

HOUSE No. 848

The Commonwealth of Massachusetts

PRESENTED BY:

Smitty Pignatelli

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 promoting snowmobiling sustainability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/18/2019</i>

HOUSE No. 848

By Mr. Pignatelli of Lee, a petition (accompanied by bill, House, No. 848) of Smitty Pignatelli relative to promoting snowmobiling sustainability. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act promoting snowmobiling sustainability.

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 2A of Chapter 21 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out, in line 1, the figure “11” and inserting in
3 place thereof the following figure:- 13.

4 SECTION 2: Said section 6C of said chapter 21, as so appearing, is hereby further
5 amended by inserting after the word “county”, in line 6, the following words:- and provided
6 further that at least one member shall be a resident of Franklin County, Hampden County,
7 Hampshire County or Worcester County,

8 SECTION 3. Said section 2A of said chapter 21, as so appearing, is hereby further
9 amended by inserting after the word “Massachusetts”, in line 12, the following words:- the
10 Snowmobile Association of Massachusetts.

11 SECTION 4. Said section 2A of said chapter 21, as so appearing, is hereby further
12 amended by striking out, in line 13 and in line 17, the number “2” and inserting in place thereof
13 the following number:- 4.

14 SECTION 5. Section 1 of chapter 61B of the General Laws, as appearing in the 2016
15 Official Edition, is hereby amended by inserting, in line 20, after the word “gliding” the
16 following words:- , recreational snowmobiling,”.

17 SECTION 6. Section 22 of chapter 90B of the General Laws, as appearing in the 2016
18 Official Edition, is hereby amended by adding at the end thereof the following paragraph:-

19 In conjunction with the Snowmobile Association of Massachusetts, or its successor
20 organization, a three-day “free snowmobile weekend” shall be established annually by the
21 Massachusetts Office of Law Enforcement on a mutually agreeable weekend during the winter
22 snowmobiling season. For the purposes of this section, a “free snowmobile weekend” is defined
23 as a Friday, Saturday, and Sunday during which a Massachusetts snowmobile registration and
24 Trail Pass provided by the Snowmobile Association of Massachusetts or its appendant clubs is
25 not required for non-residents to operate snowmobiles on public lands, or private lands under
26 agreement with the Snowmobile Association of Massachusetts or its appendant clubs, provided
27 said non-resident has proof of a valid registration in any state or Canadian province.

28 SECTION 7. Said chapter 90B is hereby amended by inserting after section 26E the
29 following section:-

30 Section 26F. Whoever, without right, knowingly operates a motor vehicle on wheels over
31 a snow vehicle trail on public property shall be subject to a fine of \$250 for the first offense and
32 a fine of \$500 for any subsequent offense.

33 The provisions of this section shall not apply where the operation of the wheeled vehicle
34 onto a snow vehicle trail occurred from an adjoining public way or place, or private way or place
35 which members of the public are allowed access; unless, signage that prohibits the public use of
36 a wheeled vehicle on the trail is posted conspicuously at such location.

37 For the purposes of this section, the words “snow vehicle trail” shall mean a path or road
38 on publicly-owned property that is designated and marked as a trail for snow vehicles by the
39 property owner, provided that during any period of such allowed use as may be established by
40 the owner, the trail is closed to the public use of motor vehicles other than snow vehicles; and the
41 words, “motor vehicle on wheels” or “wheeled vehicle”, shall mean a recreational vehicle as
42 defined under this chapter, and a motor vehicle as defined under chapter 90, not excluding any
43 motor vehicle used exclusively in the building, repair and maintenance of highways; provided,
44 such vehicle is designed to travel on one or more wheels in contact with the ground.

45 SECTION 8. The Massachusetts Office of Law Enforcement and Executive Office of
46 Energy and Environmental Affairs, in conjunction with the Snowmobile Association of
47 Massachusetts, or its successor organization, shall establish, through a Memorandum of
48 Understanding, a policy of winter snowmobiling use on new and existing recreational trails, also
49 known as rail trails, during periods of sufficient snow cover. Use as mentioned shall include but
50 not be limited to recreational use, grooming, and maintenance.