

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-848		792	2	3	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Transportation</i> 559 • <i>Transportation</i> 397 				<u>House Pages:</u> <ul style="list-style-type: none"> • 5972-5874 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 2943-2944

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 13
5555-6226**

Wednesday, June 9, 1971

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MR. MAHANEY (92nd):

Mr. Speaker, I would like to call the Clerk's attention now to page 8, if he would please call Calendar No. 1569.

THE CLERK:

On page 8, Calendar No. 1569, substitute for S.B. No. 792, An Act Concerning All Terrain Vehicles, as amended by Senate Amendment Schedule "A".

MR. RYAN (84th):

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

Will you remark?

MR. RYAN (84th):

Mr. Speaker, this bill is proposed in recognition of the increasing numbers of all-terrain vehicles, those that operate on wheels, runners and on a cushion of air between them and the surface over which they travel. The bill does several things. It changes the definition of vehicle in the statutes to include all-terrain vehicles. It also modifies the definition of motor vehicle to exclude all-terrain vehicles in order to prohibit the use of these vehicles on the highways. The bill also defines all-terrain vehicles and requires that they be registered in accordance with section 14-380, just as snowmobiles are. It also requires that they shall be marked with letters or numbers depicting their registration on each side of the front section and requires that they be made of deflective material. This is in conformity with H.B. No. 7041 in relation to snowmobiles passed by this House last week. The bill also provides for regulation of dealers and rental agencies and includes those same law enforcement officers, including constables, state park policemen, state forest policemen and forest rangers as enforcers of the provision of this act.

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And finally, Mr. Speaker, this bill provides that no all-terrain vehicles shall be operated on fenced agricultural land or a posted land without the written permission of the owner and in the case of land without, in the case of state land without written permission of the agency of institution. In essence, Mr. Speaker, this is a comprehensive piece of needed regulatory legislation that is modelled after similar legislation in relation to snow-mobiles, passed by this House last week. Does the Clerk have an amendment?

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THE SPEAKER:

The Clerk is in possession of Senate "A".

MR. RYAN (84th):

Mr. Speaker, I move adoption of Senate Amendment Schedule "A".

THE SPEAKER:

The Clerk will call Senate "A".

THE CLERK:

Senate Amendment Schedule "A" adopted by the Senate on June 4th.

In lines 209 and 210, delete the brackets.

MR. RYAN (84th):

Mr. Speaker, I would move for the adoption of Senate Amendment Schedule "A" in that it corrects a small error which had, by which we had deleted the \$50.00 fine if an operator refused to stop at the request of a law enforcement officer. This is a housecleaning amendment and I would urge its adoption.

THE SPEAKER:

Further remarks on Senate "A"? If not, all those in favor indicate by saying aye. Opposed? Senate "A" is ADOPTED.

MR. RYAN (84th):

Mr. Speaker, I would now move for passage.

THE SPEAKER:

Will you remark on the bill as amended? If not, all those in favor indicate by saying aye. Opposed? The bill is PASSED.

MR. MAHANEY (92nd):

Mr. Speaker, I would at this time like to direct the Clerk's attention to page 8, the corrected write-in matter, Calendar No. 1568, S.B. No. 680, File 1240. I move you, sir, that this matter be recommitted to the Committee on State and Urban Development.

THE SPEAKER:

Will you remark? Is there objection? Hearing none, the item indicated is recommitted. The Calendar number, for the benefit of the Laurel Club is No. 1568.

MR. MAHANEY (92nd):

Mr. Speaker, I would direct your attention now, sir, to page 9 of today's calendar, Calendar No. 1576, substitute for S.B. No. 889, File No. 1533, and move you, sir, that this matter be recommitted to the Committee on Judiciary.

THE SPEAKER:

Will you remark? Is there objection? Hearing none, the item indicated is recommitted.

MR. MAHANEY (92nd):

Mr. Speaker, on page 9 also, I would request at this time that the Clerk call Calendar No. 1578.

