

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

Registration and Operation of Snowmobiles, Approved Helmets and VAST Snowmobile Registrations

I. Registration:

(1) Definitions.

(a) “Registration Decal” means the decal issued by the Department of Motor Vehicles as a unique identifier for each snowmobile.

(b) “S sticker” means the temporary validation sticker issued to indicate the snowmobile registration has been renewed pending receipt of the permanent validation sticker.

(2) ~~(1)~~ Registration Application or Renewal.

(a) Annually on or before September 1, the owner of each snowmobile required to be registered by this state shall file an application for registration with the Department of Motor Vehicles or authorized agents, on forms printed by the Department. Owners of snowmobiles registered the previous year must complete and return to the Department or authorized agents, a renewal registration ~~certificate~~ notice furnished by the Department. Each registration application or renewal ~~certification~~ notice must be accompanied by the statutory fee. Upon receipt of an application in approved form, the Department shall issue a registration certificate stating the number ~~awarded~~ issued to the snowmobile and the name and address of the owner.

Duplicate registration certificates may be obtained upon payment of the statutory fee.

The registration certificate shall be available at all times for inspection on the snowmobile for which issued or on the person of the operator.

(b) Registrations issued or renewed after May 1 shall become effective the following August and will expire August 31 of the following year.

(c) ~~(b)~~ Any person engaged in the manufacture or sale of snowmobiles in the State of Vermont shall make application to the Department of Motor Vehicles for manufacturers' and dealers' registration certificate(s) and identifying number plate(s) upon prescribed forms.

(d) ~~(1)~~ Manufacturers' and dealers' registration certificates expire on the day prior to the beginning of the next ensuing registration year. All number plates previously issued shall be returned to the Department of Motor Vehicles

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

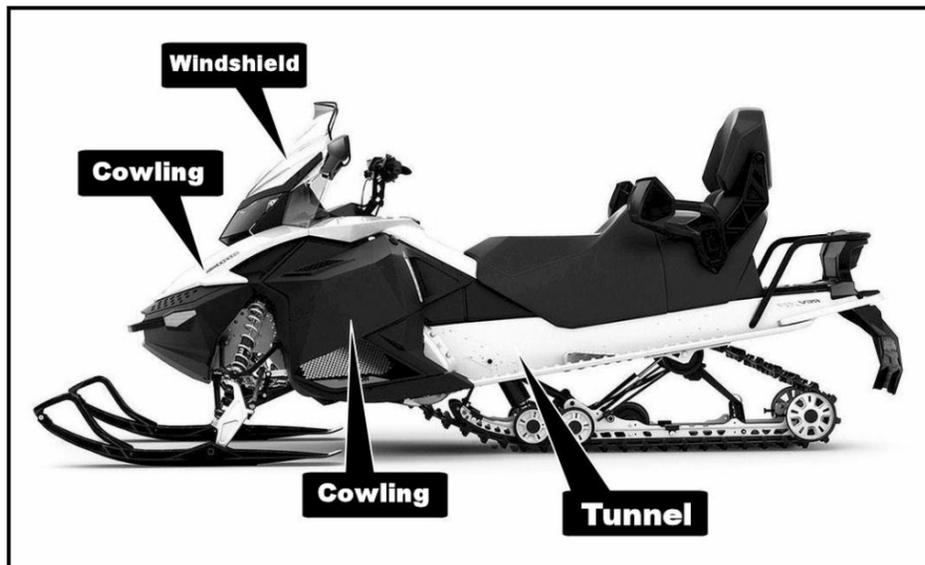
REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

within 72 hours thereof unless the completed renewal of registration certificate(s) has (have) been returned to the Department with the proper fee.

(3) ~~(2)~~ Number and Plate Display Requirements.

