aid of counsel, b. that he pleads guilty to the offense as
 7 charged, c. that he elects and requests that the charge be disposed
 8 of and the fine or penalty fixed by the court, d. any explanation
 9 that he desires to make concerning the offense charged, and e. that
 10 he makes all statements under penalty of perjury. Thereupon the
 11 judge may proceed as though the defendant had been convicted
 12 upon a plea of guilty in open court, provided, however, that any
 13 imposition of fine or penalty hereunder shall be deemed tentative
 14 until such fine or penalty shall have been paid and discharged in
 15 full. If upon receipt of the aforesaid statement the judge shall
 16 deny the same, he shall thereupon notify the defendant of this fact,
 17 and that he is required to appear before the said magistrate at a
 18 stated time and place to answer the charge which shall thereafter
 19 be disposed of pursuant to the applicable provisions of law.

1 ***[42.]*** ****[*39.*]**** **42.** The court or judge before whom any
 2 person shall be tried, or the clerk of the court, if there be a clerk,
 3 shall at the termination of such trial or proceeding, forthwith mail
 4 or deliver to the division a certified statement of the disposition
 5 of the case or proceeding, giving the date thereof, the name of the
 6 defendant, the date and place of the violation, the name of each
 7 witness sworn in support of the charges, and the amount of the fine
 8 or penalty paid.

1 ***[43.]*** ****[*40.*]**** **43.** The provisions of sections ***[39 to**
 2 **43]*** **36 to 40* shall in no way prohibit the prosecution of viola-
 3 tions of this act in any court of competent jurisdiction in the same
 4 manner as other offenses and crimes.

1 ***[44.]*** ****[*41.*]**** **44.** Any person who shall violate any
 2 provisions of this act or any rule or regulation ***[of the division]***
 3 promulgated pursuant to this act shall be guilty of a violation and
 4 be punished by a fine of not ***[less than \$5.00 nor]*** more than
 5 \$100.00.

1 ***[45.]*** ****[*42.*]**** **45.** The director may suspend or revoke
 2 a dealer's registration certificate, a snowmobile safety certificate
 3 and permits for special events upon satisfactory proof of violation
 4 of any provisions of this act or rules and regulations promulgated
 5 pursuant thereto. Upon said suspension or revocation all rights
 6 and privileges accruing to such registrant, youthful operator or
 7 permittee shall terminate.

1 ***[46.]*** ****[*43.*]**** **46.** On the first day of each month or
 2 within 10 days thereafter, all fines and penalties collected for viola-

3 tions of this act under judgment of any court, shall be paid over by
4 such court or justice to the State Treasurer, with a statement
5 accompanying the same, setting forth the action or proceeding in
6 which such moneys were collected, the name and residence of the
7 defendant, the nature of the offense, and the fines and penalty
8 imposed.

1 ***[47.]*** ****[*44.*]**** **47.** The director shall deposit all
2 moneys received by him from the registration of snowmobiles, the
3 sale of snowmobile registration information, snowmobile publica-
4 tions and other services provided by the department, all fines and
5 penalties resulting from violations of this act in regard to the opera-
6 tion and use of snowmobiles and all fees collected by him under this
7 act to the credit of the General Treasury.

1 ***[48.]*** ****[*45.*]**** **48.** ***[**It is the intent that upon the
2 enactment of this act into law all proceedings undertaken thereafter
3 relative to the operation and use of snowmobiles in the State, as
4 defined in this act, shall be administered under the authority of
5 and by the provisions contained in this act.**]*** If any clause,
6 sentence, paragraph or part of this act shall, for any reason be
7 adjudged by any court of competent jurisdiction to be invalid, such
8 judgment shall not affect, impair or invalidate the remainder
9 thereof but shall be confined in its operation to the clause, sentence,
10 paragraph or part thereof, directly involved in the controversy in
11 which such judgment shall have been rendered.

1 ***[49.]*** ****[*46.*]**** **49.** This act shall take effect 120 days
2 after its enactment.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 870

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1972

By Assemblymen LITTELL, IMPERIALE, WEIDEL, FORAN,
EVERS, BASSANO, PARETI, SPIZZIRI, RYS, HURLEY and
WOODSON

Referred to Committee on Agriculture, Conservation and
Natural Resources

AN ACT concerning snowmobiles and providing for their registra-
tion and regulating the operation thereof.

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

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Environmental
3 Protection of the Department of Environmental Protection.

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

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

13 d. "Dealer" means every person engaged in the business of buy-
14 ing, selling or exchanging snowmobiles at wholesale or retail, and
15 who has an established place of business.

16 e. "Special event" means an organized race, exhibition or demon-
17 stration of limited duration which is conducted according to a pre-
18 arranged schedule and in which general public interest is
19 manifested.

20 f. "Snowmobile operator's certificate" means a certificate issued
21 by the Director of the Division of Motor Vehicles evidencing that
22 the holder thereof has successfully completed an approved course

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

23 of instruction in snowmobile operation and safety as hereinafter
24 provided.

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

2 a. the director shall have the power, duty and authority to admin-
3 ister and enforce all statutes, rules and regulations, except as other-
4 wise provided by statute, relating to the operation and use of snow-
5 mobiles within the State, including but not limited to the following:

6 (1) registration, identification, numbering and classification

7 (2) equipment

8 (3) standards of safety

9 (4) educational programs

10 (5) promulgate rules and regulation to effectuate the purposes
11 of this act.

12 b. the Commissioner of Environmental Protection shall have the
13 power, duty and authority to administer and enforce all statutes,
14 rules and regulations, except as otherwise provided by statute,
15 relating to *~~the operation and use of~~* snowmobiles *~~within the~~
16 State,]* **on the public lands and waters under the jurisdiction of*
16A *the Department of Environmental Protection** *~~including~~:

17 (1) use on State land and waters

18 (2) promulgate rules and regulations to effectuate the purposes
19 of this act.]*

1 3. Except as otherwise provided, no snowmobile shall be operated
2 or permitted to be operated within the jurisdiction of this State
3 unless registered by the owner thereof as provided by this act. The
4 Director of the Division of Motor Vehicles in the Department of
5 Law and Public Safety is authorized to register and assign a
6 registration number to all snowmobiles, upon application and pay-
7 ment of the appropriate fee in accordance with the following
8 schedule:

9 a. for each certificate of ownership, \$3.00 initially;

10 b. for each individual resident registration, \$5.00 annually;

11 c. for each individual nonresident registration, \$7.00 annually;

12 d. for each dealer registration, \$25.00 annually;

13 e. for replacement of lost, mutilated or destroyed certificate,
14 \$3.00;

15 f. for a duplicate registration, \$1.00 at the time of issuance.

16 All such registrations shall be valid for a period of 1 year unless,
17 prior to expiration of the 1-year period, it is surrendered, cancelled,
18 revoked or suspended pursuant to the provisions of this act.

1 4. Once a registration number is assigned, it shall remain with
2 the registered snowmobile until the snowmobile is destroyed,

3 abandoned or permanently removed from the State, or until
4 changed or terminated by the director.

1 5. Such registrations shall be issued by the director or by agents
2 as designated by him and shall be in such form as the director shall
3 prescribe. The registration certificate shall be subject to inspection
4 by any law enforcement officer on demand and shall be on the
5 vehicle at all times when in operation.

6 The registration number assigned to any snowmobile shall be dis-
7 played on each side of the vehicle in such form, location and manner
8 as prescribed by the director.

9 Whenever ownership is transferred or the use of a snowmobile
10 for which a registration certificate has already been issued is dis-
11 continued, the old registration shall be properly signed and ex-
12 ecuted by the owner, showing that the owenrship of the snowmobile
13 has been transferred or its use discontinued, and returned to the
14 director within 10 days of said event. If there is a change of owner-
15 ship of a snowmobile for which a registration certificate has been
16 previously issued, the new owner shall apply for a new registration
17 certificate and set forth the original number in the application. He
18 shall pay the regular fee for the particular snowmobile involved.
19 The owner of any registration certificate issued under this section
20 may obtain a duplicate from the division upon application and pay-
21 ment of the fee prescribed.

1 6. No registration shall be required:

2 a. For a snowmobile owned and operated over the snow on land
3 on which a person lives or on lands to which he has a contractual
4 right on which he is domiciled;

5 b. For a snowmobile operated by a commercial ski area for the
6 purpose of packing snow or for rescue operations thereon, unless
7 the vehicle is required to cross a public way during such operation,
8 in which case such registration certificate shall be required;

9 c. For a snowmobile owned by the Federal Government, the
10 State, county or municipal government or subdivision thereof.

1 7. Any person who is in the business of selling snowmobiles in the
2 State shall register as a dealer and secure a dealer's license from
3 the director.

4 Such license shall permit him to demonstrate snowmobiles for the
5 purpose of sale only and he does not need to be individually regis-
6 tered. Such dealer shall display his dealer's number on each snow-
7 mobile being demonstrated. Upon the sale of said snowmobile, it
8 shall then become the responsibility of the owner to register such
9 vehicle.

10 The dealer's license fee shall be \$25.00 and the license shall be
11 renewable on July 1 of each year.

12 The director may issue temporary numbers and registrations to
13 bona fide dealers who request them subject to such rules and regu-
14 lations as he may deem necessary. The director shall receive a fee
15 of \$1.00 for each temporary plate.

16 Upon the sale or exchange by a dealer of any snowmobile which
17 requires numbering and registration, the purchaser may secure
18 from the dealer a temporary number and registration to operate
19 said snowmobile for a period of 10 consecutive days immediately
20 following the date of sale, provided that the purchaser shall make
21 application for a registration certificate and certificate of ownership
22 from the director to replace the temporary number and registration
23 certificate. The application and fee for the certificate of ownership,
24 together with a copy of the temporary registration issued by the
25 dealer, shall be forwarded by said dealer to the director within 48
26 hours after the date of sale of the vehicle. The dealer shall affix the
27 temporary number to the vehicle in a conspicuous place and shall
28 clearly mark thereon the date issued, date of expiration and his
29 New Jersey dealer's number.

30 The temporary number is nontransferable and must be conspic-
31 uously displayed on the vehicle. The operator of such vehicle shall
32 have the temporary registration in his possession at all times while
33 the vehicle is in operation. After the expiration of the 10-day
34 period, the owner must remove and discard the temporary number.

1 8. The registration provisions of this act shall not apply to non-
2 resident owners who have complied with the registration and licens-
3 ing laws of the state, province, district or country of residence,
4 provided that the snowmobile is appropriately identified in
5 accordance with the laws of the state of residence. Nothing in this
6 section shall be construed to authorize the operation of any snow-
7 mobile contrary to the provisions of this act.

