

HOUSE No. 4608

The Commonwealth of Massachusetts

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on House, No. 804, a Bill establishing a snowmobile educational safety program (House, No. 4608). April 12, 2010.

An Act ESTABLISHING A SNOWMOBILE EDUCATIONAL SAFETY PROGRAM.

FOR THE COMMITTEE

NAME:	DISTRICT/ADDRESS:
William M. Straus	10th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act ESTABLISHING A SNOWMOBILE EDUCATIONAL SAFETY PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of chapter 90B of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after Section 9B the following section:--
3 Section 9C. Educational safety program; snowmobiles
4 Section 9C. The Division of Environmental Law Enforcement (DELM) is hereby authorized and
5 directed to establish an educational safety program for the operation of snowmobiles. All persons
6 twelve years old and older, born after July 1, 1990, shall be required to successfully complete
7 said program to operate snowmobiles in the Commonwealth, unless operating on private land
8 with permission of the property owner.
9 DELM shall establish the program criteria and content and shall determine the minimum safety
10 skills necessary for said persons to operate snowmobiles. DELM may work in conjunction non-
11 profit or related associations relative to this section. Any course of snowmobile safety education
12 that is offered shall provide a minimum of two hours of instruction.
13 The DELM or its designee shall issue a certificate of snowmobile safety education to a person
14 who: (i) passes a DELM prescribed course of snowmobile safety education or
15 (ii) passes a snowmobile safety equivalency examination administered by DELM or any person
16 or organization authorized to offer a course of snowmobile safety education.
17 Once issued, the certificate of snowmobile education is valid for the lifetime of the person to
18 whom it was issued.

19 The division shall replace a lost or destroyed certificate if the division issued the certificate or
20 has a record that the certificate was issued.

21 A snowmobile safety certificate issued in another state or country in accordance with or
22 substantially equivalent criteria approved by DELM is sufficient to comply with the
23 requirements of this section.

24 A person who is required to have a certificate of snowmobile education shall:

25 (i) possess the certificate when operating a snowmobile on public or private lands and frozen
26 bodies of waters of the state, and (ii) show the certificate on demand of a uniformed law
27 enforcement officer.

28 Any person who is under the direct supervision of a certified snowmobile safety instructor is
29 exempt from the requirements of this section.