

Rhode Island Laws

TITLE 31 Motor and Other vehicles

§ 31-3.2-1 Definitions. – For the purpose of this chapter, the terms defined in this section have the following meanings ascribed to them:

- (1) "Dealer" means a person, partnership, or corporation engaged in the business of selling snowmobiles or recreational vehicles at wholesale or retail.
- (2) "Director" means the director of the department of environmental management acting directly or through his or her authorized agent.
- (3) "Manufacturer" means a person, partnership or corporation engaged in the business of manufacturing snowmobiles or recreational vehicles.
- (4) "Operate" means to ride in, on, and control the operation of a snowmobile or recreational vehicle.
- (5) "Operator" means every person who operates or is in actual physical control of a snowmobile or recreational vehicle.
- (6) "Owner" means a person, other than a lienholder, having the property in or title to a snowmobile or to a recreational vehicle or entitled to the use or possession of one.
- (7) "Person" includes an individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not.
- (8) "Recreational vehicle" means a motor vehicle including minibikes designed to travel over unimproved terrain and which has been determined by the division of motor vehicles as unsuitable for operation on the public way and not eligible for registration for such use. This shall not be construed to include golf mobiles or golf carts, riding lawn mowers, or garden tractors, which are not registered as farm vehicles, but shall include any three (3) wheel driven vehicle and any other four (4) wheel driven vehicle, regardless of type or design, including all classes of all-terrain vehicles.
- (9) "Register" means the act of assigning a registration number of a snowmobile or recreational vehicle.
- (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.
- (11) "Snowmobile" means a motor vehicle designed to travel over ice or snow supported in whole or in part by skis, belts, cleats, or low-pressure tires.

§ 31-3.2-2 Registration. – (a) *General requirements.* Except as provided in this chapter, no person shall operate any snowmobile or recreational vehicle within the state unless the snowmobile or recreational vehicle has been registered in accordance with this chapter. Any operator of any snowmobile or recreational vehicle not registered in accordance with this

chapter shall be deemed guilty of a civil violation and be subject to a fine of one hundred dollars (\$100) for each offense.

(b) Application – Issuance – Reports. Application for registration shall be made to the director in such form as the director shall prescribe, and shall state the name and address of every owner of the snowmobile or recreational vehicle and be signed by at least one owner. Upon receipt of the application and the appropriate fee, the snowmobile or recreational vehicle shall be registered and a reflectorized identification number assigned which shall be affixed to the snowmobile or recreational vehicle in such manner as the director shall prescribe.

(1) The fee for registration of each snowmobile or recreational vehicle, other than those registered by a dealer or manufacturer pursuant to subsection (c)(1) or (c)(2) shall be as follows: twenty-five dollars (\$25.00) for one year and one dollar (\$1.00) for a duplicate or transfer.

(2) The total registration fee for all snowmobiles or recreational vehicles owned by a dealer and operated for demonstration or testing purposes shall be twenty-five dollars (\$25.00) per year.

(3) The total registration fee for all snowmobiles or recreational vehicles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be one hundred dollars (\$100) per year. Dealer and manufacturer registrations are not transferable.

(4) In addition to the registration fees enumerated in subdivisions (1) – (3) of this subsection, an annual registration fee of ten dollars (\$10.00) for residents and twenty dollars (\$20.00) for nonresidents on all off-road facilities established by the department of environmental management for such purposes. No person shall operate any recreational vehicles on off-road facilities which has not been registered as required by this subdivision.

(d) Renewal. Every owner of a snowmobile or recreational vehicle shall renew his or her registration in such manner as the director shall prescribe, upon payment of the same registration fees provided in subsection (c).

(e) Snowmobiles or recreational vehicles owned by state or political subdivision. A registration number shall be issued without the payment of a fee for snowmobiles or recreational vehicles owned by the state of Rhode Island or a political subdivision of the state upon application for it.

(f) Exemptions. No registration under this section shall be required for the following described snowmobiles or recreational vehicles:

(1) Snowmobiles or recreational vehicles owned and used by the United States, another state, or a political subdivision of the United States or another state.