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

10 b. Dealer registration number shall conform to the requirements
11 set forth in subparagraph (a) of this section with the exception

12 that the numbers assigned may be printed upon or attached to a
13 removable plaque or plaques to be temporarily but firmly affixed to
14 the snowmobile being demonstrated or tested.

15 c. Numbers issued to dealers and manufacturers for the purpose
16 of demonstrating or testing, shall be used exclusively for these
17 purposes and no other use is permitted.

1 10. Every person operating a snowmobile registered or trans-
2 ferred in accordance with any of the provisions of this act shall
3 upon demand of any peace officer, law enforcement officer, duly au-
4 thorized official of the Department of Environmental Protection,
5 police officer or motor vehicle inspector, produce for inspection the
6 certificate of registration for such snowmobile and shall furnish to
7 such officer any information necessary for the identification of such
8 snowmobile and its owner. The failure to produce the certificate of
9 registration as provided herein shall be presumptive evidence in
10 any court of competent jurisdiction of operating a snowmobile
11 which is not registered as required by this act.

1 11. It shall be the duty of every owner holding a certificate of
2 registration to notify the division, in writing, of any change of
3 residence of such person within 10 days after such change occurs,
4 and to inscribe on such certificate, in the place provided, a record
5 of such change of residence.

1 12. Whenever the ownership of a snowmobile is transferred or
2 the use of a snowmobile for which a registration certificate has
3 already been issued is discontinued, the old registration certificate
4 shall be properly signed and executed by the owner showing that
5 the ownership of the snowmobile has been transferred or its use
6 discontinued and returned to the division within 10 days after
7 transfer or discontinuance. If there is a change of ownership of a
8 snowmobile for which a registration certificate has previously been
9 issued, the new owner shall apply for a new certificate. He shall
10 set forth the original number issued in the application accompanied
11 by the old registration properly signed by the previous owner and
12 with the required fee of \$5.00 submit to the division, for registra-
13 tion. In the event that such snowmobile was purchased through a
14 bona fide dealer then said application must be accompanied by a
15 dealer's form, as prescribed by the director, numbered, completed
16 and signed by the dealer, or his agent and signed by the new owner.

1 13. It shall be the duty of every owner of a snowmobile registered
2 pursuant to this act to notify the division, in writing, of the destruc-
3 tion, theft or permanent removal of such snowmobile from the
4 State, within 10 days thereafter; and in the event of the destruction

5 or theft of such, shall surrender the certificate of registration with
6 such notice.

1 14. No political subdivision of the State shall require additional
2 licensing or registration of snowmobiles which are covered by the
3 provisions of this act.

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

1 15. **[**With a view of achieving maximum use of snowmobiles and
2 minimizing the detrimental effect thereof upon the environment,
3 the**]** **The* commissioner*, with a view towards minimizing*
4 *detrimental effects on the environment,** shall adopt rules and
4A regulations relating to and including, but not limited to, the
4B following:

5 a. use of snowmobiles insofar as fish, wildlife and plantlife
6 resources are affected;

7 b. use of snowmobiles on public lands and waters under the juris-
8 diction of the Department of Environmental Protection.

9 **[***c. requirements for the protection of private property or in-*
10 *terests therein occasioned by the use of snowmobiles.]**

1 16. The Director of the Division of Motor Vehicles shall adopt
2 rules and regulations relating to and including, but not limited to:

3 a. Specifications relating to equipment required for safety as
4 provided herein.

5 b. Specifications relating to snowmobile mufflers and the limita-
6 tions on decibels of sound emitted by snowmobiles.

7 c. Establishment of a comprehensive snowmobile information
8 and safety education and training program, including provision for
9 issuance of snowmobile safety certificates for operation of snow-
10 mobiles by youthful operators.

11 d. The regulations pertaining to and the granting of permits for
12 the conduct of all prearranged special events as provided in this
13 act*, *except those conducted on public lands and waters under the*
14 *jurisdiction of the Department of Environmental Protection*.*

1 17. No person under the age of **[10]** **14** years shall operate
2 or be permitted to operate any snowmobile.

1 18. No person shall operate a snowmobile upon controlled access
2 highways or within the right-of-way limits thereof.

3 No person shall operate a snowmobile upon the main traveled
4 portion or the plowed snow banks of any public street or highway
5 except as follows:

6 a. Properly registered snowmobiles may cross, as directly as
7 possible, public streets or highways, except controlled access high-
8 ways, provided that such crossing can be made in safety and that
9 it does not interfere with the free movement of vehicular traffic
10 approaching from either direction on such public street or high-
11 way. Prior to making any such crossing, the operator shall bring
12 the snowmobile to a complete stop. It shall be the responsibility of
13 the operator of a snowmobile to yield the right of way to all
14 vehicular traffic upon any public street or highway before crossing
15 same.

16 b. Whenever it is impracticable to gain immediate access to an
17 area adjacent to a public way where a snowmobile is to be operated,
18 such snowmobile may be operated adjacent and parallel to such
19 public way for the purpose of gaining access to the area of opera-
20 tion. This subsection shall apply to the operation of a snowmobile
21 from the point where it is unloaded from a motorized conveyance
22 to the area where the snowmobile is to be operated, or from the
23 area where operated to a motorized conveyance when such loading
24 or unloading cannot be effected in the immediate vicinity of the
25 area of operation without causing a hazard to vehicular traffic
26 approaching from either direction on said public street or highway.
27 Such loading or unloading must be accomplished with due regard
28 to safety, at the nearest possible point to the area of operation.

29 Under no circumstances, except as provided, is a snowmobile to
30 be operated on the main traveled portion of a street or highway,
31 or that portion of a street or highway that has been plowed or on
32 a snow bank immediately adjacent to the plowed portion of the
33 street or highway, unless such operation is conducted for the sole
34 purpose of crossing a public street or highway as provided above.

35 c. Snowmobiles may be operated on that portion of a public way
36 that is not maintained or utilized for the operation of conventional
37 motor type vehicles.

1 19. It shall be unlawful for:

2 a. Any person to operate any snowmobile in a reckless or care-
3 less manner or at excessive speeds.

4 b. Any person to operate any snowmobile while under the in-
5 fluence of intoxicating beverages or drugs.

6 c. Any person to operate any snowmobile in a manner which is
7 dangerous to persons or property.

8 d. Any person under the age of 14 years to operate any snow-
9 mobile when crossing a public street or highway maintained for
10 travel.

11 e. Any person to operate or ride as a passenger on any snow-
12 mobile without wearing a crash helmet. Any such helmet shall be
13 of a type acceptable for use in conjunction with motorcycles under
14 the New Jersey Motor Vehicle Laws.

15 f. Any person to operate a snowmobile that is not equipped with
16 working head lights, tail lights, brakes and proper mufflers as
17 supplied by the motor manufacturer for the particular model with-
18 out modifications, nor shall any person operate any snowmobile in
19 such a manner as to cause a harsh, objectionable or unreasonable
20 noise.

21 g. Any person to operate a snowmobile at any time and in any
22 manner intended or reasonably to be expected to harass, drive or
23 pursue any wildlife.

24 h. Any person to operate any snowmobile during the hours from
25 $\frac{1}{2}$ hour before sunset to $\frac{1}{2}$ hour after sunrise without having
26 lighted headlights and lighted tail lights.

27 i. Any person to operate any snowmobile on the land of another
28 without first securing the **written** permission of the landowner or
29 his duly authorized representative.

30 **j. Any person to operate a snowmobile upon railroad or right-
31 of-way of an operating railroad, except railroad personnel in the
32 performance of their duties.*

33 *k. Any person to violate any provision of this act or any rule or
34 regulation adopted pursuant to this act.**

1 20. a. No snowmobile shall be operated or permitted to be
2 operated unless the owner thereof has obtained a policy of in-
3 surance, in such language and form as shall be determined by the
4 Commissioner of the Department of Insurance, from an insurance
5 carrier authorized to do business in this State, the terms of which
6 policy shall indemnify any one person sustaining bodily injury or
7 the death of one person in any one accident in the amount of
8 \$10,000.00, and, subject to said limit of one person, to a limit of
9 \$20,000.00, because of bodily injury to or death of two or more per-
10 sons in any one accident, and to a limit of \$5,000.00, because of
11 injury to or destruction of property of others in any one accident,
12 for damages arising out of the negligent operation of said snow-
13 mobile. In lieu of such insurance coverage as hereinabove provided,
14 the director, in his discretion and upon application of the State
15 or a municipality having registered in its name one or more snow-
16 mobiles, may waive the requirement of insurance by a private in-
17 surance carrier and issue a certificate of self-insurance, when he is
18 satisfied of financial ability to respond to judgments obtained

19 against it or them, arising out of the ownership, use or operation of
20 such snowmobile.

21 b. Proof of insurance as hereinabove required shall be produced
22 and displayed by the owner or operator of such snowmobile upon
23 request to any law enforcement officer or to any person who has
24 suffered or claims to have suffered either personal injury or prop-
25 erty damage as a result of the operation of such snowmobile by the
26 owner or operator.

27 c. An owner of a snowmobile who shall operate or permit the
28 same to be operated without having in full force and effect the re-
29 quired liability insurance coverage, and any other person who shall
30 operate any snowmobile with the knowledge that the owner thereof
31 does not have in full force and effect such insurance coverage shall
32 be guilty of a violation of this act and be subject to a fine of not
33 less than \$25.00 nor more than \$100.00.

34 d. The director is hereby authorized to promulgate reasonable
35 regulations to provide effective administration and enforcement of
36 the provisions of this section in accordance with the purposes
37 thereof.

1 21. The operator of any snowmobile involved in an accident
2 resulting in injuries or death of any person or property damage to
3 the estimated amount of \$50.00 or more, or some person acting for
4 him, or the owner of the snowmobile having knowledge of the
5 accident should the operator of the same be unknown, shall im-
6 mediately report any such accident to the nearest law enforcement
7 officer or agency and send a copy to the director.

1 22. The director may authorize the holding of organized special
2 events. He shall adopt and may, from time to time, amend rules and
3 regulations determining the special events which shall be subject
4 to division permit and designating the equipment and facilities
5 necessary for safe operation of snowmobiles and for the safety of
6 operators, participants, and observers in such special events.
7 Whenever such special event requiring permit of the division is
8 proposed to be held in the State of New Jersey, the person in charge
9 thereof shall, at least 60 days prior thereto, file an application with
10 the director to hold such special event. The application shall set
11 forth the date of and location where it is proposed to hold such rally,
12 race, exhibition, or organized event, and such other information as
13 the director may require, and it shall not be conducted without
14 written authorization of the director. Copies of such regulations
15 shall be furnished by the division to any person making an applica-
16 tion therefor.

