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H. 942 ATV Language Fact Sheet

As recreational ATV use has increased across Vermont in recent years, including with an increasing number of towns opening some or all of their roads to ATV riding, two things have been clear. The first is that the recreational and economic benefit of ATV use benefits many communities, including many rural communities across Vermont. The second is that some basic level of accountability and consistency in regulations and expectations of ATV riders, along with funding and support for management, promotion and enforcement of such a system, is necessary for ATV riding to continue to grow.

Therefore, the Vermont ATV Sportsmen's Association, working with Vermont Fish and Wildlife and the Legislature, has successfully advocated for establishing a set of regulations of ATV riding in Vermont which by-and-large mirror similar rules on snowmobile riding.

This law, passed as part of Vermont Transportation Bill H.942 this year, takes a series of steps to improve the ATV riding system.

- It requires helmets for ATV riders who are on public right of ways, VASA trails, or public land. While VASA, Fish and Wildlife and the Department of Motor Vehicles will need to develop precisely what helmets are required under this law, the intent is for traditional ATV users to have more protective, full face helmets, while those in side-by-side ATVs will be allowed to use lighter less restrictive helmets in recognition of the protection provided by roll bars and seat belts.
- The law requires insurance and proof of insurance for ATV riders on public spaces. While the cost of such insurance is fairly low, this is an important step to ensuring that ATV use is accepted and safe.
- The law requires Trail Access Decals (TAD) for those riding ATVs on public roads or trails on public land. This will ensure support for a statewide system of ATV management and enforcement, overseen by VASA, much like the current snowmobile system. This TAD will allow access to town roads and lands open to ATVs, as well as to the VASA trail network.

It is also important to note what this law does not do.

- It does not require a helmet, insurance or trail access decal for riders who are using private property which is not part of the VASA system with permission.
- It does not require, or prevent, municipalities to open or close their roads to ATV use. This is still a decision made by the towns.

- It does not prevent use of ATVs without Trail Access Decals for various types of work, including for ski areas, for utilities, and for those engaged in legitimate farming and forestry work while they are at the site of that work.
- The law also does not open land under the control of Vermont's Agency of Natural Resources such as State Forests or Wildlife Management Areas to recreational ATV use.

As is typical with newly passed laws, it is expected that enforcement, managed by VASA, will focus on education and awareness in the first year or so of the new regulations. Law enforcement officers will be out patrolling and enforcing, and will issue tickets for unsafe activities, particularly those which pose a risk of injury, death or damage to public or private property, but will concentrate on warnings for the new requirements established in this law until the riding public is aware of those changes.

Please use link below to view entire bill, ATV portion starts on p. 35

<https://legislature.vermont.gov/Documents/2020/Docs/BILLS/H-0942/H-0942%20As%20Passed%20by%20Both%20House%20and%20Senate%20Unofficial.pdf>