Registration numbers, plates or other identification issued or authorized by the Department of Motor Vehicles shall:

- (a) Consist of not more than five (5) Arabic numbers and letters. A registration decal, supplied by the Department of Motor Vehicles indicating the registration year, will be attached to the left of the snowmobile on the cowling; windshield or what is commonly referred to as the "tunnel". On plates and registration decals, the validating sticker will be attached in the space provided.



- (b) ~~Shall~~ Be mounted on the front cowling of the snowmobile if a temporary plate is issued by a manufacturer or dealer.
- (c) Be identified by the name and seal of the agency mounted on the front cowling if owned by a federal, state or municipal agency and used for official purposes.

II. Designation of Lands and Trails for Use by Snowmobiles:

(1) Definitions.

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

- (a) "Owner" means a person who has a legal interest in land and has the authority, power or right to permit or invite others to enter upon such land or exclude others from entering thereon and includes the State of Vermont;
- (b) "Private Land" means real property owned or controlled by a person or persons other than the State of Vermont or any department, agency or subdivision of the state.

(2) Designation of Private and Public Lands for Use by Snowmobiles.

- (a) Except in the case where the operator of a snowmobile (i) is the owner, or member of the immediate family of the owner of private land or (ii) has, on their person, the written consent of the owner or lessee of private land to operate a snowmobile in the specific area in which the operator is operating, or proof of membership of a club or association to which such consent has been given orally or in writing, no person shall enter upon the land of another, whether private or public, provided however, the owner of land may designate such land for snowmobiling by the general public by posting in accordance with these regulations.
- (b) If the owner of land designates land for use by snowmobiles, such owner may designate the point or points of entry and trails therein for the purpose of snowmobiling by proper posting. In such event, no person shall enter or travel within such land excepting at points of entry and on trails so designated.

(3) Manner of Designation.

- (a) An owner of land may designate land for snowmobiling by posting an approved sign adjacent to those points intended to be used for access to the land. Signs shall be diamond-shaped, 11 inches high and 11 inches wide, orange in color with a black silhouette of a snowmobile and operator entered thereon or any other signs which give reasonable notice that snowmobiles may enter upon such land.
- (b) Trails: An owner of land may designate snowmobile trails on land with standard trail signs approved by the International Snowmobile Congress as described below or any other signs which give reasonable notice a trail has been designated:
 - (1) Cautionary signs used at intersections of trails with other trails and/or plowed roads, resemble standard highway signs. The STOP sign is red, octagonal in shape, 12 inches wide and 12 inches high, with the word STOP centered thereon in large white letters. Caution signs are yellow, diamond-shaped, with sides 12 inches long. Centered thereon, in black,

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

shall be the appropriate symbols for intersections, crossroads and hazards.

- (2) Trail blazers are orange or green, diamond-shaped markers, 5 inches wide and 7 inches high, used to identify the trail route and ~~reassure~~ assure the user is on the trail.
- (3) Directional signs are orange, diamond-shaped, 9 inches wide and 12 inches high, with a black directional arrow centered thereon, used to indicate changes in trail direction.
- (4) Information signs are specialized signs for marking points of interest, entrances and giving control and distance information. Such signs may be designated by the owner.

Cautionary Signs		
		
Trail Blazer Sign	Directional Signs	
		

In all cases an owner electing to designate point or points of entry to property and snowmobile trails thereon shall place signs at such point or points of entry in such a manner and at such intervals along trails that a person entering and traveling thereon will have reasonable notice that they are in fact entering at a designated point and traveling on a designated trail. Unless proved otherwise, posting of trail signs as provided for in this section at intervals of not more than 1,000 feet shall be deemed adequate notice that the owner has designated a trail or trails within the property to which travel by snowmobile is intended to be restricted.

- (5) Designation of Public Lands-Agency of Natural Resources.

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

After due notice and public hearing the Agency of Natural Resources (Secretary) may designate public land and trails thereon for use by snowmobiles in accordance with Sections II ~~(2)~~ and III ~~(3)~~ of these regulations; provided however, if the Secretary thereafter finds that use of any lands and trails so designated is causing undue adverse impact on the environment or on the health, safety and welfare of the public, the Secretary may close all or portions of such lands and trails for a period not to exceed thirty (30) days and thereafter only upon due notice and public hearing.