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

1 23. Snowmobiles operated at special events shall be exempt from
2 the provisions of this act concerning registration, mufflers and
3 lights during the time of such operation, including all prerace
4 practice at the location of said meet.

1 24. All snowmobiles operating within the State of New Jersey
2 shall be equipped with:

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

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

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

12 d. Reflector material. Reflector material of a minimum area of
13 16 square inches mounted on each side of the cowling. Registration
14 numbers or other decorative material, may be included in computing
15 the required 16-square-inch area.

16 e. Mufflers. An adequate muffler system in good working con-
17 dition. From and after June 1, 1973, no snowmobile manufactured
18 after June 1, 1973, shall be sold or offered for sale, unless it is
19 equipped with a muffler that limits engine noise to not more than 82
20 decibels as measured on the "A" scale at 50 feet. From and after
21 June 1, 1975, no such snowmobile manufactured after June 1, 1975,
22 shall be sold or offered for sale unless such muffler system limits
23 engine noise to not more than 73 decibels.

1 25. Inspection and testing. The director may adopt rules and
2 regulations with respect to the inspection of snowmobiles and the
3 testing of snowmobile mufflers.

1 26. No person shall have for sale, sell, or offer for sale in this
2 State any snowmobile which fails to comply with the provisions of
3 this act or which does not comply with the specifications for such
4 equipment required by the rules and regulations of the director
5 after the effective date of such rules and regulations.

1 27. No person under the age of 14 years shall operate a snow-
2 mobile * [except upon lands owned or leased by his parent or
3 guardian unless he is accompanied by a person 14 years of age or
4 over. "Leased lands" as herein used shall not include lands leased

5 by an organization of which said operator or his parent or guardian
6 is a member].

1 ***[28.** Snowmobile safety certificate. On and after October 1,
2 1973, except as otherwise provided in this act, no person 10 years
3 and over and who has not reached his fourteenth birthday shall
4 operate a snowmobile in this State, except upon lands of his parent
5 or guardian unless and until he has received safety training as pre-
6 scribed by the director and has received the appropriate snowmobile
7 safety certificate issued by the director.]*

1 ***[29.** The failure of such a youthful operator to exhibit a snow-
2 mobile safety certificate upon demand to any officer having au-
3 thority to enforce the provisions of this act, shall be presumptive
4 evidence that such person is not the holder of such certificate.]*

1 ***[30.** After October 1, 1973, no owner of a snowmobile shall au-
2 thorize or permit the operation thereof within the State by any
3 person under the age of 14 years unless the operator is the holder
4 of a valid snowmobile safety certificate or except as authorized by
5 this act.]*

1 ***[31.]** *28.* Whenever any snowmobile meets with an accident
2 involving a loss of life, personal injury or damage to property and
3 the operator thereof has knowledge of such accident, he shall stop
4 and give his name and address, the name and address of the owner
5 thereof and the registration number assigned to said snowmobile
6 to the injured person or the person sustaining the damage, or to
7 a police officer, or in case no police officer nor the person sustaining
8 the damage is present at the place where the damage occurred then
9 he shall immediately report as soon as physically able, the same to
10 the nearest law enforcement agency.

1 ***[32.]** *29.* A police, sheriff, judicial officer or State police
2 officer who investigates or receives information of an accident in-
3 volving a snowmobile shall make a written report of the investiga-
4 tion or information received, and such additional facts relating to
5 the accident as may come to his knowledge and mail the same
6 within 48 hours to the division and keep a record thereof in his
7 office.

1 ***[33.]** *30.* Failure of such persons to give notice of any acci-
2 dent requiring notice shall be prima facie evidence that such acci-
3 dent was not reported.

1 ***[34.]** *31.* Every law enforcement officer in the State, includ-
2 ing authorized officers of the Division of Motor Vehicles, Depart-
3 ment of Environmental Protection, forest rangers and State park
4 police and other designated officers and employees of the depart-
5 ment shall enforce this act **within their respective jurisdictions**.

1 ***[35.]*** *32.* The director shall be authorized to prescribe the
2 form of summons and complaint on all cases involving a violation
3 of any provision of this act or of any ordinance, rule or regulation
4 relating to snowmobiles, or of any class or category of such cases,
5 and to establish procedures for proper administrative controls over
6 the disposition thereof.

1 ***[36.]*** *33.* The chief executive officer of each local police force
2 including county or municipal police departments, sheriffs, and the
3 Superintendent of State Police shall prepare or cause to be pre-
4 pared such records and reports as may be prescribed hereunder.

1 ***[37.]*** *34.* The director shall have the power to adopt such
2 rules and regulations as may be deemed necessary to accomplish
3 the purposes and enforce the provisions of this section including
4 requirements for reporting by trial courts having jurisdiction over
5 snowmobile violations.

6 Any person who disposes of any uniform snowmobile summons or
7 complaint in any other manner than that prescribed by law, rule or
8 regulation shall be guilty of a misdemeanor.

1 ***[38.]*** *35.* When a snowmobile summons has been served by a
2 peace officer in cases of violation of any provision of this act or any
3 ordinance, rule or regulation enacted pursuant thereto or pursuant
4 to any other law relating to snowmobiles, any chief, deputy chief,
5 captain, lieutenant or acting lieutenant, sergeant, or acting ser-
6 geant of a police department, or any sheriff, undersheriff, chief
7 deputy, deputy sergeant or deputy in charge of snowmobiles main-
8 tained by any sheriff in any county to whom the service of the
9 snowmobile summons is reported, is hereby authorized to admin-
10 ister to such peace officer all necessary oaths in connection with the
11 execution of the complaint to be presented in court by such peace
12 officer in the prosecution of such offense, but a complaint need not
13 be verified provided it shall be affirmed under penalty of perjury.

1 ***[39.]*** *36.* An action to recover any penalty imposed under
2 the provisions of this act may be brought in any court of competent
3 jurisdiction in this State on order of the director *or the Depart-
4 ment of Environmental Protection* and in the name of the people
5 of the State of New Jersey. In any action all penalties incurred
6 up to the time of commencing the action may be sued for and re-
7 covered therein and the commencement of an action to recover any
8 such penalty shall not be, or be held to be, a waiver of the right to
9 recover any other penalty. In case of recovery of any amount in
10 an action brought to recover any such penalty the people shall be
11 entitled to recover full costs, of course, and at the rates provided
12 for civil actions.

1 ***[40.]*** *37.* No person shall be excused from testifying or
2 producing any books, papers or other documents in any civil action
3 to recover any such penalty, upon the ground that his testimony
4 might tend to convict him of a crime, or to subject him to a penalty
5 or forfeiture. But no person shall be prosecuted, punished or sub-
6 jected to any penalty of forfeiture for or on account of any such
7 act, transaction, matter or thing concerning which he shall, under
8 oath, have testified or produced documentary evidence and no testi-
9 mony so given or produced shall be received against him upon any
10 criminal investigation or proceeding; provided, however, that no
11 person so testifying shall be exempt from prosecution or punish-
12 ment for any perjury committed by him in his testimony. Nothing
13 herein contained is intended to give, or shall be construed as in any
14 manner giving, unto any corporation, immunity of any kind.

1 ***[41.]*** *38.* A defendant charged with a violation of any pro-
2 vision of this act may himself plead guilty to the charge in open
3 court. He may also submit to the judge having jurisdiction, in
4 person, by duly authorized agent, or by registered mail, a state-
5 ment, a. that he waives arraignment in open court and the aid of
6 counsel, b. that he pleads guilty to the offense as charged, c. that he
7 elects and requests that the charge be disposed of and the fine or
8 penalty fixed by the court, d. any explanation that he desires to
9 make concerning the offense charged, and e. that he makes all
10 statements under penalty of perjury. Thereupon the judge may
11 proceed as though the defendant had been convicted upon a plea of
12 guilty in open court, provided, however, that any imposition of
13 fine or penalty hereunder shall be deemed tentative until such fine
14 or penalty shall have been paid and discharged in full. If upon
15 receipt of the aforesaid statement the judge shall deny the same, he
16 shall thereupon notify the defendant of this fact, and that he is
17 required to appear before the said magistrate at a stated time and
18 place to answer the charge which shall thereafter be disposed of
19 pursuant to the applicable provisions of law.

1 ***[42.]*** *39.* The court or judge before whom any person shall
2 be tried, or the clerk of the court, if there be a clerk, shall at the
3 termination of such trial or proceeding, forthwith mail or deliver
4 to the division a certified statement of the disposition of the case or
5 proceeding, giving the date thereof, the name of the defendant, the
6 date and place of the violation, the name of each witness sworn in
7 support of the charges, and the amount of the fine or penalty paid.

1 ***[43.]*** *40.* The provisions of sections ***[39 to 43]*** *36 to
2 40* shall in no way prohibit the prosecution of violations of this act
3 in any court of competent jurisdiction in the same manner as other
4 offenses and crimes.

1 ***[44.]*** *41.* Any person who shall violate any provisions of this
2 act or any rule or regulation ***[of the division]*** promulgated pur-
3 suant to this act shall be guilty of a violation and be punished by a
4 fine of not ***[less than \$5.00 nor]*** more than \$100.00.

1 ***[45.]*** *42.* The director may suspend or revoke a dealer's
2 registration certificate, a snowmobile safety certificate and permits
3 for special events upon satisfactory proof of violation of any pro-
4 visions of this act or rules and regulations promulgated pursuant
5 thereto. Upon said suspension or revocation all rights and
6 privileges accruing to such registrant, youthful operator or per-
7 mittee shall terminate.

1 ***[46.]*** *43.* On the first day of each month or within 10 days
2 thereafter, all fines and penalties collected for violations of this act
3 under judgment of any court, shall be paid over by such court or
4 justice to the State Treasurer, with a statement accompanying the
5 same, setting forth the action or proceeding in which such moneys
6 were collected, the name and residence of the defendant, the nature
7 of the offense, and the fines and penalty imposed.

1 ***[47.]*** *44.* The director shall deposit all moneys received by
2 him from the registration of snowmobiles, the sale of snowmobile
3 registration information, snowmobile publications and other
4 services provided by the department, all fines and penalties result-
5 ing from violations of this act in regard to the operation and use of
6 snowmobiles and all fees collected by him under this act to the
7 credit of the General Treasury.

1 ***[48.]*** *45.* ***[It is the intent that upon the enactment of this act**
2 into law all proceedings undertaken thereafter relative to the
3 operation and use of snowmobiles in the State, as defined in this act,
4 shall be administered under the authority of and by the provisions
5 contained in this act.]* If any clause, sentence, paragraph or part
6 of this act shall, for any reason be adjudged by any court of
7 competent jurisdiction to be invalid, such judgment shall not affect,
8 impair or invalidate the remainder thereof but shall be confined in
9 its operation to the clause, sentence, paragraph or part thereof,
10 directly involved in the controversy in which such judgment shall
11 have been rendered.