(g) Special Permits. The director of environmental management may issue special permits to out of state snowmobiles or recreational vehicles from a state or country where registration is not required to operate in Rhode Island for limited periods of time not to exceed thirty (30) days in connection with organized group outings, trail rides, races, rallies, and other promotional events.

§ 31-3.2-3 Disposition of fees. – All fees from registration of snowmobiles or recreational vehicles shall be deposited as general revenues.

§ 31-3.2-4 Transfer or termination of ownership. – Within fifteen (15) days after the transfer of ownership, or any part of it, other than a security interest, or the destruction or abandonment of any snowmobile or recreational vehicle, written notice of that transfer or destruction shall be given to the director in any form that he or she shall prescribe.

§ 31-3.2-4.1 Operation of snowmobile or recreational vehicle without permission – Penalty. – (a) No person shall operate any snowmobile or recreational vehicle upon any property or premises owned by another person without the consent in writing of the owner of the property or premises.

(b) No person shall operate any snowmobile or recreational vehicle which is owned by another person without the consent in writing of the owner.

(c) *Penalties.* Any person who shall violate the provisions of this section shall be guilty of a civil violation and be subject to a fine of not more than one hundred dollars (\$100) for each offense.

§ 31-3.2-5 Licensing by political subdivisions. – No political subdivision of this state shall require licensing or registration of snowmobiles or recreational vehicles.

§ 31-3.2-6 Rules and regulations. – (a) With a view of achieving maximum use of snowmobiles and/or recreational vehicles, the director of natural resources shall adopt rules and regulations for the following purposes:

(1) Registration of snowmobiles and recreational vehicles and display of registration numbers.

(2) Use of snowmobiles and recreational vehicles insofar as game and fish resources are affected.

(3) Use of snowmobiles and recreational vehicles on public lands and waters under the jurisdiction of the director of natural resources.

(4) Uniform signs to be used by the state, counties, cities and towns, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles and recreational vehicles.

(5) Specifications relating to snowmobiles and recreational vehicles' mufflers.

(b) The administrator of the division of motor vehicles may adopt rules and regulations not inconsistent with this chapter in the manner provided by this title regulating the use of snowmobiles and recreational vehicles on streets and highways.

§ 31-3.2-7 Operation. – *Operation on streets and highways.* (a)

(1) No person shall operate a snowmobile or recreational vehicle upon the roadway shoulder, on the inside bank or slope on any highway in this state, or elsewhere within the right of way,

except as provided in this chapter. No snowmobile or recreational vehicle shall be operated at any time within the right of way of any interstate highway or freeway within this state.

(2) A snowmobile or recreational vehicle may make a direct crossing of a street or highway at any hour of the day provided:

(i) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(ii) The snowmobile or recreational vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway;

(iii) The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard;

(iv) In crossing a divided highway the crossing is made only at an intersection of the highway, with another public street or highway; and

(v) If the crossing is made between the hours of one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

(3) No snowmobile or recreational vehicle shall be operated upon a public street or highway unless it is equipped with at least one head lamp and one tail lamp, each of minimum candlepower as prescribed by regulations of the director; reflector material of a minimum area of sixteen (16) square inches mounted on each side forward of the handlebars; and with brakes. All of these shall conform to standards prescribed by rule of the director.

(4) A snowmobile or recreational vehicle may be operated upon a public street or highway other than as provided by subsection (a)(2) in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

(i) *International contests, use of highways, etc.* Nothing in this section shall prohibit the use of snowmobiles or recreational vehicles within the right of way of any highway or upon public lands or waters under the jurisdiction of the director of environmental management in any international contest, subject to the consent of the official or board having jurisdiction over the highway or public lands or waters.

(ii) *Operation generally.* It shall be unlawful for any person to drive or operate any snowmobile or recreational vehicles in the following unsafe or harassing ways:

(A) At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(B) In a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage to it;

(C) While under the influence of intoxicating liquor or narcotics, or habit-forming drugs;

(D) Without a lighted head light and tail light when required for safety;

(E) In any tree nursery or planting in a manner which damages or destroys growing stock; or

(F) Without the operator and passengers wearing a helmet equipped with a face guard of a type approved by the administrator of the division of motor vehicles.

(b) The provisions of §§ 31-27-2 and 31-27-2.1 relating to weight of alcohol in the defendant's blood and its admission as evidence shall apply to subparagraph (C) of this paragraph.

