

CHAPTER 90B. MOTORBOATS, OTHER VESSELS AND RECREATIONAL VEHICLES.

Chapter 90B: Section 22. Registration; application; period; certificate; name and address; transferability; fees.

Section 22. Application for registration of a snow vehicle or a recreation vehicle shall be made by the owner to the director or his agent on such forms as the director shall prescribe and shall state the name and address of the owner of such vehicle. Upon receipt of the application and the appropriate fee, as hereinafter provided, such vehicle shall be registered and a registration number assigned which shall be affixed to said vehicle in such manner as the director shall prescribe.

Such registration shall be valid for a period ending two years from the date of issuance, unless surrendered, suspended or revoked. The director shall issue a certificate of registration to each such owner on such form as he shall prescribe. Each such owner shall notify the director in writing within thirty days after any change has occurred in the name and address appearing on said registration certificate. No registration issued for any such vehicle may be loaned by any person to another, nor may such registration be transferred except upon application to the director upon such forms as he shall prescribe. Every person operating a snow vehicle or a recreational vehicle shall have the certificate of registration therefor upon his person or in the vehicle, in some easily accessible place, and upon demand shall show the same to a law enforcement officer or to the owner of any land on which he is operating said vehicle. Any person authorized to issue registration certificates for snow vehicles, recreational vehicles, and vessels, who is not employed by the commonwealth, may charge the applicant an administrative fee in addition to the required registration fee. Said administrative fee shall not exceed \$1.50 per registration issued.

The fee for initial registration of each such vehicle and for each renewal thereof, other than vehicles for which application is made by a manufacturer or dealer as hereinafter provided, shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, except that no fee shall be collected for the registration of any such vehicle owned by the commonwealth or any political subdivision thereof.

Application for a manufacturer's or dealer's registration shall be made to the director in such form as the director shall prescribe and shall state the name and address of the manufacturer or dealer.

Upon receipt of the application and the appropriate fee as hereinafter provided, the director shall forward to the manufacturer or dealer a certificate of registration and such registration numbers as the director may approve, one of which shall be affixed to each snow vehicle or recreation vehicle being operated by or with the express or implied consent of said manufacturer or dealer.

The fee for initial registration of recreation vehicles or snow vehicles owned by or under the control of a manufacturer or dealer and for each renewal thereof shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven. The fee for the registration of each snow vehicle or recreational vehicle of a nonresident shall also be determined by the commissioner of administration. Such registration and each renewal thereof shall be valid for a period ending one year from the date of issuance or renewal, unless surrendered, suspended or revoked.

Chapter 90B: Section 23. Transfer of ownership.

Section 23. Within two days after transfer of ownership of a snow vehicle or a recreation vehicle, written notice shall be forwarded to the director by the previous owner along with his registration certificate, the back of which shall be signed by the new owner giving his address. The new owner shall make application for registration as hereinbefore provided.

A person who returns his said vehicle certificate to the director because of transfer of ownership shall be eligible for a new certificate upon application to the division for a new vehicle registration for the balance of the registration period for a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven.

Chapter 90B: Section 24. Lights; reflectors; excessive noise; obnoxious fumes.

Section 24. Each snow vehicle and each recreation vehicle shall be equipped with one or more headlights, a red rear light, a red rear reflector, and adequate muffler, and such safety equipment as may be required by the director. Each such vehicle shall be capable of decelerating in a reasonable manner. Any sled or trailer attached to any such vehicle shall also be equipped with a red rear reflector. All such equipment shall conform to such specifications as the registrar of motor vehicles shall prescribe; provided, however, that the requirements for lighting, as set forth in this paragraph, shall not apply to category Y - all terrain vehicles, so-called; and provided, further, that said registrar in such specifications shall define said category Y - all terrain vehicles in a manner

which shall be consistent with the American National Standards Institute Standard ANSI/SVIA I - 1990.