1 ***[49.]*** *46.* This act shall take effect 120 days after its
2 enactment.

ASSEMBLY, No. 870

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1972

By Assemblymen LITTELL, IMPERIALE, WEIDEL, FORAN,
EVERS, BASSANO, PARETI, SPIZZIRI, RYS, HURLEY and
WOODSON

Referred to Committee on Agriculture, Conservation and
Natural Resources

AN ACT concerning snowmobiles and providing for their registra-
tion and regulating the operation thereof.

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

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Environmental
3 Protection of the Department of Environmental Protection.

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

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

13 d. "Dealer" means every person engaged in the business of buy-
14 ing, selling or exchanging snowmobiles at wholesale or retail, and
15 who has an established place of business.

16 e. "Special event" means an organized race, exhibition or demon-
17 stration of limited duration which is conducted according to a pre-
18 arranged schedule and in which general public interest is
19 manifested.

20 f. "Snowmobile operator's certificate" means a certificate issued
21 by the Director of the Division of Motor Vehicles evidencing that
22 the holder thereof has successfully completed an approved course
23 of instruction in snowmobile operation and safety as hereinafter
24 provided.

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

2 a. the director shall have the power, duty and authority to admin-
3 ister and enforce all statutes, rules and regulations, except as other-
4 wise provided by statute, relating to the operation and use of snow-
5 mobiles within the State, including but not limited to the following:

- 6 (1) registration, identification, numbering and classification
7 (2) equipment
8 (3) standards of safety
9 (4) educational programs
10 (5) promulgate rules and regulation to effectuate the purposes
11 of this act.

12 b. the Commissioner of Environmental Protection shall have the
13 power, duty and authority to administer and enforce all statutes,
14 rules and regulations, except as otherwise provided by statute,
15 relating to the operation and use of snowmobiles within the State,
16 including:

- 17 (1) use on State land and waters
18 (2) promulgate rules and regulations to effectuate the purposes
19 of this act.

1 3. Except as otherwise provided, no snowmobile shall be operated
2 or permitted to be operated within the jurisdiction of this State
3 unless registered by the owner thereof as provided by this act. The
4 Director of the Division of Motor Vehicles in the Department of
5 Law and Public Safety is authorized to register and assign a
6 registration number to all snowmobiles, upon application and pay-
7 ment of the appropriate fee in accordance with the following
8 schedule:

- 9 a. for each certificate of ownership, \$3.00 initially;
10 b. for each individual resident registration, \$5.00 annually;
11 c. for each individual nonresident registration, \$7.00 annually;
12 d. for each dealer registration, \$25.00 annually;
13 e. for replacement of lost, mutilated or destroyed certificate,
14 \$3.00;
15 f. for a duplicate registration, \$1.00 at the time of issuance.

16 All such registrations shall be valid for a period of 1 year unless,
17 prior to expiration of the 1-year period, it is surrendered, cancelled,
18 revoked or suspended pursuant to the provisions of this act.

1 4. Once a registration number is assigned, it shall remain with
2 the registered snowmobile until the snowmobile is destroyed,
3 abandoned or permanently removed from the State, or until
4 changed or terminated by the director.

1 5. Such registrations shall be issued by the director or by agents
2 as designated by him and shall be in such form as the director shall

3 prescribe. The registration certificate shall be subject to inspection
4 by any law enforcement officer on demand and shall be on the
5 vehicle at all times when in operation.

6 The registration number assigned to any snowmobile shall be dis-
7 played on each side of the vehicle in such form, location and manner
8 as prescribed by the director.

9 Whenever ownership is transferred or the use of a snowmobile
10 for which a registration certificate has already been issued is dis-
11 continued, the old registration shall be properly signed and ex-
12 ecuted by the owner, showing that the ownership of the snowmobile
13 has been transferred or its use discontinued, and returned to the
14 director within 10 days of said event. If there is a change of owner-
15 ship of a snowmobile for which a registration certificate has been
16 previously issued, the new owner shall apply for a new registration
17 certificate and set forth the original number in the application. He
18 shall pay the regular fee for the particular snowmobile involved.
19 The owner of any registration certificate issued under this section
20 may obtain a duplicate from the division upon application and pay-
21 ment of the fee prescribed.

1 6. No registration shall be required:

2 a. For a snowmobile owned and operated over the snow on land
3 on which a person lives or on lands to which he has a contractual
4 right on which he is domiciled;

5 b. For a snowmobile operated by a commercial ski area for the
6 purpose of packing snow or for rescue operations thereon, unless
7 the vehicle is required to cross a public way during such operation,
8 in which case such registration certificate shall be required;

9 c. For a snowmobile owned by the Federal Government, the
10 State, county or municipal government or subdivision thereof.

1 7. Any person who is in the business of selling snowmobiles in the
2 State shall register as a dealer and secure a dealer's license from
3 the director.

4 Such license shall permit him to demonstrate snowmobiles for the
5 purpose of sale only and he does not need to be individually regis-
6 tered. Such dealer shall display his dealer's number on each snow-
7 mobile being demonstrated. Upon the sale of said snowmobile, it
8 shall then become the responsibility of the owner to register such
9 vehicle.

10 The dealer's license fee shall be \$25.00 and the license shall be
11 renewable on July 1 of each year.

12 The director may issue temporary numbers and registrations to
13 bona fide dealers who request them subject to such rules and regu-

14 lations as he may deem necessary. The director shall receive a fee
15 of \$1.00 for each temporary plate.

16 Upon the sale or exchange by a dealer of any snowmobile which
17 requires numbering and registration, the purchaser may secure
18 from the dealer a temporary number and registration to operate
19 said snowmobile for a period of 10 consecutive days immediately
20 following the date of sale, provided that the purchaser shall make
21 application for a registration certificate and certificate of ownership
22 from the director to replace the temporary number and registration
23 certificate. The application and fee for the certificate of ownership,
24 together with a copy of the temporary registration issued by the
25 dealer, shall be forwarded by said dealer to the director within 48
26 hours after the date of sale of the vehicle. The dealer shall affix the
27 temporary number to the vehicle in a conspicuous place and shall
28 clearly mark thereon the date issued, date of expiration and his
29 New Jersey dealer's number.

30 The temporary number is nontransferable and must be conspic-
31 uously displayed on the vehicle. The operator of such vehicle shall
32 have the temporary registration in his possession at all times while
33 the vehicle is in operation. After the expiration of the 10-day
34 period, the owner must remove and discard the temporary number.

1 8. The registration provisions of this act shall not apply to non-
2 resident owners who have complied with the registration and licens-
3 ing laws of the state, province, district or country of residence,
4 provided that the snowmobile is appropriately identified in
5 accordance with the laws of the state of residence. Nothing in this
6 section shall be construed to authorize the operation of any snow-
7 mobile contrary to the provisions of this act.

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

10 b. Dealer registration number shall conform to the requirements
11 set forth in subparagraph (a) of this section with the exception
12 that the numbers assigned may be printed upon or attached to a
13 removable plaque or plaques to be temporarily but firmly affixed to
14 the snowmobile being demonstrated or tested.

15 c. Numbers issued to dealers and manufacturers for the purpose
16 of demonstrating or testing, shall be used exclusively for these
17 purposes and no other use is permitted.

1 10. Every person operating a snowmobile registered or trans-
2 ferred in accordance with any of the provisions of this act shall
3 upon demand of any peace officer, law enforcement officer, duly au-
4 thorized official of the Department of Environmental Protection,
5 police officer or motor vehicle inspector, produce for inspection the
6 certificate of registration for such snowmobile and shall furnish to
7 such officer any information necessary for the identification of such
8 snowmobile and its owner. The failure to produce the certificate of
9 registration as provided herein shall be presumptive evidence in
10 any court of competent jurisdiction of operating a snowmobile
11 which is not registered as required by this act.

1 11. It shall be the duty of every owner holding a certificate of
2 registration to notify the division, in writing, of any change of
3 residence of such person within 10 days after such change occurs,
4 and to inscribe on such certificate, in the place provided, a record
5 of such change of residence.

1 12. Whenever the ownership of a snowmobile is transferred or
2 the use of a snowmobile for which a registration certificate has
3 already been issued is discontinued, the old registration certificate
4 shall be properly signed and executed by the owner showing that
5 the ownership of the snowmobile has been transferred or its use
6 discontinued and returned to the division within 10 days after
7 transfer or discontinuance. If there is a change of ownership of a
8 snowmobile for which a registration certificate has previously been
9 issued, the new owner shall apply for a new certificate. He shall
10 set forth the original number issued in the application accompanied
11 by the old registration properly signed by the previous owner and
12 with the required fee of \$5.00 submit to the division, for registra-
13 tion. In the event that such snowmobile was purchased through a
14 bona fide dealer then said application must be accompanied by a
15 dealer's form, as prescribed by the director, numbered, completed
16 and signed by the dealer, or his agent and signed by the new owner.

1 13. It shall be the duty of every owner of a snowmobile registered
2 pursuant to this act to notify the division, in writing, of the destruc-
3 tion, theft or permanent removal of such snowmobile from the
4 State, within 10 days thereafter; and in the event of the destruction
5 or theft of such, shall surrender the certificate of registration with
6 such notice.

1 14. No political subdivision of the State shall require additional

2 licensing or registration of snowmobiles which are covered by the
3 provisions of this act.

4 Nothing herein shall however prohibit the requirement of a
5 permit by State or local parks for use of snowmobiles on park lands.

1 15. With a view of achieving maximum use of snowmobiles and
2 minimizing the detrimental effect thereof upon the environment, the
3 commissioner shall adopt rules and regulations relating to and in-
4 cluding, but not limited to, the following:

5 a. use of snowmobiles insofar as fish, wildlife and plantlife
6 resources are affected;

7 b. use of snowmobiles on public lands and waters under the juris-
8 diction of the Department of Environmental Protection.

9 c. requirements for the protection of private property or in-
10 terests therein occasioned by the use of snowmobiles.

1 16. The Director of the Division of Motor Vehicles shall adopt
2 rules and regulations relating to and including, but not limited to:

3 a. Specifications relating to equipment required for safety as
4 provided herein.

5 b. Specifications relating to snowmobile mufflers and the limita-
6 tions on decibels of sound emitted by snowmobiles.

7 c. Establishment of a comprehensive snowmobile information
8 and safety education and training program, including provision for
9 issuance of snowmobile safety certificates for operation of snow-
10 mobiles by youthful operators.