(c) It shall be unlawful for any person to drive or operate any snowmobile or other motorized recreational vehicle upon any above-ground reservoir property of the Woonsocket reservoir in the towns of North Smithfield, Lincoln, and Smithfield, and in the city of Woonsocket. Any person who shall violate the provisions of this section shall be guilty of a civil violation and be punished by a fine of not more than fifty dollars (\$50.00) for the first offense and by a fine of one hundred dollars (\$100) for any subsequent offense.

§ 31-3.2-7.1 Operation prohibited within valley marshes – Penalties. – (a) No person shall operate a motorcycle, recreational vehicle or other motorized vehicle within the Blackstone Valley Flood Plains or Marshes, also known as the "Valley Marshes."

(b) Any person convicted of violating this section shall be punished as follows:

(1) For the first offense a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500), or imprisonment for thirty (30) days, or both;

(2) For the second offense, a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or imprisonment of sixty (60) days, or both; or

(3) For any subsequent offense, a fine of not less than one hundred fifty dollars (\$150) nor more than five hundred dollars (\$500), or imprisonment for ninety (90) days, or both.

§ 31-3.2-8 Mufflers. – Except as provided in this section, every snowmobile or recreational vehicle shall be equipped at all times with a muffler in good working order which blends the exhaust noise into the overall snowmobile or recreational vehicle noise and is in constant operation to prevent excessive or unusual noise. The exhaust system shall not emit or produce a sharp popping or crackling sound. This section does not apply to organized races or similar competitive events held on:

(1) Private lands, with the permission of the owner, lessee or custodian of the land;

(2) Public lands and water under the jurisdiction of the director of natural resources, with the director's permission; or

(3) Other public lands, with the consent of the public agency owning the land. No person shall have for sale, sell, or offer for sale on any new snowmobile or recreational vehicle any muffler that fails to comply with the specifications required by the rules and regulations of the director after the effective date of the rules and regulations.

§ 31-3.2-9 Crossing of highways by youthful operators – Prohibitions. – (a) No person under sixteen (16) years of age shall make a direct crossing of a state highway as the operator of a snowmobile or recreational vehicle. A person sixteen (16) years of age or older, but less than

eighteen (18) years of age, may make a direct crossing of a highway only if he or she has in his or her immediate possession a valid motor vehicle operator's license.

(b) No one shall carry a firearm, rifle, or shotgun in or on a snow vehicle, a recreational vehicle, or on a trailer or sled attached to one unless such firearm, rifle, or shotgun is unloaded and in an enclosed case, unless he or she is a law enforcement officer or other person authorized to carry arms.

(c) It is unlawful for the owner of a snowmobile or recreational vehicle to permit the snowmobile or recreational vehicle to be operated contrary to the provisions of this section. Nothing contained in this section shall be construed to supersede the powers of any department of the state, nor of any city, town, commission, or body having authority to regulate the use of lands, waters, or ways within their respective control, or jurisdiction from adopting rules, regulations, ordinances, or by-laws not repugnant to law as to the operation of snow vehicles or recreational vehicles on such lands, waters, or ways, including the prohibition of such operation. Nothing contained in this chapter shall be deemed to constitute a license to operate snow vehicles or recreational vehicles on private land. Any person who operates a snowmobile upon the land of another shall stop and identify himself or herself upon the request of the landowner or his or her duly authorized representative, and if requested to do so by the owner or representative, shall promptly remove the snowmobile from the premises.

§ 31-3.2-10 Penalties. – Any person who violates any provisions of this chapter or any regulation of the director of the department of environmental management or the administrator of the division of motor vehicles shall be guilty of a misdemeanor and be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment for not more than ninety (90) days. The director may suspend or revoke the registration of a snow vehicle or a recreational vehicle, after a hearing, for good cause which shall include, but not be limited to:

- (1) Nonownership by the applicant;
- (2) The failure of the vehicle to meet equipment standards after the owner has received notice to comply with the standards;
- (3) Operation of the vehicle improperly or in such a manner as to cause damage to any property or death or injury to any person, or that the registrant has allowed or permitted the vehicle to be so operated.