THE CLERK:

Calendar No. 1578, on page 9, substitute for S.B. No. 1022, An Act Concerning Appointment to Fill a Vacancy in Judicial Office.

MR. CARROZZELLA (81st):

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THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor of passage (interruption by Senator Houley)

SENATOR HOULEY:

Mr. President, the Minority Leader, has indicated to me that, he has an amendment. The Chairman of Appropriations is unaware of an amendment. Does the Clerk have an amendment?

THE CLERK:

Clerk has no amendment.

THE CHAIR:

THEN, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 1130. File 1606. Favorable report of the joint committee on Transportation. Substitute for Senate Bill 792. An Act Concerning All Terrain Vehicles.

SENATOR MONDANI:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amendment.

THE CLERK:

SENATE AMENDMENT SCHEDULE A, offered by Senator Mondani:

In lines 209 and 210 delete the brackets.

SENATOR MONDANI:

I move adoption of the amendment. Mr. President, this amendment will place back into the statute the requirement that the individual must stop on a signal or request from a authorized law enforcement official.

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THE CHAIR:

Will you remark further? If not, all those in favor of adoption of the amendment signify by saying, "aye". Opposed, "nay". The ayes have it. The amendment is adopted. Senator Mondani, on the bill, as amended.

SENATOR MONDANI:

Mr. President, I move acceptance of the bill, as amended by Senate Amendment Schedule A. This bill brings back, brings into the law mainly the law relating to snowmobiles, the all terrain vehicle. It identifies the all terrain vehicle, it states in Section 3, refers to those people that sell it. It identifies the dealers. Section 4, and 5, places the responsibility of putting some kind of identification, seal or mark on this vehicle. And throughout the law, puts it in with the snowmobile, classification. I would like to point out, in Section 11, it places some restrictions on where they may be operated. It also gives the community or State the power to regulate the vehicles. Section 12, makes the owner responsible if there are consequences or damages when he goes on someone's land.

I would like to point out to the members of the circle, that there is another bill that is coming up from the House and will be on the Calendar next week, that covers snowmobiles and the language in this act will be exactly parallel except that it adds the altering vehicle something that is new in the automotive industry. And we had hoped to cover it, to provide protection for the people, and the operators of these vehicles. I urge its adoption.

THE CHAIR:

Question is on passage of the bill, as amended. Will you remark further? If not, all those in favor say, "aye". Opposed, "No". Bill is passed.

**JOINT
STANDING
COMMITTEE
HEARINGS**

TRANSPORTATION

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TRANSPORTATION

MARCH 26, 1971

Mr. Papanza(continued): Now, there is no way, I suppose, that we can take this under advisement, and probably send a statement to the Committee at a later date? So we can know exactly what we are talking about, rather than going on record, and saying we are "for" something, and not too aware of the exact contents of the bill. So, if we could do that, Mr. Chairman?

Chairman O'Dea: Yes, you may. Fine. Thank you, sir. Anyone else to speak in favor of the bill? Anyone opposed?

Mr. Richard Meek: Mr. Chairman and Members of the Committee; I am Vice President of Connecticut Automotive Trade Association. I don't have any trouble at all, making you our mind; as to whether we are for against this bill. We are definitely opposed to it. It would allow an annual reexamination of every zoning permit given to one of our members and it would also include gasoline stations who have repairer licenses. We support the present law that requires that anybody taking out a dealer or repairers license, get zoning permission. But to require an annual reexamination, would give the local authority an awful club over our heads. We have members who have multi-million dollar installations in the state, and if they were subject to termination, every year at the whim of the local zoning board; I don't know how we would ever get anyone to go into the business.

There is no question at all, I think that it is unfair to select out one particular type of business in the state for this type of reexamination. If you are going to reexamine dealers and repairers, why not everybody else to get a zoning permit? We are very much opposed to this bill and hope you will not pass it. Thank you.

Chairman O'Dea: Thank you, Mr. Meek. Anyone else opposed to the bill? The bill is closed - 1278.

