

CHAPTER THREE: NEW YORK LAWS AND REGULATIONS 3

Age Qualification for Operation

Anyone who is at least 18 years old may operate a snowmobile in New York State without any other qualification except as defined by state and local laws regulating that operation. However, it is recommended that all operators complete a recognized snowmobile safety course. The Commissioner of Parks, Recreation and Historic Preservation will issue a snowmobile safety certificate to individuals who successfully complete this course.

A person ages 14 through 17 years old may operate a snowmobile without adult or other supervision if they have completed a snowmobile safety training course recognized by the State of New York. A person ages 10 through 13 may operate a snowmobile, on lands upon which snowmobiling is allowed, if they have completed a snowmobile safety training course recognized by the State of New York and are accompanied by (within 500 feet of) a person who is at least 18 years of age. A person ages 14 through 17 who does not hold this certificate is subject to the same restrictions as children under the age of 14 years.

Children under 10 years old or under age 14 without a safety certificate may operate a snowmobile only on lands owned or leased by their parent or guardian.

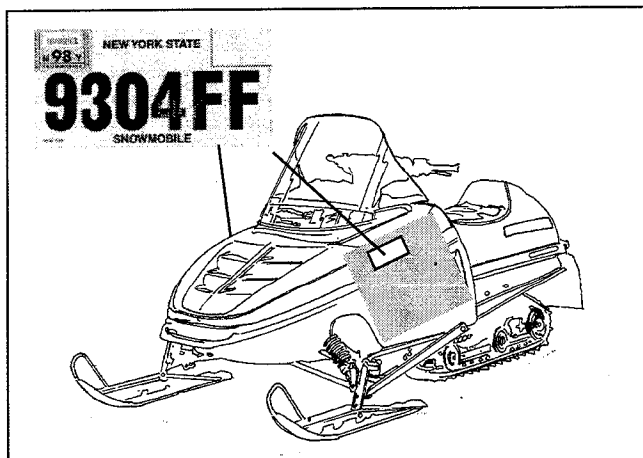
A non-resident operator who is a resident of another state or country and is the holder of a valid snowmobile safety certificate issued by that state or country shall be considered the same as the holder of a New York State Safety Certificate.

Registration

Snowmobiles operated in New York State must be registered with the New York State Department of Motor Vehicles. Exceptions are made for machines operated exclusively on the owner's property.

Registration is normally done at time of sale by the selling dealer. However, machines obtained in a private sale or from out-of-state sources may be registered at any Motor Vehicle office. All New York State snowmobile registrations expire at the end of August regardless of the date of issuance.

Decal must be placed within the shaded area.



With the exception of the first \$10.00 collected, which goes to the General Fund, registration fees are exclusively used to support snowmobiling in New York State. The fees are deposited into the Snowmobile Trail Development and Maintenance Fund which supports the more than 10,500 miles of public trail. The fund is used for grooming, trail signs, local law enforcement, the snowmobile safety education program and other related snowmobile programs.

The DMV-assigned registration numbers must be displayed on both sides of the hood/cowling of the snowmobile at all times. The hood/cowling is defined as the forward portion of the snowmobile surrounding the engine and clutch assembly. Any other display position on the snowmobile, such as the tunnel, seat, or windshield is NOT legal.

Three-inch by five-inch reflective registration number stickers are supplied with each New York State snowmobile registration. These stickers should stay on the machine throughout its life. Annual registration validation stickers must be displayed in the assigned corner of the NYS registration number sticker.

Insurance

Snowmobiles operated on trails or anywhere else away from the owner's property must be insured. New York State law requires snowmobilers to carry liability coverage in the minimum amount of \$10,000 for an accident involving one person, \$20,000 for an accident involving two or more persons, and \$5,000 for property damage from one accident.

Proof of insurance must be carried by the snowmobiler and must be displayed upon request of any magistrate, law enforcement officer, or anyone who has suffered personal injury or property damage as a result of the snowmobiler's actions.

Trail Permits

New York state does not require a paid trail permit (or trail pass) for use of the state funded snowmobile trail system.

However, some local areas in New York State may require a paid trail permit for the use of certain trails. These trails do not qualify for financial support from the NYS Snowmobile Trail Development and Maintenance Fund.

Certain State Parks do require a no-charge trail permit for snowmobiling in the Park after dark or for special events. Check with each individual park.

Documents Required

Snowmobilers are required to carry their registration and proof of insurance documents on their person while snowmobiling.

Holders, under the age of 18, of snowmobile safety certificates must carry their certificate when they are snowmobiling.

