

HOUSE No. 4608

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on House, No. 804, a Bill establishing a snowmobile educational safety program (House, No. 4608). April 22, 2010.

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act ESTABLISHING A SNOWMOBILE EDUCATIONAL SAFETY PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of chapter 90B of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by inserting after Section 9B the following section:--

3 Section 9C. Educational safety program; snowmobiles

4 Section 9C. The Division of Environmental Law Enforcement (DELM) is hereby
5 authorized and directed to establish an educational safety program for the operation of
6 snowmobiles. All persons twelve years old and older, born after July 1, 1990, shall be required to
7 successfully complete said program to operate snowmobiles in the Commonwealth, unless
8 operating on private land with permission of the property owner.

9 DELM shall establish the program criteria and content and shall determine the minimum
10 safety skills necessary for said persons to operate snowmobiles. DELM may work in
11 conjunction non-profit or related associations relative to this section. Any course of snowmobile
12 safety education that is offered shall provide a minimum of two hours of instruction.

13 The DELM or its designee shall issue a certificate of snowmobile safety education to a
14 person who: (i) passes a DELM prescribed course of snowmobile safety education or
15 (ii) passes a snowmobile safety equivalency examination administered by DELM or any
16 person or organization authorized to offer a course of snowmobile safety education.

17 Once issued, the certificate of snowmobile education is valid for the lifetime of the
18 person to whom it was issued.

19 The division shall replace a lost or destroyed certificate if the division issued the
20 certificate or has a record that the certificate was issued.

21 A snowmobile safety certificate issued in another state or country in accordance with or
22 substantially equivalent criteria approved by DELM is sufficient to comply with the
23 requirements of this section.

24 A person who is required to have a certificate of snowmobile education shall:

25 (i) possess the certificate when operating a snowmobile on public or private lands and
26 frozen bodies of waters of the state, and (ii) show the certificate on demand of a uniformed law
27 enforcement officer.

28 Any person who is under the direct supervision of a certified snowmobile safety
29 instructor is exempt from the requirements of this section.