



General Assembly

February Session, 2020

**Raised Bill No. 5316**

LCO No. 1805



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT INCREASING FINES FOR OPERATING SNOWMOBILES, ALL-TERRAIN VEHICLES, DIRT BIKES AND MINI-MOTORCYCLES IN VIOLATION OF A MUNICIPAL ORDINANCE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-390 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2020*):

3 (a) Any municipality may, by ordinance, regulate the operation and  
4 use, including hours and zones of use, of snowmobiles and all-terrain  
5 vehicles in a manner not inconsistent with the provisions of this section  
6 and sections 14-379 to 14-389, inclusive, or any regulations adopted  
7 pursuant thereto, and may prescribe a penalty for violation of such  
8 ordinance (1) in an amount not to exceed one thousand five hundred  
9 dollars for a first violation, in an amount not to exceed [one] two  
10 thousand [five hundred] dollars for a second violation and in an amount  
11 not to exceed two thousand five hundred dollars for a third or  
12 subsequent violation, and (2) in the case of a municipality with a  
13 population of twenty thousand or more, to provide for the seizure and  
14 forfeiture to the municipality of such all-terrain vehicle for a violation of

15 such ordinance, subject to any bona fide lien, lease or security interest  
16 in the all-terrain vehicle, including, but not limited to, a lien under  
17 section 14-66c.

18 (b) No all-terrain vehicle shall be forfeited under an ordinance  
19 adopted pursuant to this section to the extent of the interest of an owner  
20 or lienholder by reason of any act or omission committed by another  
21 person if such owner or lienholder did not know and could not have  
22 reasonably known that such all-terrain vehicle was being used or was  
23 intended to be used in violation of a municipal ordinance.

24 (c) Any all-terrain vehicle ordered forfeited pursuant to such an  
25 ordinance shall be sold at public auction conducted by the municipality.  
26 The proceeds of such sale shall be paid to the treasurer of the  
27 municipality, who shall deposit such proceeds into the general fund of  
28 the municipality.

29 Sec. 2. Section 14-390m of the general statutes is repealed and the  
30 following is substituted in lieu thereof (*Effective July 1, 2020*):

31 (a) Any municipality that adopts an ordinance pursuant to section 7-  
32 148 to regulate the operation and use on public property, including  
33 hours of use, of dirt bikes or mini-motorcycles may prescribe a penalty  
34 for violation of such ordinance (1) in an amount not to exceed one  
35 thousand five hundred dollars for a first violation, in an amount not to  
36 exceed [one] two thousand [five hundred] dollars for a second violation  
37 and in an amount not to exceed two thousand five hundred dollars for  
38 a third or subsequent violation, and (2) in the case of a municipality with  
39 a population of twenty thousand or more, to provide for the seizure and  
40 forfeiture to the municipality of such dirt bike or mini-motorcycle for  
41 violation of such ordinance, subject to any bona fide lien, lease or  
42 security interest in the dirt bike or mini-motorcycle, including, but not  
43 limited to, a lien under section 14-66c.

44 (b) No dirt bike or mini-motorcycle shall be forfeited under an  
45 ordinance adopted pursuant to this section to the extent of the interest  
46 of an owner or lienholder by reason of any act or omission committed

47 by another person if such owner or lienholder did not know and could  
48 not have reasonably known that such dirt bike or mini-motorcycle was  
49 being used or was intended to be used in violation of a municipal  
50 ordinance.

51 (c) Any dirt bike or mini-motorcycle ordered forfeited pursuant to  
52 such an ordinance shall be sold at public auction conducted by the  
53 municipality. The proceeds of such sale shall be paid to the treasurer of  
54 the municipality, who shall deposit such proceeds into the general fund  
55 of the municipality.

56 (d) For the purposes of this section and section 7-148, (1) "dirt bike"  
57 means a two-wheeled motorized recreational vehicle designed to travel  
58 over unimproved terrain and not designed for travel on a highway, as  
59 defined in section 14-1. "Dirt bike" does not include an all-terrain  
60 vehicle, as defined in section 14-379, or a motor-driven cycle, as defined  
61 in section 14-1, and (2) "mini-motorcycle" has the same meaning as  
62 provided in section 14-289j.

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|-------------------------------------------------------------------------------|---------------------|---------|
| This act shall take effect as follows and shall amend the following sections: |                     |         |
| Section 1                                                                     | <i>July 1, 2020</i> | 14-390  |
| Sec. 2                                                                        | <i>July 1, 2020</i> | 14-390m |

**Statement of Purpose:**  
To increase the maximum fines for operating a snowmobile, all-terrain vehicle, dirt bike or mini-motorcycle in violation of a municipal ordinance.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*