

ATVs and Snowmobiles: Frequently Asked Questions

What is an ATV?

The term ATV or all-terrain vehicle includes any self-propelled vehicle with two or more wheels that is sold for off-highway use or used in off-road competitions. This includes dirt-bikes and four-wheelers.

Do ATVs need to be registered?

ATVs used solely for agricultural purposes or for personal snow plowing (not for-hire plowing) are exempt from registration requirements. All other ATVs operated anywhere in New York State, including the ATV owner's property, must be registered with DMV using form MV-82. ATVs need to be registered every year and are required to pay an annual \$10 registration fee.

How do I know if an ATV has been registered?

Every ATV that has been registered receives a 3" x 5" license plate that must be attached to the rear of the vehicle. Every year after reregistering an ATV, the owner will receive a registration sticker that needs to be placed on the license plate.

Who may operate an ATV?

A person does not need a driver's license to operate an ATV. However anyone between the ages of 10 and 16 may only operate an ATV if:

- They have completed an ATV safety training course OR
- They are under adult supervision or are operating on land owned or leased by their parents or guardians (*an adult is anyone over 18 or someone who is 16 or 17 and has completed a safety course*).

If the operator is under age 10 they may only operate an ATV with adult supervision or on lands owned or leased by a parent or guardian.

Where can ATVs be operated?*

- Unless otherwise posted, ATVs **may not** be operated on public highways except when crossing roadways.
- Unless otherwise posted, ATVs **may not** be operated on public land.
- ATVs **may not** be operated on private lands without the permission of the landowner.
- **ATVs may never be operated in a careless and negligent manner.**

What about farm ATVs?

Under New York State law, ATVs used **exclusively** (100%) for farm purposes are exempt from operational requirements. *For example, much like tractors, farm ATVs may be driven on public roadways (except interstates), provided it is in connection with the farm.*

What about liability and ATVs?

An ATV may not be operated anywhere in New York State, except the owner's personal property, without being covered by liability insurance. An ATV operator must show proof of this insurance when asked by a judge, police officer or person claiming damage to property from the ATV.

In general, under the NYS General Obligations Law, landowners whose land is used for certain recreational uses, such as ATV or snowmobile riding or fishing, cannot be held liable for accidents that occur on their land, unless they have received compensation for the use of that land (an ATV owner paid for use of the property). A landowner who "willfully" or "maliciously" fails to guard against certain hazards is also not exempt from liability.

What about snowmobile riding?

Snowmobiles are defined as self-propelled vehicles designed for travel on ice and snow that have a ski or runner for steering and that use skis, belts or cleats for support.

No one under the age of 18 may operate a snowmobile, except on land owned or leased by their parents, unless they are being supervised by an adult (over 18) or have completed a snowmobile safety course. Children under 10 or those ages 10 to 18 without a safety certificate, must be supervised by an adult except on land owned or leased by their parents.

Do snowmobiles need to be registered?

Snowmobiles must be registered if they are operated in New York State. Snowmobiles that are operated only on the owner's property, in competitive events, by the US government or are registered in neighboring states and that are on a "cross-border" trail, are the only ones that are exempt from being registered. The annual registration fee is \$10 and the owner needs to provide a complete form MV-82SN to the local DMV office.

Snowmobiles receive a permanent registration number when they are first registered. This number needs to be displayed on both sides of the snowmobile hood.

Where can a snowmobile be operated?

- Snowmobiles may not be operated in any careless, reckless or negligent manner, or in any way that harasses other people or wildlife.
- **They may not be operated on private property without consent of the owner.**
- They may not be operated in any tree nursery or planting in a manner that damages growing stock.
- Snowmobiles are only allowed to ride on roadways in certain instances and may never ride on a limited access highway.
- They can be operated on public roadway right-of-ways provided that they ride between the outer snow bank created by the snowplow (the side away from the road) and the end of the public right-of-way. Usually a public road right-of-way is measured from the center of the road, for example 25' from the center of the road to the edge of the right of way

What about snowmobiles and liability?

If a snowmobiler crosses a public highway or rides on public lands or trails, they are required to have personal liability insurance. The snowmobile associations also provide liability insurance for land owners who allow trails across part of their property.