The next bill is S. B. 792 (Sen. Ives) AN ACT CONCERNING REGISTERING AND REGULATION OF ALL TERRAIN VEHICLES. Anyone in favor?

Mr. Edward Carroll: Representing The Dept. Of Motor Vehicle, I have given a substitute for this bill or language for the bill, which was only a title. This bill would provide for the registration of all terrain vehicles, operated on land, other than owned or leased by such vehicle's owner. It provides for the same restrictions and privileges which apply presently to snowmobiles. Yes?

Senator Mondani: Ed, it is a question on it? Is a motor vehicle allowed or not allowed to go on an area specifically designated as a walk-way?

Mr. Carroll: There is a law that says you cannot cross a sidewalk.

Senator Mondani: The problem is with the all terrain vehicles in relation to hiking trails - that are laid out and specifically identified as trails for hikers. Is a motor vehicle allowed on there?

FRIDAY

TRANSPORTATION

APRIL 2, 1971

means that 141-5 would only be effective if somebody where to ride in it while it is being moved on a public highway. While your second bill H.B. 6431 is adding the word into the definition of "camper" and maybe used for the transporting of persons, and necessary personal property. Your going to have a big conflict in the law. I think the thing as I wrote some of the Representatives----dealing with your original bill, Senator 705, in which I drafted a substitute bill taking care of one problem. I found out a week after I mailed it to you, that there was S.B. 792 dealing with registration of all three vehicles, which I included in my redrafting. I wrote Representative Hannon, my Representative suggesting because of the many definition bills that were coming in and many conflicts in definitions, that it might be prudent if the Transportation Committee were to create a commission to study motor vehicle definitions and report back to the next session of the General Assembly, and allow the various industries to come in to be properly definad and properly regulated. Now I know motor vehicles has been in opposition to me in the past, but I would like to point out to you that Motor Vehicle is a service organization to the citizens of the State of Connecticut. I do not feel that we should take one type of vehicle and divorce it from the Motor Vehicle Department. I do not feel that if there are a dozen type of this type that they do not want, that we should have a dozen other state agencies. I don't think we need the cost, and I think the Motor Vehicle Department would be properly equipped if we had better definitions and better understandings. Thank you.

Rep. O'Dea: Thank you Mr. Burns. Anyone else to speak on these bills?

Mr. Carroll: I'm not sure if I understood all of Bob Burns remarks, and I may be in error here, but there is a definition here for the term camp trailer, as well as the term camper in the motor vehicle book. And a camp trailer includes any trailer designed and used exclusively for camping and pleasure purposes, or used for the purpose of transporting personal property of the owner. And this is opposed to the definition of a camper means, any motor vehicle primarily equipped, designed, converted, or used for private living quarters, by one or more individuals. But, I'm sure that if we are at odds on this that we can iron it out somehow. In any event, with regard to bills 6430, occupancy of camp trailers, this bill would expand the language of the law which presently prohibits occupancy of house trailers when they are being moved over the highway, to extend to all camp trailers. Now camp trailers include utility trailers, house trailers, and boat trailers. H.B. 6431 DEFINITIONS OF A CAMPER. This bill expands the present definition of the term camper to make it clear that a camper may be used for transportation of people and their belongings. Under the present definition a question has been raised as to whether a camper might be used to drive to and from work, or for other personal transportation. This bill would clearly provide for such use to be made of campers. Thank you very much.

Rep. O'Dea: Thank you Mr. Carroll.

Mr. Burns: The situation here is in the current wording of the definition "private living quarters". Now our industry defines a camper as a item mounted on the back of a pick-up truck for camping and recreational purposes. The definition of camp trailer says, "for camping and recreational purposes". The mobile home, the permanent living quarters has got to fall in one of these definitions. If you say that you can't ride in a camper, but can you ride in a mobile home. In other words, I think the thing has to be established, and this is where the confusion between Ed and I come. Thank you.