(6) Criteria for Designation of Lands and Trails.

- (a) Private Lands: Although not required, owners of private land electing to designate such lands and trails thereon for use by snowmobiles are encouraged to apply ~~for~~ the same general standards in so doing as are to be applied by the Secretary. For this purpose any owner may request assistance and advice from the Secretary.
- (b) Public Land: In evaluating a proposal to designate public lands or trails thereon for use by snowmobiles, the Secretary shall apply the following criteria:
 - (1) Trails shall be located to minimize damage to soil, watershed, vegetation or other resources of the public lands and to the greatest extent possible utilize existing roads, paths and rights-of-way.
 - (2) Trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.
 - (3) Trails and land shall be located to minimize conflicts between snowmobiles and other existing or proposed uses on the same or neighboring public and private lands and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors. Excepting in unusual circumstances, no trail shall be located closer than 500 feet to an occupied dwelling or camp.
 - (4) Lands and trails shall not be designated where it is found that there are unique natural or wildlife values unless the Secretary affirmatively finds that these unique values will not be adversely affected.

(7) Special Use Permits-Public Lands.

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

There shall be no operation of snowmobiles on public lands whether designated for snowmobiles or not for the purpose of conducting organized races, rallies, meets, endurance contests and other similar events sponsored or held for other than general recreational purposes, unless a special use permit is applied for and issued by the Secretary. Applications for special use permits must be submitted no less than one (1) month in advance in order to allow sufficient time to assure that such use will not adversely affect the public land and the general public and to provide for the imposition of such conditions as the Secretary finds necessary to protect the public interest, including but not limited to posting of surety for rehabilitation of land or compensation for damage to it and property thereon. Special use permits may if necessary provide for no more than three alternative dates.

(8) Headgear.

A person may not operate or ride a snowmobile unless he or she properly wears protective headgear of a type that conforms to the Federal Motor Vehicle Safety Standards contained in 49 C.F.R. part 571.218 and any amendment or addition to the regulations that may be adopted by the U.S. Secretary of Transportation.

III. VAST Snowmobile Registrations Records Required:

(1) Documents and Decals.

(a) (1) The Vermont Association of Snow Travelers (VAST) must maintain a log of on file copies of temporary registration decals certificates issued. These It must be maintained for a period of three years at the VAST Headquarters.

(b) (2) All voided temporary registration decals must be accounted for by VAST. When a temporary registration decal is voided, for whatever reason, the issuing agent must make note on the log sheet and return the voided decal. write VOIDED across the temporary certificate with an explanation. One copy must be maintained by VAST and two copies returned to the Department of Motor Vehicles (DMV).

(c) (3) VAST must maintain a log of all registration decals and "S" stickers temporary certificates distributed to their Agents which shall include the date of distribution, agent's name and address, registration decal numbers and the number of "S" stickers distributed. and temporary certificate numbers assigned.

(d) VAST shall designate a custodian of documents who shall have primary responsibility for administration of documents. In the absence of the

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

designated custodian, VAST shall have an ongoing duty to make such records available for inspection by any motor vehicle inspector or other agent of the Commissioner during reasonable business hours.

(2) Audits.

- (a) ~~(1)~~ All records must be made available for audit at the office of VAST Headquarters during normal business hours.
- (b) ~~(2)~~ An audit will be conducted at least annually by the DMV to insure compliance with the requirements set by the Commissioner.
- (c) ~~(3)~~ The annual audit will be conducted during the month of July. VAST shall have all unused registration decals and "S" stickers available for inspection. VAST will be notified of the results within 30 days.
- (d) ~~(4)~~ Any unaccounted for ~~temporary~~ registration decals and "S" stickers certificates will require payment of the applicable statutory registration fee at the time VAST is notified of the audit results.