11 d. The regulations pertaining to and the granting of permits for
12 the conduct of all prearranged special events as provided in this act.

1 17. No person under the age of 10 years shall operate or be per-
2 mitted to operate any snowmobile.

1 18. No person shall operate a snowmobile upon controlled access
2 highways or within the right-of-way limits thereof.

3 No person shall operate a snowmobile upon the main traveled
4 portion or the plowed snow banks of any public street or highway
5 except as follows:

6 a. Properly registered snowmobiles may cross, as directly as
7 possible, public streets or highways, except controlled access high-
8 ways, provided that such crossing can be made in safety and that
9 it does not interfere with the free movement of vehicular traffic
10 approaching from either direction on such public street or high-
11 way. Prior to making any such crossing, the operator shall bring
12 the snowmobile to a complete stop. It shall be the responsibility of
13 the operator of a snowmobile to yield the right of way to all
14 vehicular traffic upon any public street or highway before crossing
15 same.

16 b. Whenever it is impracticable to gain immediate access to an
17 area adjacent to a public way where a snowmobile is to be operated,
18 such snowmobile may be operated adjacent and parallel to such
19 public way for the purpose of gaining access to the area of opera-
20 tion. This subsection shall apply to the operation of a snowmobile
21 from the point where it is unloaded from a motorized conveyance
22 to the area where the snowmobile is to be operated, or from the
23 area where operated to a motorized conveyance when such loading
24 or unloading cannot be effected in the immediate vicinity of the
25 area of operation without causing a hazard to vehicular traffic
26 approaching from either direction on said public street or highway.
27 Such loading or unloading must be accomplished with due regard
28 to safety, at the nearest possible point to the area of operation.

29 Under no circumstances, except as provided, is a snowmobile to
30 be operated on the main traveled portion of a street or highway,
31 or that portion of a street or highway that has been plowed or on
32 a snow bank immediately adjacent to the plowed portion of the
33 street or highway, unless such operation is conducted for the sole
34 purpose of crossing a public street or highway as provided above.

35 c. Snowmobiles may be operated on that portion of a public way
36 that is not maintained or utilized for the operation of conventional
37 motor type vehicles.

1 19. It shall be unlawful for:

2 a. Any person to operate any snowmobile in a reckless or care-
3 less manner or at excessive speeds.

4 b. Any person to operate any snowmobile while under the in-
5 fluence of intoxicating beverages or drugs.

6 c. Any person to operate any snowmobile in a manner which is
7 dangerous to persons or property.

8 d. Any person under the age of 14 years to operate any snow-
9 mobile when crossing a public street or highway maintained for
10 travel.

11 e. Any person to operate or ride as a passenger on any snow-
12 mobile without wearing a crash helmet. Any such helmet shall be
13 of a type acceptable for use in conjunction with motorcycles under
14 the New Jersey Motor Vehicle Laws.

15 f. Any person to operate a snowmobile that is not equipped with
16 working head lights, tail lights, brakes and proper mufflers as
17 supplied by the motor manufacturer for the particular model with-
18 out modifications, nor shall any person operate any snowmobile in
19 such a manner as to cause a harsh, objectionable or unreasonable
20 noise.

21 g. Any person to operate a snowmobile at any time and in any
22 manner intended or reasonably to be expected to harass, drive or
23 pursue any wildlife.

24 h. Any person to operate any snowmobile during the hours from
25 $\frac{1}{2}$ hour before sunset to $\frac{1}{2}$ hour after sunrise without having
26 lighted headlights and lighted tail lights.

27 i. Any person to operate any snowmobile on the land of another
28 without first securing the permission of the landowner or his duly
29 authorized representative.

1 20. a. No snowmobile shall be operated or permitted to be
2 operated unless the owner thereof has obtained a policy of in-
3 surance, in such language and form as shall be determined by the
4 Commissioner of the Department of Insurance, from an insurance
5 carrier authorized to do business in this State, the terms of which
6 policy shall indemnify any one person sustaining bodily injury or
7 the death of one person in any one accident in the amount of
8 \$10,000.00, and, subject to said limit of one person, to a limit of
9 \$20,000.00, because of bodily injury to or death of two or more per-
10 sons in any one accident, and to a limit of \$5,000.00, because of
11 injury to or destruction of property of others in any one accident,
12 for damages arising out of the negligent operation of said snow-
13 mobile. In lieu of such insurance coverage as hereinabove provided,
14 the director, in his discretion and upon application of the State
15 or a municipality having registered in its name one or more snow-
16 mobiles, may waive the requirement of insurance by a private in-
17 surance carrier and issue a certificate of self-insurance, when he is
18 satisfied of financial ability to respond to judgments obtained
19 against it or them, arising out of the ownership, use or operation of
20 such snowmobile.

21 b. Proof of insurance as hereinabove required shall be produced
22 and displayed by the owner or operator of such snowmobile upon
23 request to any law enforcement officer or to any person who has
24 suffered or claims to have suffered either personal injury or prop-
25 erty damage as a result of the operation of such snowmobile by the
26 owner or operator.

27 c. An owner of a snowmobile who shall operate or permit the
28 same to be operated without having in full force and effect the re-
29 quired liability insurance coverage, and any other person who shall
30 operate any snowmobile with the knowledge that the owner thereof
31 does not have in full force and effect such insurance coverage shall
32 be guilty of a violation of this act and be subject to a fine of not
33 less than \$25.00 nor more than \$100.00.

34 d. The director is hereby authorized to promulgate reasonable
35 regulations to provide effective administration and enforcement of
36 the provisions of this section in accordance with the purposes
37 thereof.

1 21. The operator of any snowmobile involved in an accident
2 resulting in injuries or death of any person or property damage to
3 the estimated amount of \$50.00 or more, or some person acting for
4 him, or the owner of the snowmobile having knowledge of the
5 accident should the operator of the same be unknown, shall im-
6 mediately report any such accident to the nearest law enforcement
7 officer or agency and send a copy to the director.

1 22. The director may authorize the holding of organized special
2 events. He shall adopt and may, from time to time, amend rules and
3 regulations determining the special events which shall be subject
4 to division permit and designating the equipment and facilities
5 necessary for safe operation of snowmobiles and for the safety of
6 operators, participants, and observers in such special events.
7 Whenever such special event requiring permit of the division is
8 proposed to be held in the State of New Jersey, the person in charge
9 thereof shall, at least 60 days prior thereto, file an application with
10 the director to hold such special event. The application shall set
11 forth the date of and location where it is proposed to hold such rally,
12 race, exhibition, or organized event, and such other information as
13 the director may require, and it shall not be conducted without
14 written authorization of the director. Copies of such regulations
15 shall be furnished by the division to any person making an applica-
16 tion therefor.

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

1 23. Snowmobiles operated at special events shall be exempt from
2 the provisions of this act concerning registration, mufflers and
3 lights during the time of such operation, including all prerace
4 practice at the location of said meet.

1 24. All snowmobiles operating within the State of New Jersey
2 shall be equipped with:

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

7 b. Tail light. At least one red taillamp having a minimum candle-
8 power of sufficient intensity to exhibit a red light plainly visible

9 from a distance of 500 feet to the rear during hours of darkness
10 under normal atmospheric conditions.

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

12 d. Reflector material. Reflector material of a minimum area of
13 16 square inches mounted on each side of the cowling. Registration
14 numbers or other decorative material, may be included in computing
15 the required 16-square-inch area.

16 e. Mufflers. An adequate muffler system in good working con-
17 dition. From and after June 1, 1973, no snowmobile manufactured
18 after June 1, 1973, shall be sold or offered for sale, unless it is
19 equipped with a muffler that limits engine noise to not more than 82
20 decibels as measured on the "A" scale at 50 feet. From and after
21 June 1, 1975, no such snowmobile manufactured after June 1, 1975,
22 shall be sold or offered for sale unless such muffler system limits
23 engine noise to not more than 73 decibels.

1 25. Inspection and testing. The director may adopt rules and
2 regulations with respect to the inspection of snowmobiles and the
3 testing of snowmobile mufflers.

1 26. No person shall have for sale, sell, or offer for sale in this
2 State any snowmobile which fails to comply with the provisions of
3 this act or which does not comply with the specifications for such
4 equipment required by the rules and regulations of the director
5 after the effective date of such rules and regulations.

1 27. No person under the age of 14 years shall operate a snow-
2 mobile except upon lands owned or leased by his parent or guardian,
3 unless he is accompanied by a person 14 years of age or over.
4 "Leased lands" as herein used shall not include lands leased by an
5 organization of which said operator or his parent or guardian is a
6 member.

1 28. Snowmobile safety certificate. On and after October 1, 1973,
2 except as otherwise provided in this act, no person 10 years and
3 over and who has not reached his fourteenth birthday shall operate
4 a snowmobile in this State, except upon lands of his parent or
5 guardian unless and until he has received safety training as pre-
6 scribed by the director and has received the appropriate snowmobile
7 safety certificate issued by the director.

1 29. The failure of such a youthful operator to exhibit a snow-
2 mobile safety certificate upon demand to any officer having au-
3 thority to enforce the provisions of this act, shall be presumptive
4 evidence that such person is not the holder of such certificate.

1 30. After October 1, 1973, no owner of a snowmobile shall au-
2 thorize or permit the operation thereof within the State by any
3 person under the age of 14 years unless the operator is the holder

4 of a valid snowmobile safety certificate or except as authorized by
5 this act.

1 31. Whenever any snowmobile meets with an accident involving
2 a loss of life, personal injury or damage to property and the op-
3 erator thereof has knowledge of such accident, he shall stop and
4 give his name and address, the name and address of the owner
5 thereof and the registration number assigned to said snowmobile
6 to the injured person or the person sustaining the damage, or to
7 a police officer, or in case no police officer nor the person sustaining
8 the damage is present at the place where the damage occurred then
9 he shall immediately report as soon as physically able, the same to
10 the nearest law enforcement agency.

1 32. A police, sheriff, judicial officer or State police officer who
2 investigates or receives information of an accident involving a
3 snowmobile shall make a written report of the investigation or in-
4 formation received, and such additional facts relating to the accident
5 as may come to his knowledge and mail the same within 48 hours to
6 the division and keep a record thereof in his office.

1 33. Failure of such persons to give notice of any accident requir-
2 ing notice shall be prima facie evidence that such accident was not
3 reported.

1 34. Every law enforcement officer in the State, including autho-
2 rized officers of the Division of Motor Vehicles, Department of
3 Environmental Protection, forest rangers and State park police
4 and other designated officers and employees of the department shall
5 enforce this act.

