

**HOUSE . . . . . No. 2397**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Anne M. Gobi*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to recreational vehicles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Anne M. Gobi</i>	<i>5th Worcester</i>	<i>1/20/2011</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>2/2/2011</i>

**HOUSE . . . . . No. 2397**

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By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 2397) of Anne M. Gobi and Todd M. Smola relative to the operation of recreational vehicle on public or private lands. Public Safety and Homeland Security.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2230 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to recreational vehicles.

*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. Chapter 90B Section 1 through section 38 of the General Laws, as  
2    appearing in the 2000 Official Edition, is hereby amended by striking, wherever they appear, the  
3    following words:- “the division of law enforcement of the department of fisheries, wildlife and  
4    environmental law enforcement” and inserting in place thereof the words “office of law  
5    enforcement of the executive office of environmental affairs”.

6           SECTION 2. Chapter 90B, is hereby amended by adding after Section 26 the following  
7    new section:- “Section 26A. No person shall operate a recreational vehicle on any public or  
8    private land in a manner so as to cause damage to flora or fauna, unless: (a) the operator is the  
9    owner or lessee or immediate family member of said owner or lessee of such property; or (b) the  
10   operator has in his possession a written document, signed by the owner or lessee of such

11 property, authorizing the operation of a recreational vehicle on such property; or (c) the owner or  
12 lessee of such property has designated the area for use by such recreational vehicles by posting  
13 reasonable notice of such designation in a manner approved by the director”.

14 SECTION 3. Chapter 90B Section 34 is hereby amended by striking the following  
15 words:- “twenty-six to twenty-eight, inclusive” and inserting in place thereof the words “twenty-  
16 six, twenty-seven and twenty-eight”.

17 SECTION 4. Chapter 90B Section 34 is further amended by adding at the end thereof, the  
18 following new paragraph:- “Whoever violates Section 26A, shall be punished by a fine of not  
19 less than one hundred fifty dollars nor more than five hundred dollars for the first offense or by a  
20 fine of not less than two hundred and fifty dollars nor more than one thousand dollars and  
21 forfeiture of the recreational vehicle for a second or subsequent offense.”.