(3) Fees.

- (a) ~~(1)~~ No fee will be charged by the Department of Motor Vehicles for ~~temporary~~ registration decals and "S" stickers certificates issued to VAST.
- (b) ~~(2)~~ VAST will be responsible for collecting all fees due at the time of issuance of ~~temporary~~ registration decals and "S" stickers certificates. If sales tax has been previously paid or the applicant is claiming a gift tax exemption; proof of such payment or gift must be retained by VAST and submitted with the application and ~~registration~~ appropriate fee to the Department of Motor Vehicles.
- (c) ~~(3)~~ Each ~~temporary~~ registration application certificate must include the legal residence of the registered owner.

(4) Agents.

- (a) ~~(1)~~ VAST must provide the Commissioner of Motor Vehicles with a list of authorized agents during the month of September ~~October~~ of each year and any additions or deletions to that list as they occur during the year.
- (b) ~~(2)~~ To be eligible to issue ~~temporary~~ registration decals and "S" sticker's certificates, agents must be members of VAST, in good standing, and their privilege is not suspended or revoked by DMV.

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND VAST SNOWMOBILE REGISTRATIONS

- (c) ~~(3)~~ All Agents must submit to VAST Headquarters ~~the two copies of each certificate issued within 48 hours of issue accompanied by~~ the application for registration, proper supporting documents, and ~~proper~~ fees for residents and non-residents. VAST will be responsible for forwarding ~~the~~ DMV the original copy of the temporary registration certificate application accompanied by the supporting documents application for registration and fees within 48 hours 16 calendar days of issuance by the Agent. ~~of receipt from the Agent to the Department of Motor Vehicles.~~
- (d) ~~(4)~~ VAST will be responsible and accountable for all temporary registrations decals and "S" stickers assigned to it, ~~or~~ and its Agents.
- (e) ~~(5)~~ VAST will file with the Commissioner of Motor Vehicles within 30 days of the adoption of these regulations and on or before July 1 of each consecutive year a set of procedures which detail how the agents of VAST will receive and process snowmobile registration applications, supporting documents and fees, including the issuance of temporary registration decals and "S" stickers certificates to residents and non-residents.

(5) Violations.

- (1) The penalties may be assessed to either VAST or to the VAST Agent as applicable but in each incident, not to both.
- (2) Repetitive errors in record keeping, completing the application, or tardiness in submitting the fees or documents will result in imposition of the penalties established below. Continued violations could result in the Agent's privilege to issue registrations decals and "S" stickers being suspended or revoked.
- (3) Each violation is a separate and distinct offense regardless if received in the same package.

(6) Penalties.

- (a) First offense: Written warning
- (b) Second offense: \$50.00 fine
- (c) Third offense: \$100.00 Fine
- (d) Fourth and subsequent offense: \$150.00

Outstanding balances that remain unpaid for a period of more than 30 days will result in the agent's suspension until such time as the balance is paid and for a period of 60 days thereafter.

ADMINISTRATIVE RULES OF THE VERMONT DEPARTMENT OF MOTOR VEHICLES

*REGISTRATION AND OPERATION OF SNOWMOBILES, APPROVED HELMETS AND
VAST SNOWMOBILE REGISTRATIONS*

(7) Snowmobile Registration Renewals.

~~(4)~~ VAST Agents may renew snowmobile registrations of Vermont residents and non-residents provided the applicant ~~deposits~~ submits to ~~with~~ the Agent the following:

(1) The proper fees; and,

(2) The pre-printed renewal notice for each machine to be renewed; or,

(3) A properly completed ~~renewal~~ registration application form and registration certificate for each machine to be renewed.

~~(2) Repetitive errors in record keeping, completing the application, or tardiness in submitting the fees or documents will result in the Agent's privilege to issue temporary registrations being suspended or revoked. Rule 32~~