§ 31-3.1-1 Certificate of title required. – (a) Except as provided in § 31-3.1-2, every owner of a vehicle which is in this state and for which no certificate of title has been issued by the division of motor vehicles shall make application to the division for a certificate of title of the vehicle.

(b) The division of motor vehicles shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the division to the owner or an application for title has been delivered by the owner to the division.

§ 31-3.1-2 Exclusions. – No certificate of title need be obtained for:

- (1) A vehicle owned by the United States unless it is registered in this state;

(2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway, or used for purposes of testing or demonstration; or a vehicle used by a manufacturer solely for testing;

(3) A vehicle owned by a nonresident of this state and not required by law to be registered in this state;

(4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(5) A vehicle moved solely by human or animal power;

(6) An implement of husbandry;

(7) Special mobile equipment;

(8) A self-propelled invalid wheel chair or tricycle;

(9) A trailer without motive power and designed for carrying property, to be drawn by a motor vehicle and having a capacity of three thousand pounds (3,000 lbs.) or less;

(10) Motorized bicycles; and

(11) A mobile home or other nonmotorized dwelling unit built on a chassis greater than eight feet six inches (8' 6") in width or sixty feet (60') in length and containing complete electrical, plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent living quarters.

§ 31-3.1-4 Application for first certificate of title. – (a) The application for the first certificate of title of a vehicle in this state shall be made by the owner to the division of motor vehicles on the form it prescribes and shall contain:

(1) The name, residence, and mailing address of the owner;

(2) A description of the vehicle including, so far as the following data exists: its make, model, identifying number, type of body, the number of cylinders, and whether new or used;

(3) The date of purchase by applicant, the name and address of the person from whom the vehicle was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements; and

(4) Any further information the division reasonably requires to identify the vehicle and to enable it to determine whether the owner is entitled to a certificate of title, and the existence or nonexistence of security interests in the vehicle.

(b) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of this security agreement and be signed by the dealer as well as the owner, and the dealer or buyer shall promptly mail or deliver the application to the division. The buyer shall also complete a security lien statement as provided in § 31-3.1-19.

(c) If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

(1) Any certificate of title issued by the other state or country;

(2) Any other information and documents the division reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interest in it; and

(3) The certificate of a person authorized by law that the identifying number of the vehicle has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vehicle the division reasonably requires.

(d) Chiefs of police, their designees, or, in an emergency, the administrator of the division of motor vehicles or his or her designee shall conduct the inspection of the vehicle identifying number, and certify, on forms provided by the division, that it has been found to conform to the description given in the application or any other form of the identity of the vehicle the division reasonably requires. An inspection and certification fee of ten dollars (\$10.00) shall be assessed against the applicant by the city or town whose police conduct the inspection. This provision eliminates the responsibility for the inspection to be performed by division personnel.

(1) Upon inspection of the vehicle identifying number as provided for in this section, each vehicle identification number shall be submitted for a National Crime Information Center (NCIC) check, and the results, sometimes called the "NCIC check number", shall be attached to the TR-5 form provided by the division or to any other form consistent with this provision that the division might reasonably require.

(e) No person, partnership, or corporation shall charge a fee in excess of ten dollars (\$10.00) for obtaining a certificate of title for a motor vehicle.

CHAPTER 31-5 Dealers', Manufacturers', and Rental Licenses

SECTION 31-5-18.3

§ 31-5-18.3 Sale of all-terrain vehicles (ATV's). – (a) No motor vehicle dealer licensed under the provisions of this chapter shall sell, lease, or rent any class of all-terrain vehicle to any person under the age of sixteen (16) years.

(b) Violations of this section shall be grounds for denial, suspension or revocation of the dealers license under § 31-5-11 and also be subject to the penalties provided by § 31-5-14.

TITLE 9 COURTS and CIVIL PROCEDURE–PROCEDURE GENERALLY

CHAPTER 9-20 Decisions, Special Findings and Assessment of Damages

SECTION 9-20-5

§ 9-20-5 Assumption of risk in use of off-road vehicles. – (a) Notwithstanding the provisions of § 9-20-4, in any legal action against the state or any political subdivision thereof, an operator or passenger of: (1) a recreational vehicle as defined in § 31-3.2-1(8) or (2) a snowmobile as defined in § 31-3.2-1(11), or (3) an all terrain vehicle (A.T.V.), or (4) a motor vehicle primarily designed for use off public roads, shall while on state property assume as a matter of law the risks inherent in such operation insofar as they are obvious and necessary.