1 35. The director shall be authorized to prescribe the form of
2 summons and complaint on all cases involving a violation of any
3 provision of this act or of any ordinance, rule or regulation relating
4 to snowmobiles, or of any class or category of such cases, and to
5 establish procedures for proper administrative controls over the
6 disposition thereof.

1 36. The chief executive officer of each local police force including
2 county or municipal police departments, sheriffs, and the Superin-
3 tendent of State Police shall prepare or cause to be prepared such
4 records and reports as may be prescribed hereunder.

1 37. The director shall have the power to adopt such rules and
2 regulations as may be deemed necessary to accomplish the pur-
3 poses and enforce the provisions of this section including require-
4 ments for reporting by trial courts having jurisdiction over snow-
5 mobile violations.

6 Any person who disposes of any uniform snowmobile summons or

7 complaint in any other manner than that prescribed by law, rule or
8 regulation shall be guilty of a misdemeanor.

1 38. When a snowmobile summons has been served by a peace
2 officer in cases of violation of any provision of this act or any
3 ordinance, rule or regulation enacted pursuant thereto or pursuant
4 to any other law relating to snowmobiles, any chief, deputy chief,
5 captain, lieutenant or acting lieutenant, sergeant, or acting ser-
6 geant of a police department, or any sheriff, undersheriff, chief
7 deputy, deputy sergeant or deputy in charge of snowmobiles main-
8 tained by any sheriff in any county to whom the service of the
9 snowmobile summons is reported, is hereby authorized to admin-
10 ister to such peace officer all necessary oaths in connection with the
11 execution of the complaint to be presented in court by such peace
12 officer in the prosecution of such offense, but a complaint need not
13 be verified provided it shall be affirmed under penalty of perjury.

1 39. An action to recover any penalty imposed under the provi-
2 tions of this act may be brought in any court of competent jurisdic-
3 tion in this State on order of the director and in the name of the
4 people of the State of New Jersey. In any action all penalties in-
5 curred up to the time of commencing the action may be sued for
6 and recovered therein and the commencement of an action to re-
7 cover any such penalty shall not be, or be held to be, a waiver of
8 the right to recover any other penalty. In case of recovery of any
9 amount in an action brought to recover any such penalty the people
10 shall be entitled to recover full costs, of course, and at the rates
11 provided for civil actions.

1 40. No person shall be excused from testifying or producing any
2 books, papers or other documents in any civil action to recover any
3 such penalty, upon the ground that his testimony might tend to
4 convict him of a crime, or to subject him to a penalty or forfeiture.
5 But no person shall be prosecuted, punished or subjected to any
6 penalty of forfeiture for or on account of any such act, transaction,
7 matter or thing concerning which he shall, under oath, have testified
8 or produced documentary evidence and no testimony so given or
9 produced shall be received against him upon any criminal investiga-
10 tion or proceeding; provided, however, that no person so testifying
11 shall be exempt from prosecution or punishment for any perjury
12 committed by him in his testimony. Nothing herein contained is
13 intended to give, or shall be construed as in any manner giving,
14 unto any corporation, immunity of any kind.

1 41. A defendant charged with a violation of any provision of
2 this act may himself plead guilty to the charge in open court. He
3 may also submit to the judge having jurisdiction, in person, by duly

4 authorized agent, or by registered mail, a statement, a. that he
5 waives arraignment in open court and the aid of counsel, b. that
6 he pleads guilty to the offense as charged, c. that he elects and
7 requests that the charge be disposed of and the fine or penalty
8 fixed by the court, d. any explanation that he desires to make con-
9 cerning the offense charged, and e. that he makes all statements
10 under penalty of perjury. Thereupon the judge may proceed as
11 though the defendant had been convicted upon a plea of guilty in
12 open court, provided, however, that any imposition of fine or
13 penalty hereunder shall be deemed tentative until such fine or
14 penalty shall have been paid and discharged in full. If upon receipt
15 of the aforesaid statement the judge shall deny the same, he shall
16 thereupon notify the defendant of this fact, and that he is required
17 to appear before the said magistrate at a stated time and place to
18 answer the charge which shall thereafter be disposed of pursuant
19 to the applicable provisions of law.

1 42. The court or judge before whom any person shall be tried, or
2 the clerk of the court, if there be a clerk, shall at the termination of
3 such trial or proceeding, forthwith mail or deliver to the division a
4 certified statement of the disposition of the case or proceeding,
5 giving the date thereof, the name of the defendant, the date and
6 place of the violation, the name of each witness sworn in support
7 of the charges, and the amount of the fine or penalty paid.

1 43. The provisions of sections 39 to 43 shall in no way prohibit
2 the prosecution of violations of this act in any court of competent
3 jurisdiction in the same manner as other offenses and crimes.

1 44. Any person who shall violate any provisions of this act or
2 any rule or regulation of the division promulgated pursuant to this
3 act shall be guilty of a violation and be punished by a fine of not
4 less than \$5.00 nor more than \$100.00.

1 45. The director may suspend or revoke a dealer's registration
2 certificate, a snowmobile safety certificate and permits for special
3 events upon satisfactory proof of violation of any provisions of
4 this act or rules and regulations promulgated pursuant thereto.
5 Upon said suspension or revocation all rights and privileges accru-
6 ing to such registrant, youthful operator or permittee shall
7 terminate.

1 46. On the first day of each month or within 10 days thereafter,
2 all fines and penalties collected for violations of this act under
3 judgment of any court, shall be paid over by such court or justice
4 to the State Treasurer, with a statement accompanying the same,
5 setting forth the action or proceeding in which such moneys were

6 collected, the name and residence of the defendant, the nature of
7 the offense, and the fines and penalty imposed.

1 47. The director shall deposit all moneys received by him from
2 the registration of snowmobiles, the sale of snowmobile registration
3 information, snowmobile publications and other services provided
4 by the department, all fines and penalties resulting from violations
5 of this act in regard to the operation and use of snowmobiles and
6 all fees collected by him under this act to the credit of the General
7 Treasury.

1 48. It is the intent that upon the enactment of this act into law
2 all proceedings undertaken thereafter relative to the operation and
3 use of snowmobiles in the State, as defined in this act, shall be
4 administered under the authority of and by the provisions contained
5 in this act. If any clause, sentence, paragraph or part of this act
6 shall, for any reason be adjudged by any court of competent juris-
7 diction to be invalid, such judgment shall not affect, impair or
8 invalidate the remainder thereof but shall be confined in its opera-
9 tion to the clause, sentence, paragraph or part thereof, directly in-
10 volved in the controversy in which such judgment shall have been
11 rendered.

1 49. This act shall take effect 120 days after its enactment.

ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 870

[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED NOVEMBER 19, 1973

Amend page 1, section 1, line 6, delete "engine-drawn", and insert "motor".

Amend page 1, section 1, line 8, delete ", low-pressure tires".

Amend page 1, section 1, line 12, delete "or law enforcement".

Amend page 1, section 1, lines 13-15, delete in their entirety.

Amend page 1, section 1, line 16, delete "e" and insert "d".

Amend page 1, section 1, lines 20-22, delete in their entirety.

Amend page 2, section 1, lines 23-24, delete in their entirety.

Amend page 2, section 2, line 5, delete "within the State", and insert "on or across a public highway or on public lands or waters".

Amend page 2, section 3, line 2, delete "within the jurisdiction", and insert "on or across a public highway or on public lands or waters".

Amend page 2, section 3, line 6, delete "all".

Amend page 2, section 3, line 9, delete in its entirety.

Amend page 2, section 3, line 10, delete "b", insert "a".

Amend page 2, section 3, line 11, delete "c", insert "b".

Amend page 2, section 3, line 12, delete in its entirety.

Amend page 2, section 3, line 13, delete "e", and insert "e".

Amend page 2, section 3, line 15, delete "f", and insert "d".

Amend page 3, section 5, line 2, after "him", insert "when a snowmobile is operated across a public highway or on public lands or waters".

Amend page 3, section 6, line 1, before "No", insert "a."

Amend page 3, section 6, line 1, after "required", delete ":", and insert "for a snowmobile operated on private property."

Amend page 3, section 6, lines 2-8, delete in their entirety.

Amend page 3, section 6, line 9, delete "c", and insert "b".

Amend page 3, section 6, line 9, delete "For", and insert "No registration fee shall be charged for".

Amend page 3, section 7, lines 1-9, delete in their entirety.

Amend page 4, section 7, lines 10-34, delete in their entirety.

Amend page 4, section 8, line 1, delete "8", and insert "7".

Amend page 4, section 8, line 3, delete ", province, district".

Amend page 4, section 8, line 5, after "residence", insert "and conspicuously displays the registration number issued by the State or country of residence".

Amend page 4, section 9, line 1, delete "9.a", and insert "8".

Amend page 4, section 9, lines 10-11, delete in their entirety.

Amend page 5, section 9, lines 12-17, delete in their entirety.

Amend page 5, section 10, line 1, delete "10", and insert "9".

Amend page 5, section 10, line 9, delete "as provided herein", and insert "when operating a snowmobile on public lands and waters or when crossing a public highway".

Amend page 5, section 11, line 1, delete "11", and insert "10".

Amend page 5, section 11, line 3, delete "10", and insert "7".

Amend page 5, section 11, lines 3-5, after "occurs", delete ", and to inscribe on such certificate, in the place provided, a record of such change of residence".

Amend page 5, section 12, line 1, delete "12", and insert "11".

Amend page 5, section 12, line 12, delete "of \$5.00".

Amend page 5, section 12, line 13, delete "In the event that such snowmobile was purchased through a".

Amend page 5, section 12, lines 14-16, delete in their entirety.

Amend page 5, section 13, line 1, delete "13", and insert "12".

Amend page 6, section 14, line 1, delete "14", and insert "13".

Amend page 6, section 15, line 1, delete "15", and insert "14".

Amend page 6, section 16, line 1, delete "16", and insert "15".

Amend page 6, section 16, lines 5-6, delete in their entirety.

Amend page 6, section 16, line 7, delete "c", and insert "b".

Amend page 6, section 16, lines 8-10, delete ", including provisions for issuance of snowmobile safety certificates for operation of snowmobiles by youthful operators".

Amend page 6, section 16, line 11, delete "d", and insert "e".

Amend page 6, section 16, line 13, after "except", insert "that in the case of".

Amend page 6, section 16, line 13, after "those", insert "special events".

Amend page 6, section 16, line 14, after "protection", insert "any regulations must be approved jointly by the director and the commissioner".

Amend page 6, section 17, line 1, delete "17", and insert "16".

Amend page 6, section 17, lines 2-3, delete "except as herein pro-

vided",
way".

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vided", and insert "on public lands or waters or across a public highway".