No snow vehicle and no recreation vehicle shall be operated which makes an unusual or excessive noise or which emits obnoxious fumes.

No snow vehicle manufactured after July the first, nineteen hundred and seventy-two shall be sold, offered for sale, or operated that produces a sound pressure level of more than eighty-two decibels. No snow vehicle manufactured after July the first, nineteen hundred and seventy-five, shall be sold, offered for sale or operated that produces a sound pressure level of more than seventy-eight decibels. Sound pressure levels in decibels shall be measured on the "A" scale of a sound level meter approved by the director. Measurements shall be made of overall vehicle noise at maximum speed at fifty feet in accordance with test procedure SAE J192 of the Society of Automotive Engineers, or with such other test procedure for measurement of sound pressure levels as the registrar of motor vehicles may adopt. After January the first, nineteen hundred and seventy-three, no new snow vehicle shall be sold in the commonwealth unless such vehicle is certified by the manufacturer, in accordance with rules and regulations adopted by the director, as being able to conform with the sound level limitation set forth in this section.

Chapter 90B: Section 26. Dangerous and prohibited operation; restrictions; operator's license requirement.

Section 26. No one shall operate a snow vehicle or recreation vehicle so as to endanger any person or property.

No one shall operate a snow vehicle or a recreation vehicle in a reforested or planted area in a manner to cause damage to growing stock.

No one under the age of sixteen and one half years of age shall operate a snow vehicle or a recreation vehicle across a public highway. No one under fourteen years of age shall operate a snow vehicle or a recreation vehicle unless directly supervised by an adult.

Every person operating or riding in or on a recreation vehicle or a snow vehicle or on a sled attached thereto shall wear protective headgear conforming with such minimum standards for construction and performance as the registrar of motor vehicles may prescribe.

No person shall operate a snow vehicle on privately owned property, except in cases of emergency, unless: (a) the operator is the owner or lessee or immediate family member of the owner or lessee of such property; (b) the operator has in his possession either a document, signed by the owner or lessee of such property or his agent, authorizing the operation of a snow vehicle on such property by the operator or valid proof of current membership in a club, association or other organization to which express authorization for the operation of snow vehicles on such property has been granted; provided, however, that such operation shall be consistent with the express authorization so granted and any restrictions imposed therewith; or (c) the owner or lessee of such property has designated the area for use by such snow vehicles by posting reasonable notice of such designation in a manner approved by the director.

No one shall operate a snow vehicle or recreation vehicle in a manner to harass deer or other wildlife.

No one shall operate a snow vehicle or recreation vehicle while under the influence of intoxicating liquor or narcotic drugs.

No one shall carry a firearm, rifle or shotgun in or on a snow vehicle or a recreation vehicle or on a trailer or sled attached thereto unless such firearm, rifle or shotgun is unloaded and in an enclosed case, unless he is a law enforcement officer or other person authorized to carry arms as specifically described in section thirty-two, or a paraplegic as provided in section sixty-five of chapter one hundred and thirty-one.

A motor vehicle operator's license or learner's permit shall not be required for the operation of a snow vehicle or a recreation vehicle.

Chapter 90B: Section 27. Accident reports.

Section 27. The operator or owner of a snow vehicle or a recreation vehicle involved in a collision, accident or other such casualty resulting in death or injury to a person or damage to property in excess of fifty dollars shall notify a law enforcement officer immediately and file a report of the incident with the division within forty-eight hours, on forms prescribed by the director.

Chapter 90B: Section 28. Revocation of registration; hearing; cause.

Section 28. The director may suspend or revoke the registration of a snow vehicle or a recreation vehicle, after a hearing, for good cause which shall include, but not be limited to:^a

(1) nonownership by the applicant;

(2) the failure of said vehicle to meet equipment standards after the owner has received notice to comply with the standards;

(3) operation of such vehicle improperly or in such a manner as to cause damage to any property or death or injury to any person, or that the registrant has allowed or permitted such vehicle to be so operated.