(b) The director of the department of environmental management shall post signs warning operators and passengers that they assume the risk of injury while on state property. Provided, however, that the lack of signs shall not be admissible in a suit for negligence.

RHODE ISLAND RULES AND REGULATIONS

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PART I

REGISTRATION OF SNOWMOBILES AND RECREATIONAL VEHICLES

(Statutory Authority Chapter 31-3.2 of the General Laws)

Sec.

- 1 Registration of Snowmobiles
 - 2 Registration of Recreational vehicles
 - 3 Application for certificate of registration and identification certificate.
 - 4 Duration of registration
 - 5 Lost, destroyed, stolen, abandoned snowmobiles or recreational vehicles.
 - 6 Sold or traded snowmobiles or recreational vehicles
 - 7 Change of address
 - 8 Lost or destroyed identification certificate
 - 9 Rental or liveried snowmobiles or recreational vehicles
 10. Temporary Operation of newly acquired snowmobiles or recreational vehicles
- Section 1. Registration of Snowmobiles

(a) Every snowmobile, except those exempted under Section 31-3.2-2, operated within the State of Rhode Island shall be registered and numbered as hereinafter provided.

(b) The numbering system shall consist of two identical, reflectorized pre-numbered

registration decals having four Arabic numerals on each.

(c) The numbered registration decals shall be applied to each side of the cowling of the snowmobile for which they have been issued,

(d) The identification certificate shall be carried on the snowmobile whenever the snowmobile is in use.

Section 2. Registration of Recreational Vehicles

(a) Every recreational vehicle, except those exempted under Sec. 31-2.2-2, operated within the State of Rhode Island shall be registered and numbered as hereinafter provided.

(b) The numbering system shall consist of a reflectorized, numbered registration decal having five Arabic numerals.

(c) The single numbered registration decal shall be applied to the recreational vehicle in such place on the vehicle so it will be both conspicuous and receive the least amount of wear and tear.

(d) The identification certificate shall be carried on the recreational vehicle whenever it is in use.

Section 3. Application for Registration

(a) The application for an identification certificate for snowmobiles and recreational vehicles shall include, but not be limited to, the following::

- (1) Make of vehicle
- (2) Year Built
- (3) Frame or body number
- (4) Type of vehicle
- (5) Engine make
- (6) Engine serial number
- (8) Fees
- (9) Maximum capacity of vehicle
- (10) Horsepower or cc of engine

(11) Color

(12) Name, address and date of birth of owner

(13) Signature of owner

(14) From whom vehicle was acquired

(b) The identification certificate shall contain, in addition to the above, the registration number assigned and the expiration date. It shall also contain instructions for notification if vehicle is sold, lost, destroyed, or otherwise disposed of.

(c) Proof of ownership of a snowmobile or recreational vehicle is required for registration.

Section 4. Duration of Registration

The identification certificate and the number assigned shall expire at midnight on the thirty-first day of October each year.

Section 5. Lost, Destroyed, Stolen or Abandoned, Snowmobiles or Recreational Vehicles

(a) The owner shall report and surrender the identification certificate to the department within 15 days after the loss, destruction, theft, abandonment of the snowmobile or recreational vehicle. The assigned number shall be held for one (1) year and if another vehicle is not obtained and registered within that period the number may be reassigned to someone else.

Section 6. Sold or Traded Snowmobiles or Recreational Vehicles

If the vehicle is sold or traded the reflectorized validation decal (s) shall be removed or otherwise destroyed and within fifteen (15) days the Department shall be notified of the name and address of the person or persons to whom the vehicle was sold or traded.

Section 7. Change of Address

The owner shall report in writing to the Department within 15 days of any change of address. The owner shall also note such changes on the identification certificate.

Section 8. Lost or Destroyed Identification Certificate

In the event that an identification certificate should become lost, destroyed, or stolen, the owner of the registered snowmobile or recreational vehicle shall report to the Department forthwith the loss or destruction and may obtain a duplicate by making application to the Department upon payment of a fee of one dollar. If the lost or stolen certificate is subsequently recovered, the owner shall surrender it within 15 days to the Department.