Amend page 6, section 18, line 1, delete "18.", and insert "17.a."

Amend page 6, section 18, line 1, delete "controlled", and insert "limited".

Amend page 7, section 18, line 3, before "No", insert "b."

Amend page 7, section 18, line 4, after "highway", insert "or within the right-of-way limits thereof".

Amend page 7, section 18, line 6, delete "a.", and insert "(1)".

Amend page 7, section 18, line 7, delete "controlled", and insert "limited".

Amend page 7, section 18, line 16, delete "b.", and insert "(2)".

Amend page 7, section 18, line 17, delete "way", and insert "highway".

Amend page 7, section 18, line 19, delete "way", and insert "highway".

Amend page 7, section 18, line 26, delete "street or".

Amend page 7, section 18, lines 29-37, delete in their entirety.

Amend page 7, section 18, line 37, after "vehicles.", insert a new section as follows:

"18. a. no person shall operate a snowmobile on the property of another without receiving the consent of the owner of the property or the person who has a contractual right to the use of such property;

b. no person shall continue to operate a snowmobile on the property of another after consent, as provided in sub-section a. above, has been withdrawn."

Amend page 7, section 19, lines 2-7, delete in their entirety.

Amend page 8, section 19, lines 8-10, delete in their entirety.

Amend page 8, section 19, line 11, delete "e", and insert "a".

Amend page 8, section 19, line 12, delete "crash", and insert "protective".

Amend page 8, section 19, line 12, after "helmet", insert "approved by the director".

Amend page 8, section 19, lines 13-14, delete "under the New Jersey Motor Vehicle Laws", and insert "as provided in sections 6 to 9 of P. L. 1967, c. 237 (C. 39:3-76.7 through 39:3-76.10)".

Amend page 8, section 19, lines 15, delete "f", and insert "b".

Amend page 8, section 19, line 21, delete "g", and insert "c".

Amend page 8, section 19, line 24, delete "h", and insert "d".

Amend page 8, section 19, line 27, delete "i", and insert "e".

Amend page 8, section 19, line 30, delete "j", and insert "f".

Amend page 8, section 19, line 33, delete "k", and insert "g".

Amend page 8, section 20, line 6, delete "any one person sustaining bodily injury or".

Amend page 8, section 20, lines 7-11, delete in their entirety, and insert "an amount or limit of \$15,000.00, exclusive of interest and costs, on account of injury to, or death of, one person, in any one accident; and an amount or limit, subject to such limit for any one person so injured or killed, of \$30,000.00, exclusive of interest and costs, on account of injury to or death of, more than one person, in any one accident; and an amount or limit of \$5,000.00, exclusive of interest and costs, for damage to property in any one accident,".

Amend page 9, section 21, line 2, after "damage", insert "shall comply with the procedures in R. S. 39:4-129 and R. S. 39:4-130.".

Amend page 9, section 21, line 2, delete "to".

Amend page 9, section 21, lines 3-7, delete in their entirety.

Amend page 9, section 22, line 14, after "director", insert "and if the event is desired to be held upon public lands or waters a written authorization of the commissioner".

Amend page 10, section 23, line 2, delete ", mufflers".

Amend page 10, section 24, line 17, delete "From and after June 1, 1973, no snowmobile manufactured".

Amend page 10, section 24, line 18-23, delete in their entirety.

Amend pages 10-11, section 27, lines 1-6, delete in their entirety.

Amend page 11, section 28, lines 1-7, delete in their entirety.

Amend page 11, section 29, lines 1-4, delete in their entirety.

Amend page 11, section 30, lines 1-5, delete in their entirety.

Amend page 11, section 31, lines 1-4, delete in their entirety.

Amend page 11, section 31, lines 5-11, delete in their entirety.

Amend page 12, section 31, lines 5-11, delete in their entirety.

Amend page 12, section 32, lines 1-7, delete in their entirety.

Amend page 12, section 33, lines 1-3, delete in their entirety.

Amend page 12, section 34, line 1, delete "34", and insert "27".

Amend pages 12, 13 and 14, sections 35, 36, 37, 38, 39, 40, 41, 42 and 43, delete in their entirety.

Amend page 14, section 44, line 1, delete "44", and insert "28".

Amend page 14, section 44, line 3, delete "be guilty of a violation and".

Amend page 14, section 45, lines 1-7, delete in their entirety.

Amend pages 14-15, section 46, lines 1-8, delete in their entirety.

Amend page 15, section 47, line 1, delete "47", and insert "29".

Amend page 15, section 47, lines 4-6, after "department", delete "all fines and penalties resulting from violations of this act in regard to the operation and use of snowmobiles".

Amend
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Amend page 15, section 47, after line 7, insert a new section as follows:

“30. Owners and operators of snowmobiles shall, when operating a snowmobile across a public highway or on public lands or waters, comply with the following provisions of chapter 4 of Title 39 of the Revised Statutes: R. S. 39:4-48 through R. S. 39:4-51; R. S. 39:4-64; R. S. 39:4-72; R. S. 39:4-80; R. S. 39:4-81; R. S. 39:4-92; R. S. 39:4-96 through R. S. 39:4-98; R. S. 39:4-99; R. S. 39:4-100; R. S. 39:4-104; R. S. 39:4-129 through R. S. 39:4-134; R. S. 39:4-203. The failure to comply with any of these provisions shall be a violation of this act and the penalty for such a violation shall be as provided in section 28 of this act rather than the penalty provided in the sections cited above.”.

Amend page 15, section 48, line 1, delete “48”, and insert “31”.

Amend page 15, section 49, line 1, delete “49”, and insert “32”.

Amend page 15, section 49, lines 1-2, delete “120 days after its enactment”, and insert “immediately”.

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ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 870
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED JUNE 15, 1972

Amend page 6, section 17, line 2, after "snowmobile", insert "except as herein provided".

Amend page 8, section 19, line 28, before "permission", omit "written".

Amend page 9, section 22, line 9, before "days", omit "60", insert "20".

Amend page 10, section 27, line 2, after "mobile", insert "except upon lands owned or leased by his parent or guardian unless he is accompanied by a person 14 years of age or over. 'Leased lands' as herein used shall not include lands leased by an organization of which said operator or his parent or guardian is a member".

Amend page 11, section 28, line 1, insert:

"28. Snowmobile safety certificate. On and after October 1, 1973, except as otherwise provided in this act, no person 10 years and over and who has not reached his fourteenth birthday shall operate a snowmobile in this State, except upon lands of his parent or guardian unless and until he has received safety training as prescribed by the director and has received the appropriate snowmobile safety certificate issued by the director.

29. The failure of such a youthful operator to exhibit a snowmobile safety certificate upon demand to any officer having authority to enforce the provisions of this act, shall be presumptive evidence that such person is not the holder of such certificate.

30. After October 1, 1973, no owner of a snowmobile shall authorize or permit the operation thereof within the State by any person under the age of 14 years unless the operator is the holder of a valid snowmobile safety certificate or except as authorized by this act."

Amend page 11, section 28, line 1, renumber sections 28 through 46 as 31 through 49.

Amend page 13, section 40, lines 1 and 2, omit "36 to 40", insert "39 to 43".

ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 870

STATE OF NEW JERSEY

ADOPTED MAY 1, 1972

Amend page 2, section 2, line 15, omit "the operation and use of", after "snowmobiles", omit "within the State,", insert "on the public lands and waters under the jurisdiction of the Department of Environmental Protection."

Amend page 2, section 2, lines 16-19, omit in their entirety.

Amend page 6, section 14, line 5, after "land", insert "or in any way affect the authority of the Department of Environmental Protection, the commissioner thereof, or those responsible for the operation of a park from adopting rules and regulations concerning the use of snowmobiles".

Amend page 6, section 15, lines 1-2, omit in their entirety.

Amend page 6, section 15, line 3, before "commissioner", insert "The", after "commissioner", insert ", with a view towards minimizing detrimental effects on the environment,".

Amend page 6, section 15, lines 9-10, delete in their entirety.

Amend page 6, section 16, line 12, after "act", insert ", except those conducted on public lands and waters under the jurisdiction of the Department of Environmental Protection".

Amend page 6, section 17, line 1, omit "10", insert "14".

Amend page 8, section 19, line 28, before "permission", insert "written".

Amend page 8, section 19, after line 29, insert:

"j. Any person to operate a snowmobile upon railroad or right-of-way of an operating railroad, except railroad personnel in the performance of their duties.

k. Any person to violate any provision of this act or any rule or regulation adopted pursuant to this act."

Amend page 10, section 27, line 2, after "mobile", insert ".", omit "except upon lands owned or leased by his parent or guardian,".

Amend page 10, section 27, lines 3-6, omit in their entirety.

SENATE AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 870
(SECOND OFFICIAL COPY REPIRINT)

STATE OF NEW JERSEY

DATED: NOVEMBER 27, 1972

Assembly Bill No. 870, as amended provides for the registration and regulation of snowmobiles. The act is patterned after the motor vehicle statutes and is to be administered by the Director of Motor Vehicles. The act provides for the registration of snowmobiles and for the registration of persons engaged in the business of selling snowmobiles. The act preempts political subdivisions of the State from any additional licensing or registration of snowmobiles. The owner of the snowmobile is required to obtain an insurance policy. No person between 10 and 14 years shall operate a snowmobile unless he has received a snowmobile safety certificate.

FISCAL NOTE TO
ASSEMBLY, No. 870

STATE OF NEW JERSEY

DATED: JUNE 15, 1972

Assembly Bill No. 870 provides for the registration and regulation of snowmobiles.

The Division of Budget and Accounting estimates that enactment of this legislation would increase the revenues of the State by \$313,315.00 in fiscal 1972-73, \$187,815.00 in fiscal 1973-74 and \$197,803.00 in fiscal 1974-75. The division further estimates that enactment would not affect the revenues of local governments.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870 (2d OCR)

April 30, 1973

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 870 with my objections, for reconsideration.

Assembly Bill No. 870 provides an extensive scheme for the registration, regulation and operation of snowmobiles. Many of the provisions in the act parallel provisions which are presently in the Motor Vehicle Statute and parallel procedures regulated by court rule.

I wholeheartedly support the principle of regulating snowmobiles to provide for the safe use and to prevent the misuse of this recreational vehicle. There are a number of legal deficiencies in Assembly Bill No. 870 which would result in invalidation of the law by the courts.

In a number of areas the bill attempts to establish court procedure which violates the constitutional mandate of separation of power. The bill also attempts to require the registration of snowmobiles used on private property in this State. This requirement extends beyond the State's regulation of motor vehicles and may well extend beyond the limits of the State's power in requiring the registration of motor vehicles.

