

TOWN OF BAKERSFIELD

ALL TERRAIN VEHICLE ORDINANCE

THIS ORDINANCE IS IN EFFECT FROM APRIL 1 TO DEC. 1ST BETWEEN THE HOURS OF 6:00 A.M. AND 10:00 P.M. TO PERSONS HOLDING A VALID DRIVERS LICENSE.

The select board of the Town of Bakersfield, in the County of Franklin and the State of Vermont, in accordance with Title 23, V.S.A. 1971-1983 hereby adopt this ordinance regulating the use of All Terrain Vehicles, in the Town of Bakersfield and described as follows:

- 1) As used in this ordinance “All Terrain Vehicle or ATV” means any non-highway recreational vehicle, except snowmobiles, when used for cross country travel on trails or on any one of the following or a combination thereof; land, water, snow, ice, marsh, swampland, and natural terrain.
- 2) The use of ATV’s is authorized on all town roads located in the Town of Bakersfield **except** TR#1 (Boston Post Road) TR#21(Academy Dr.) TR#31 (The Avenue) TR#3 from #108 to Town Garage.
- 3) An ATV may be operated only in accordance with V.S.A. Title 23 Chapter 31, Section 3501-3517 and will be enforced.
- 4) ATV signs have to be posted to notify motorists that ATV’s are on the road. These are NOT Trail signs.
- 5) Travel by ATV’s will be single file, to the right, with headlights on , at a rate of speed not to exceed 25 MPH.
- 6) An ATV may not be operated unless registered pursuant to this chapter 31 or any other section of this Title 3502-3504, as stated in the All Terrain Vehicle Operator’s Manual, by the State of Vermont and the Vermont Statutes Annotated, Title 23, 1999 Cumulative Supplement for use in 1999-2000 except when operated:
 1. On the property of the owner of the ATV
 2. Off the Highway, in a ski area while being used for the purpose of grooming snow, maintenance or in rescue operations
 3. Solely on privately owned land when the operator is specifically invited to do so and has on his person the written consent of the owner
- 7) The registration of an ATV does not constitute a license to cross or operate an ATV on Private lands that do not have trails.
- 8) If any portion of the Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected. A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. Title 2974a and 1977 et seq. A civil penalty of not more than \$500 may be imposed for this violation of this civil ordinance, and the waiver fee shall be set at \$100 for the first offense, \$200 for the second offense within a six-month period, and \$300 for all subsequent offenses within a six-month period, Each day that the violation continues will constitute a separate violation of this ordinance.
- 9) Liability Insurance is mandatory for an ATV.
- 10) The Town of Bakersfield accepts no liability for the operation of ATV’s on these Town Highways as listed.

Statutory Citation	23 VSA Name of Offense	Points	Code	Judicial Waiver	Penalty	Statutory Fine
3502(a)	Registration required	0	ATA	\$100.00	Not more than	\$300.00
3505(a)	Equipment required (muffler, spark arrester)	0	ATC	100-200.00	Not more than	300.00
3596(b)(1)	Operation along across public highways	0	ATF	100.00	Not more than	300.00
3506(b)(3)	Operation on private/public land/water	0	ATH	150.00	Not more than	300.00
3506(b)(5)	Operation by person less than 16 yrs.	0	ATJ	50.00	Not more than	300.00
3506(b)(6)	Operation to harass wildlife	0	ATK	200.00	Not more than	300.00
3506(b)(7)	Display of plate	0	ATL	100.00	Not more than	300.00
3506(b)(8)	Operating under the influence	0	ATM	300.00	Not more than	300.00
3506(b)(9)	Careless or negligent operation	0	ATN	300.00	Not more than	300.00
3506(b)(10)	Operation within cemetery	0	ATO	300.00	Not more than	300.00
3506(b)(11)	Operation on limited access highway	0	ATP	200.00	Not more than	300.00
3506(b)(12)	Operation on sidewalk	0	ATQ	200.00	Not more than	300.00
3509(a)	Altered serial number	0	ATR	300.00	Not more than	300.00
3511(a)	Accident, stop and render aid	0	ATT	300.00	Not more than	300.00
3511(b)	Failure to report accident	0	ATU	300.00	Not more than	300.00
3512	Attempting to elude officer	0	ATV	300.00	Not more than	300.00

In Accordance with 24 V.S.A. 1971-1976 and 24 V.S.A. 2291 this ordinance is adopted by the Bakersfield Selectboard on Dec. 28th 2001 to become effective sixty days from the adoption thereof. Citizens have the right to petition for a vote on the ordinance within 45 days from the adoption thereof. Citizens have the right to petition for a vote on the ordinance within 45 days in accordance with V.S.A. Section 1973.

Update 3/26/2012