Section 9. Rental Snowmobiles

(a) The registration and numbering requirements of this part shall apply to rental snowmobiles.

(b) Rental snowmobile and/or recreational vehicle owners shall keep or cause to be kept a record of the date and time a snowmobile or recreational vehicle is rented, the registration number of said vehicle, and the name and address of the person renting it. This record shall be kept for a period of at least six months and shall be available for inspection at reasonable times upon request by the Department or a representative thereof.

Section 10. Temporary Operation of Newly acquired Snowmobiles or Recreational Vehicles.

An individual purchasing a new or used snowmobile or recreational vehicle, may operate said vehicle for a period not to exceed ten (10) days without it being numbered in accordance with this act provided, however, that the operator shall have in his possession the bill of sale for said vehicle which shall contain the date of the sale.

PART II DEALER REGISTRATION (Statutory Authority -31-3.2-6 and 31-3.2-7) Sec.

1. Procedure for issuance of dealer registration –Section 1. Procedure for Issuance of Dealer Registration

(a) A dealer seeking to register with the Department shall make application on the same form as provided in Part I, Subsection 3 checking the circle marked dealer. Information pertaining to vehicle identification is not required.

(b) After investigation and acceptance of the application, the Department shall assign a distinguishing dealer identification number and certificate.

(1) Dealer identification certificate must be displayed in a conspicuous place in the registrant's place of business.

(c) The Department will issue to the Dealer three (3) reflectorized pre-numbered registration decals, each bearing the same identical numbers. These decals will consist of three (3) Arabic numerals followed by a letter "D" suffix.

(1) The dealer shall mount these on wood, metal or other durable material. Under no circumstances are they to be directly applied to a recreational vehicle.

(2) Snowmobiles or recreational vehicles being demonstrated or tested shall have one (1) of these mounted decals tied or otherwise not permanently affixed to the vehicle.

PART III

SNOWMOBILES AND RECREATIONAL VEHICLES -REQUIRED EQUIPMENT (Statutory Authority - 31-3.2-6 and 31-3.2-7)

Sec.

- 1 Mufflers
- 2 Headlamps
- 3 Tail Lamps
- 4 Reflectorized material
- 5 Brakes

Section 1. Mufflers

Every snowmobile or recreational vehicle shall be equipped with a muffler to control excessive noise. After June 1, 1972 no new snowmobiles or recreational vehicles may be sold or offered for sale unless the muffler limits engine noise to no more than 82 decibels on the a scale at 50 ft. After June 1, 1974 the muffler system must limit engine noise to no more than 73 decibels.

Section 2. Headlamps

Every snowmobile or recreational vehicle being operated across public highways, or between the hours of sunset and sunrise, shall be equipped with at least one white or amber headlamp of sufficient intensity to reveal persons and vehicles at a distance of at least 100 ft. ahead, during the hours of darkness under normal atmospheric conditions, while the motor is running.

Section 3. Tail Lamps

Every snowmobile or recreational vehicle being operated across public highways, or between the hours of sunset and sunrise, shall be equipped with at least one white or amber headlamp of sufficient intensity to reveal persons and vehicles at a distance of at least 100 ft. ahead, during the hours of darkness under normal atmospheric conditions, while the motor is running.

Section 4. Reflectorized Material

Every recreational vehicle shall be equipped with 16 square inches of reflectorized material on each side of the vehicle forward of the handle bars. This material shall be placed on the vehicle in such a manner that it reflects light being directed upon the vehicle from either side.

Section 5. Brakes

Every snowmobile or recreational vehicle shall have at least one (1) brake which may be operated by hand or foot and which is adequate to control and stop the vehicle within a straight twelve (12) feet wide path or lane when decelerating.

Section 6. Deflector on snowmobiles

Every snowmobile shall be equipped with a device mounted forward of the operator that will deflect wind, snow and/or small flying objects from the body and face of the operator.

PART IV

SNOWMOBILE AND RECREATIONAL VEHICLES-ACCIDENT REPORTS (Statutory Authority - 31-3.2-6)

Sec.