These documents must be produced at the request of any law officer or magistrate. Insurance documentation must be produced at the request of anyone that is injured or suffers property damage as a result of operation of a snowmobile.

Equipment Required

Anyone who operates or rides on a snowmobile as a passenger in New York State must wear an approved safety helmet except when the operation is on private property owned by the driver or passenger.

All snowmobiles operated in New York State must meet minimum equipment requirements. They are:

1. A working muffler. It must meet state noise emission standards.
2. A head light. It must be sufficient to reveal persons and vehicles at a distance of at least one hundred feet in normal atmospheric conditions.
3. A tail light. It must create a red light that is plainly visible for a distance of at least five hundred feet to the rear during darkness under normal atmospheric conditions.
4. Reflector material. A minimum of sixteen square inches of reflective material must be mounted on each side of the hood/cowling.

New snowmobiles offered for sale in this state normally provide all of this equipment. However, sometimes the reflective material is not included. The New York State registration number decal provides the required reflectorized material.

Operational Restrictions

Snowmobiles may not be operated in any unsafe or reckless manner, or in any way that harasses other people or wildlife.

It is UNLAWFUL to operate a snowmobile:

1. at a speed greater than reasonable or prudent under the surrounding conditions, or at a speed greater than 55 mph
2. in any careless, reckless, or negligent manner
3. while the operator is intoxicated
4. without the required lights
5. on the tracks of an operating railroad
6. in any tree nursery or planting in a manner that damages growing stock
7. on private property without the consent of the owner
8. towing a sleigh or toboggan except with a rigid tow bar
9. in any way that the operator fails to yield to an emergency vehicle approaching from any direction
10. in any way that fails to comply with a lawful order from a police officer
11. on a frozen body of water within one hundred feet of a skater, ice fisherman, ice fishing house, or other person not on a snowmobile except at the minimum speed required to maintain forward motion
12. within one hundred feet of a dwelling between 12 midnight and 6 AM at a speed greater than the minimum speed required to maintain forward motion

Operation on Highways

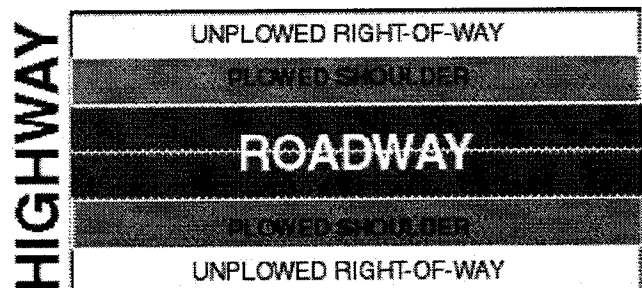
Operation of snowmobiles on highways depends on the classification of the highway and the prevailing conditions.

1. Snowmobiles MAY NOT be operated on the New York State Thruway, other interstate highways, or other limited access highways. The only exception to this law is during a snow emergency as declared by the agency having authority over the highway and when specifically approved by the Department of Transportation.
2. Snowmobiles MAY be operated on the shoulders and inside banks of highways, other than limited access highways, PROVIDED that the highways have been designated AND posted for snowmobile use by the governing authority.

Snowmobiles may also be operated on designated highways for a distance not to exceed 500 yards to gain access to operational areas or trails adjacent to the highway.

Again, an exception to this law may occur during a snow emergency as declared by the agency having authority over the highway in question.
3. Snowmobiles MAY be operated on the OUTSIDE banks of highways other than limited access highways.
4. Snowmobiles MAY be operated on highways, other than limited access highways, when necessary to cross a bridge or culvert.
5. Snowmobiles MAY be operated on county, town, city, or village highways which are unplowed and unused by wheeled vehicles during the winter months. These roads must be designated as such by the governing authority.
6. Snowmobile operation on any highway MUST be in single file on the right hand side of the road, except to overtake and pass another snowmobile.
7. Snowmobiles MAY NOT pull a person on skis or in a sleigh, sled, or toboggan on or across any roadway.
8. Snowmobiles MAY make a direct crossing of any highway other than limited access highways at any time of day provided that:
 - a.) the crossing is made at approximately a ninety degree angle, and at a place where no obstruction prevents a quick and safe crossing
 - b.) the snowmobile is brought to a complete stop before crossing the highway
 - c.) the snowmobile operator yields the right of way to all oncoming highway traffic