Chapter 90B: Section 29. Rules and regulations.

Section 29. The director shall, after a public hearing make, alter, amend or rescind rules and regulations governing the use and operation of snow vehicles and recreation vehicles.

Chapter 90B: Section 30. Nonresident recreational vehicles.

Section 30. A recreational vehicle owned by a resident in another state may be deemed to be registered in the commonwealth if it is registered in accordance with the laws of the state in which the owner of such vehicle resides, but only to the extent that a similar registration exemption or privilege is granted under the laws of said state for recreational vehicles registered in the commonwealth; provided, however, that the commissioner of fisheries, wildlife and environmental law enforcement shall designate which states shall be granted said exemption or privilege.

Chapter 90B: Section 31. Municipal assessments.

Section 31. Snow vehicles and recreation vehicles shall be considered as personal property for purposes of assessment by municipalities.

Chapter 90B: Section 32. Regulations; enforcement; reports of violations.

Section 32. The provisions of sections twenty-one to thirty-four, inclusive, and of all the rules and regulations made under the authority thereof shall be enforced by the commissioner, his assistants, the director, deputy directors of enforcement, chiefs of enforcement, deputy chiefs of

enforcement, environmental police officers and deputy environmental police officers of the department of fisheries, wildlife and environmental law enforcement, wardens as defined in section one of chapter one hundred and thirty-one, police officers, members of the state police and by city and town police officers. Whoever while operating or in charge of any snow vehicle or recreation vehicle, other than on property owned by him, refuses to stop such vehicle after having been requested or signalled to do so by any such officer, or whoever refuses to give his true and correct name and address or refuses to display the certificate of number of such vehicle and surrender to such officer for examination shall be punished by a fine of not more than fifty dollars. Such officers may, in the performance of their duty, enter upon and pass through or over private lands or property.

Every officer authorized to enforce the provisions of this chapter, or any rule, regulation, ordinance or by-law made under authority hereof, shall report to the director, on forms provided by him and in such manner as he may prescribe, every violation of such chapter, rule, regulation, ordinance or by-law.

Chapter 90B: Section 33. Local or departmental regulation; trespassing.

Section 33. Nothing contained in sections twenty-one to thirty-two, inclusive, shall be construed to supersede the powers of any department of the commonwealth, nor of any city, town, commission or body having authority to regulate the use of lands, waters or ways within their respective control, or jurisdiction from adopting rules, regulations, ordinances or by-laws not repugnant to law with respect to the operation of snow vehicles or recreation vehicles on such lands, waters or ways, including the prohibition of such operation, nor shall anything contained in said sections be deemed to constitute a license to operate said vehicle on private land. Any person who operates a snowmobile upon the land of another shall stop and identify himself upon the request of the landowner or his duly authorized representative, and, if requested to do so by the owner or representative, shall promptly remove said snowmobile from the premises.

Chapter 90B: Section 34. Violations; punishment.

Section 34. Whoever violates any provision of sections twenty-one to twenty-four, inclusive, twenty-six to twenty-eight, inclusive, and thirty to thirty-three, inclusive, or any rule or regulation made thereunder, shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars. Whoever violates any provision of section twenty-five or section twenty-nine, or of any rule or regulation made thereunder, shall be punished by a fine of not less than fifty dollars

nor more than three hundred dollars, or by imprisonment in a jail or house of correction for not more than sixty days or both.

Chapter 90B: Section 35. Disposition of fees.

Section 35. Fees collected by the commonwealth under sections twenty-one to thirty-two, inclusive, shall be credited to the following funds:^a

(a) Two thirds of all fees received for individual registrations, to the Public Access Fund established under section seventeen of chapter twenty-one.

(b) One third of all fees received for individual registrations; all fees received for manufacturers' and dealers' registrations, including the fees for each number assigned to such manufacturer or dealer; and all fees collected under section thirty; to the Recreational Vehicle Fund established under section sixteen.