- 1 Accident reporting
- 2 Police reporting

Section 1. Accident Reporting

(a) It shall be the duty of the operator of a snowmobile or recreational vehicle involved in any accident as defined herein, so far as he can do so to render to other persons affected by said accident such assistance as may be practicable and as may be necessary in order to save them from or minimize any danger caused by the occurrence.

(b) The operator of any snowmobile or recreational vehicle involved in any accident shall stop and exhibit his identification certificate if he is required to have one, give his name, address and the identification number of his vehicle, in writing, to any person injured and to the operator or owner of any snowmobile, recreational vehicle or property damaged. In the event the person injured or the owner of property damaged cannot be located at the place where the accident occurred, then said information and a description of the accident shall be reported by the operator of the vehicle, within 24 hours, to the nearest police officer or enforcement agency.

(c) The operator of every snowmobile, or recreational vehicle involved in any reportable accident as defined herein, shall within seven days, file a complete written report and description of the accident as provided below. A reportable accident is one resulting in death or personal injury causing incapacitation for more than 72 hours, or property damage in excess of \$100 total per accident.

(d) Accidents shall be reported on forms provided by the Department of Environmental Management for that purpose. Forms may be obtained at any police station or office of the Department.

(e) Accident reports are to be filed with the Department and a copy thereof shall be filed with the local enforcement agency in whose jurisdiction the accident occurred.

(f) Every written report shall contain, but not be limited to, the following information:

- (1) Number of snowmobiles or recreational vehicles involved.
- (2) Locality where accident occurred.
- (3) Time and date when accident occurred..
- (4) Name, address, age and snowmobile or recreational vehicle operating experience.

- (5) Weather conditions at the time of accident.
- (6) Name and address of operator of other vehicles involved.
- (7) Name and address of owners of snowmobiles, recreational vehicles or property involved.
- (8) Name and address of any person injured or killed.
- (9) nature and extent of injury to any person or persons
- (10) Description of damage to property, and estimated cost of repairs.
- (11) Description of accident.
- (12) Make, year built, type of snowmobile or recreational vehicle.
- (13) Name and address of all known witnesses.
- (14) Type of accident.
- (15) Signature of persons reporting.
- (16) Registration numbers of vehicles involved.
- (17) Motor vehicle operators license number, if any.

(18) Name of Insurance Company. Section 2. Police Reporting

(a) Any employee of an enforcement agency who investigates, or received information of

an accident involving a snowmobile, or recreational vehicle, shall make a written report of the investigation or information received, and such additional facts relating to the accident as may come to his knowledge and mail the same within 48 hours to the Department, keeping a record of same in his office.

(b) Where a serious injury or death has resulted from such accident, the investigating officer may delay mailing his report to the Department pending a final determination as to the condition of the injured person or persons, however, in such cases the investigating officer or his superior must promptly notify the Department by telephone, teletype or in writing of such delay and the reason therefore. Said written report is to be filed not later than seven days after the accident.

PART V

USE OF SNOWMOBILES AND RECREATIONAL VEHICLES ON PUBLIC LANDS UNDER THE JURISDICTION OF THE DIRECTOR OF THE DEPARTMENT OF

ENVIRONMENTAL MANAGEMENT. (Statutory Authority - Section 31-3.2-6)

Sec.

- 1 Areas Where Snowmobiles are Permitted
- 2 Areas there Other Recreational Vehicles are Permitted
- 3 Protective Equipment Required
- 4 Prohibitive Operation During Certain Seasons
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Section 1. Areas Where Snowmobiles are Permitted

Snowmobiling is permitted only on designated snowmobile trails in the following areas:

Bristol County;

Colt State Park

Kent County;

Beach Pond State Park

Big River Reservoir Acquisition Area

Wickaboxet Management Area

Providence County;

Black Hut Management Area

Buck Hill Management Area

Durfee Hill Management Area

George Washington Management Area

Lincoln Woods State Park

Pulaski State Park

Snake Den State Park (Interim Management Area)

Washington County;

Arcadia Management Area

Arcadia State Park

Burlingame State Park

Carolina Management Area

Indian Cedar Swamp Management Area

Rockville Management Area

Woody Hill Management Area

Section 2. Areas Where Other Recreational Vehicles are Permitted

Recreational vehicles are permitted only on designated trails in the following areas :

Bristol County;

Colt State Park

Kent County;

Beach Pond State Park

Big River Reservoir Acquisition Area

Wickaboxet Management Area

Providence County:

Black Hut Management Area - exclusive of portion south of Spring Lake Rd.