The bill duplicates provisions which already exist in the law. A number of the procedural requirements of the bill with respect to offenses are already covered under the Motor Vehicle laws. The establishment of noise levels for snowmobiles is already provided for under The Noise Control Act, P. L. 1971, c. 418 (C. 13:1G-1 et. seq.). The procedures already established under present law should be made applicable to the snowmobile rather than establishing a new procedure with respect to snowmobiles. In addition, by incorporating only a few of the offenses under the Motor Vehicle laws, the bill excludes a number of offenses which should be retained.

Accordingly, I herewith return Assembly Bill No. 870 for reconsideration and recommend it be amended as follows:

Page 1, Section 1, Line 6: Delete "engine-drawn" and insert "motor"

Page 1, Section 1, Line 8: Delete ", low-pressure tires"

Page 1, Section 1, Line 12: Delete "or law enforcement"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

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Page 1, Section 1, Lines 13-15: Delete in their entirety

Page 1, Section 1, Line 16: Delete "e" and insert "d"

Page 1, Section 1, Lines 20-22: Delete in their entirety

Page 2, Section 1, Lines 23-24: Delete in their entirety

Page 2, Section 2, Line 5: Delete "within the State" and insert

"on or across a public highway or on public lands or waters"

Page 2, Section 3, Line 2: Delete "within the jurisdiction" and

insert "on or across a public highway or on public lands or waters"

Page 2, Section 3, Line 6: Delete "all"

Page 2, Section 3, Line 9 : Delete in its entirety

Page 2, Section 3, Line 10: Delete "b" insert "a"

Page 2, Section 3, Line 11: Delete "c" insert "b"

Page 2, Section 3, Line 12: Delete in its entirety

Page 2, Section 3, Line 13: Delete "e" and insert "c"

Page 2, Section 3, Line 15: Delete "f" and insert "d"

Page 3, Section 5, Line 2: After "him" insert "when a snowmobile is

operated across a public highway or on public lands or waters"

Page 3, Section 6, Line 1: Before "No" insert "a."

Page 3, Section 6, Line 1: After "required" delete ":" and insert

"for a snowmobile operated on private property."

Page 3, Section 6, Lines 2-8: Delete in their entirety

Page 3, Section 6, Line 9: Delete "c" and insert "b"

Page 3, Section 6, Line 9: Delete "For" and insert "No registration fee

shall be charged for"

Page 3, Section 7, Lines 1-9: Delete in their entirety

Page 4, Section 7, Lines 10-34: Delete in their entirety

Page 4, Section 8, Line 1: Delete "8" and insert "7"

Page 4, Section 8, Line 3: Delete ", province, district"

Page 4, Section 8, Line 5: After "residence" insert "and conspicuously

displays the registration number issued by the state or country of

residence"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

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Page 4, Section 9, Line 1: Delete "9.a" and insert "8"

Page 4, Section 9, Lines 10-11: Delete in their entirety

Page 5, Section 9, Lines 12-17: Delete in their entirety

Page 5, Section 10, Line 1: Delete "10" and insert "9"

Page 5, Section 10, Line 9: Delete "as provided herein" and insert
"when operating a snowmobile on public lands and waters or when
crossing a public highway"

Page 5, Section 11, Line 1: Delete "11" and insert "10"

Page 5, Section 11, Line 3: Delete "10" and insert "7"

Page 5, Section 11, Lines 3-5: After "occurs" delete ", and to inscribe
on such certificate, in the place provided, a record of such change of
residence"

Page 5, Section 12, Line 1: Delete "12" and insert "11"

Page 5, Section 12, Line 12: Delete " of \$5.00"

Page 5, Section 12, Line 13: Delete "In the event that such snowmobile
was purchased through a"

Page 5, Section 12, Lines 14-16: Delete in their entirety

Page 5, Section 13, Line 1: Delete "13" and insert "12"

Page 6, Section 14, Line 1: Delete "14" and insert "13"

Page 6, Section 15, Line 1: Delete "15" and insert "14"

Page 6, Section 16, Line 1: Delete "16" and insert "15"

Page 6, Section 16, Lines 5-6: Delete in their entirety

Page 6, Section 16, Line 7: Delete "c" and insert "b"

Page 6, Section 16, Lines 8-10: Delete ", including provisions for
issuance of snowmobile safety certificates for operation of
snowmobiles by youthful operators"

Page 6, Section 16, Line 11: Delete "d" and insert "c"

Page 6, Section 16, Line 13: After "except" insert "that in the case of"

Page 6, Section 16, Line 13: After "those" insert "special events"

Page 6, Section 16, Line 14: After "Protection" insert "any regulations
must be approved jointly by the director and the commissioner"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

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Page 6, Section 17, Line 1: Delete "17" and insert "16"

Page 6, Section 17, Lines 2-3: Delete "except as herein provided" and
insert "on public lands or waters or across a public highway"

Page 6, Section 18, Line 1: Delete "18." and insert "17.a."

Page 6, Section 18, Line 1: Delete "controlled" and insert
"limited"

Page 7, Section 18, Line 3: Before "No" insert "b."

Page 7, Section 18, Line 4: After "highway" insert "or within the right-
of-way limits thereof"

Page 7, Section 18, Line 6: Delete "a." and insert "(1)"

Page 7, Section 18, Line 7: Delete "controlled" and insert "limited"

Page 7, Section 18, Line 16: Delete "b." and insert "(2)"

Page 7, Section 18, Line 17: Delete "way" and insert "highway"

Page 7, Section 18, Line 19: Delete "way" and insert "highway"

Page 7, Section 18, Line 26: Delete "street or" and insert "public"

Page 7, Section 18, Lines 29-37: Delete in their entirety

Page 7, Section 18, Line 37: After "vehicles." insert a new section
as follows: "18. a. no person shall operate a snowmobile on the
property of another without receiving the consent of the owner of
the property or the person who has a contractual right to the use
of such property;

b. no person shall continue to operate a snowmobile
on the property of another after consent, as provided in sub-section a.
above, has been withdrawn."

Page 7, Section 19, Lines 2-7: Delete in their entirety

Page 8, Section 19, Lines 8-10: Delete in their entirety

Page 8, Section 19, Line 11: Delete "e" and insert "a"

Page 8, Section 19, Line 12: Delete "crash" and insert "protective"

Page 8, Section 19, Line 12: After "helmet" insert "approved by the
director"

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

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Page 8, Section 19, Lines 13-14: Delete "under the New Jersey Motor Vehicle Laws" and insert "as provided in sections 6 to 9 of P.L. 1967, c. 237 (C. 39:3-76.7 through 39:3-76.10)"

Page 8, Section 19, Line 15: Delete "f" and insert "b"

Page 8, Section 19, Line 21: Delete "g" and insert "c"

Page 8, Section 19, Line 24: Delete "h" and insert "d"

Page 8, Section 19, Line 27: Delete "i" and insert "e"

Page 8, Section 19, Line 30: Delete "j" and insert "f"

Page 8, Section 19, Line 33: Delete "k" and insert "g"

Page 8, Section 20, Line 6: Delete "any one person sustaining bodily injury or"

Page 8, Section 20, Lines 7-11: Delete in their entirety and insert "an amount or limit of \$15,000.00, exclusive of interest and costs, on account of injury to, or death of, one person, in any one accident; and an amount or limit, subject to such limit for any one person so injured or killed, of \$30,000.00, exclusive of interest and costs, on account of injury to or death of, more than one person, in any one accident; and an amount or limit of \$5,000.00, exclusive of interest and costs, for damage to property in any one accident,"

Page 9, Section 21, Line 2: After "damage" insert "shall comply with the procedures in R.S. 39:4-129 and R.S. 39:4-130."

Page 9, Section 21, Line 2: Delete "to"

Page 9, Section 21, Lines 3-7: Delete in their entirety

Page 9, Section 22, Line 14: After "director" insert "and if the event is desired to be held upon public lands or waters a written authorization of the commissioner"

Page 10, Section 23, Line 2: Delete ", mufflers"

Page 10, Section 24, Line 17: Delete "From and after June 1, 1973, no snowmobile manufacturer"

Page 10, Section 24, Lines 18-23: Delete in their entirety

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

-6-

Pages 10-11, Section 27, Lines 1-6: Delete in their entirety

Page 11, Section 28, Lines 1-7: Delete in their entirety

Page 11, Section 29, Lines 1-4: Delete in their entirety

Page 11, Section 30, Lines 1-5: Delete in their entirety

Page 11, Section 31, Lines 1-4: Delete in their entirety

Page 11, Section 31, Lines 5-11: Delete in their entirety

Page 12, Section 31, Lines 5-11: Delete in their entirety

Page 12, Section 32, Lines 1-7: Delete in their entirety

Page 12, Section 33, Lines 1-3: Delete in their entirety

Page 12, Section 34, Line 1: Delete "34" and insert "27"

Pages 12, 13 and 14, Sections 35, 36, 37, 38, 39, 40, 41, 42

and 43: Delete in their entirety

Page 14, Section 44, Line 1: Delete "44" and insert "28"

Page 14, Section 44, Line 3: Delete "be guilty of a violation and"

Page 14, Section 45, Lines 1-7: Delete in their entirety

Pages 14-15, Section 46, Lines 1-8: Delete in their entirety

Page 15, Section 47, Line 1: Delete "47" and insert "29"

Page 15, Section 47, Lines 4-6: After "department" delete

" , all fines and penalties resulting from violations of this
act in regard to the operation and use of snowmobiles"

Page 15, Section 14, Line 7: Insert a new section as follows:

"30. Owners and operators of snowmobiles shall, when operating
a snowmobile across a public highway or on public lands or waters,
comply with the following provisions of chapter 4 of Title 39 of
the Revised Statutes: R. S. 39:4-48 through R. S. 39:4-51;
R. S. 39:4-64; R. S. 39:4-72; R. S. 39:4-80; R. S. 39:4-81;
R. S. 39:4-92; R. S. 39:4-96 through R. S. 39:4-98; R. S. 39:4-99;
R. S. 39:4-100; R. S. 39:4-104; R. S. 39:4-129 through R. S. 39:4-134;
R. S. 39:4-203. The failure to comply with any of these provisions
shall be a violation of this act and the penalty for such a violation
shall be as provided in section 28 of this act rather than the
penalty provided in the sections cited above."

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 870

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Page 15, Section 48, Line 1: Delete "48" and insert "31"

Page 15, Section 49, Line 1: Delete "49" and insert "32"

Page 15, Section 49, Lines 1-2: Delete "120 days after its
enactment" and insert "immediately"

Respectfully,

/s/ William T. Cahill

GOVERNOR

Attest:

/s/ Jean E. Mulford

Acting Secretary to the Governor