SENATE DOCKET, NO. 1168 FILED ON: 2/12/2021

SENATE . . . . . No. 538

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 promoting snowmobiling sustainability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*

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SENATE . . . . . No. 538

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 538) of Anne M. Gobi for legislation to promote snowmobiling sustainability. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *477* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

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

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

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

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

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

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

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

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

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

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

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

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