Definition of a Highway



Accidents and Accident Reporting

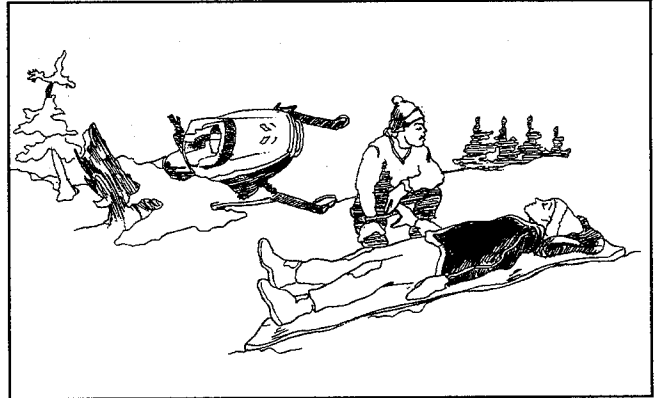
Despite the best precautions, accidents sometimes happen. In case of an accident involving a snowmobile, the operator must stop immediately.

The operator is legally obligated to provide assistance, to the best of his or her ability, to other persons affected by the accident. The operator must show his or her certificate of registration, and safety certificate (when required by age), and identify himself or herself by name, address, and snowmobile identification number **IN WRITING** to any person who is injured and to any person suffering property damage. If the person suffering the injury or property damage cannot be located at the accident site, the snowmobile operator must file an accident report with the nearest police agency within 24 hours.

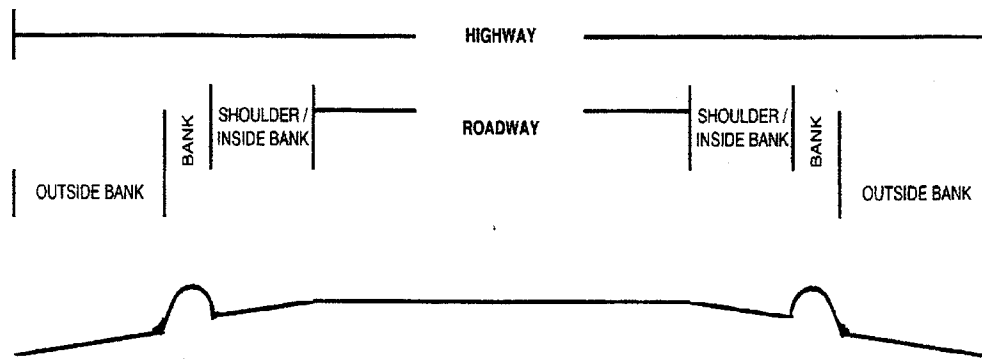
Any snowmobile accident resulting in a personal injury, or in property damage of \$1000 or more, must be reported to the nearest law enforcement agency or magistrate, with a copy sent to the NYS Office of Parks Recreation and Historic Preservation (OPRHP). The operator of any snowmobile

involved in a reportable accident must file a complete written report within seven days of the accident.

Snowmobile accident report forms are provided by the NYS OPRHP and are available at any police station .



Anatomy of a Highway



“Highway” shall mean the entire width between the boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic

“Roadway” shall mean that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder

“Shoulder” shall mean that portion of a highway which lies outside the paved or unpaved roadway immediately adjacent to the portion of the roadway which may be used by motor vehicles

“Bank” shall mean a mound, pile or ridge of snow on the edge of a highway accumulated from natural snowfall or by snowplowing operations

“Inside bank” shall mean the portion of a snowbank immediately adjacent to the shoulder of the roadway

“Outside bank” shall mean the portion of a snowbank outside the crest thereof and farthest removed from the roadway

THE SNOWMOBILERS' CODE OF ETHICS

1. I will be a good sportsman and conservationist. I recognize that people will judge all snowmobilers by my actions. I will use my influence with other snowmobile owners and operators to promote sportsman-like conduct.
2. I will not litter trails or areas, nor will I pollute streams or lakes. I will carry out what I carry in.
3. I will not damage living trees, shrubs, or other natural features. I will go out only when there is sufficient snow so that I will not damage the land.
4. I will respect other people's properties and rights.
5. I will lend a helping hand when I see someone in need.
6. I will make myself and my vehicle available to assist search and rescue operations.
7. I will not interfere with the activities of other winter sportsmen. I will respect their rights to enjoy their recreational activity.
8. I will know and obey all federal, state, and local rules regulating the operation of snowmobiles in areas where I use my vehicle.
9. I will not harass wildlife.
10. I will not snowmobile where prohibited.

Adapted from The Snowmobiler's Safety Handbook, published by the Snowmobile Safety and Certification Committee, Inc. ©1995.