

## **ALL TERRAIN VEHICLES (MOTORIZED)**

### **Philosophy:**

Motorized all terrain vehicles (ATVs) require special consideration for recreational use on state lands. History has shown that, if unregulated, they may damage soils and vegetation, erode trails, disrupt wildlife, be incompatible with other public uses of the land (such as hiking and hunting), and pose threats to the safety of drivers and other users of state lands. Thus, ATVs are prohibited on state lands except under strict conditions, to insure protection of resources and other state land users.

### **Policy:**

Pursuant to 23 V.S.A. §3506(b)(4), motorized all terrain vehicles (see attachment 1 for definition) are prohibited on any public land, body of public water, or natural area **unless** the Secretary [Agency of Natural Resources] has designated the area for use by such vehicles. Designated areas and other specific information on use are given in attachment 2.

### **Procedure for Implementation:**

State forest and/or park managers at any level shall ensure compliance with this policy and state law on lands and waters under their jurisdiction, although enforcement of violations shall be referred to the appropriate legal authority (e.g., state police, motor vehicle inspector, etc.).

Proposals for changes in policy shall be referred to the Commissioner.

*Conrad M. Motyka, Commissioner*

Effective Date of First Revision: June 7, 1993

Original Effective Date: May 15, 1991

Attachments (3)

**ALL TERRAIN VEHICLES (MOTORIZED)**

**Attachment 1**

**DEFINITION OF MOTORIZED ALL TERRAIN VEHICLES**

**23 V.S.A. §3501(5)**

“All terrain vehicles” or “ATV” means any non-highway recreational vehicle\*, except snowmobiles, when used for cross-country travel on trails or on any one of the following or a combination thereof: land, water, snow, ice, marsh, swampland, and natural terrain.

*\*It is implied in the law but not stated in the definition that this refers to **motorized** vehicles, since the statute is in section pertaining to motor vehicles.*

## **ALL TERRAIN VEHICLES (MOTORIZED)**

### **Attachment 2**

#### **STATE LANDS DESIGNATED FOR USE BY ALL TERRAIN VEHICLES**

**(Agency of Natural Resources Rule Pursuant to 23 V.S.A. §3506)**

#### **State Lands (includes land, roads, trails, forest highways, etc.):**

None designated for ATV use.

#### **Frozen Bodies of Public Water:**

Allowed on all frozen bodies of public water **except:**

Amity Pond, Windsor County  
Levi Pond, Caledonia County  
Marsh Pond, Rutland County  
Waterbury Reservoir, Washington County  
Bear Pond, Lamoille County  
Sterling Pond, Lamoille County  
Lake of the Clouds, Lamoille County

#### **Fish and Wildlife Access Areas:**

Allowed for the purpose of fishing in accordance with current Fish and Wildlife Department regulation #641.

#### **Exceptions:**

All state lands and waters shall be open to ATVs for:

- (1) official use by federal, state, or municipal agencies.
- (2) emergency search and rescue operations and other occurrences involving health, safety, and welfare of persons or protection of property.
- (3) authorized maintenance operations of ski area lessees.

**ALL TERRAIN VEHICLES (MOTORIZED)**

**Attachment 3**

**REFERENCE**

Available from central or district/regional offices of the Department of Forests, Parks and Recreation, or Agency of Transportation, Department of Motor Vehicles, Montpelier.

**All-Terrain Vehicle Operator's Manual** (Agency of Transportation, Department of Motor Vehicles, Second Edition, October 1986)