Buck Hill Management Area

Durfee Hill Management Area - exclusive of Manfred Young Section

George Washington Management Area

Lincoln Woods State Park

Pulaski State Park

Snake Den State Park

Diamond Hill State Park - from Saturday after Labor Day until skiing season. Then, after

skiing season to Memorial Day - Parking Lot only.

Washington County

Arcadia Management Area

Arcadia State Park

Burlingame Management Area

Burlingame State Park

Carolina Management Area - exclusive of portion south of Pine Hill Road

Ninigret Conservation on Area - on beach front and designated - sand road only from Labor Day to the day before Memorial Day.

Rockville Management Area

Roger Wheeler Memorial State Beach Parking Lot - from Saturday after Labor Day to day before Memorial Day.

Scarborough State Beach Parking Lot - from Saturday after Labor Day to day before Memorial Day.

Section 3. Protective Equipment Required.

(a) The operator of every snowmobile or recreational vehicle shall wear while the vehicle is in operation a protective safety helmet of the type approved by the Registry of Motor Vehicles for motorcycle operators.

(b) The towing of sleds or trailers is allowed only with standard solid hitch; no ropes.

(a) All snowmobiles and recreational vehicles are prohibited from Management Areas during the

hunting hours of the shot-gun deer seasons.

(b) Trails for snowmobiles and/or recreational vehicles-may be closed without notice where conditions warrant. There may include, but not be limited to, periods of high or extreme forest fire danger, erosion or other physical damage, excessive harassment of wildlife populations, etc.

Section 4. Prohibitive Operation During Certain Seasons.

Section 5. Carrying of Firearms Prohibited.

The carrying of any firearm or bow and arrow in or upon any snowmobile or recreational vehicle or its attachments is prohibited. This section will not apply to an enforcement officer carrying firearms in the course of duty.

Section 6. Operation at Night.

(a) Snowmobiling is permitted during the period from one-half hour before sunrise to 11 P.M. During the period from one-half hour after sunset to 11 P.M. a minimum-of-two snowmobiles must be in operation together. (Buddy-system),

(b) The same hours shall apply to other recreational vehicles but the buddy system shall not be required unless snow covers the ground.

Section 7. Organized Race or Rally

A written permit from the Director must be acquired for any organized activity such as a race or rally.

Section 8. Youthful Operator.

No person under twelve (12) years of age shall operate any snowmobile or recreational vehicle on property under the jurisdiction of the Department of Environmental Management. Those persons over twelve (12) years of age but under sixteen (16) years of age shall be accompanied by an adult who shall be liable according to law for personal injury or property damage to others which may result from such operation.

Section 9. Other Restrictions

(a) Snowmobiles and recreational vehicles shall grant the right of way to all pedestrians, horses and vehicular traffic when crossing roads in State areas.

(b) Horses are restricted from the use of trails designated for recreational vehicles other than those trails designated for snowmobiles exclusively.

PART VI

SNOWMOBILE AND RECREATIONAL VEHICLES-REGULATIONS

PERTAINING TO GAME AND FISH RESOURCES

(Statutory Authority Section 31-3.2-6(b))

Sec.

1. Harassment of Game Section 1. Harassment of Game

Snowmobile or recreational vehicles shall not be operated at any time in any manner intended to or reasonably be expected to harass, drive or pursue any wildlife.

PART VII

REGULATIONS COVERING OPERATION OF SNOWMOBILES AND RECREATIONAL VEHICLES ON STREETS AND HIGHWAYS (Statutory Authority - Section 31-3.2-6(2))

Sec.

1) Reflector Required on Rear of Vehicles 2) Emergency Vehicles

Section 1- Reflector Required on Back of Vehicle.

Every snowmobile and recreational vehicle being operated across a street or highway shall be equipped with a red reflector on the rear of the vehicle, of such size to be visible at night time from all distances within 500 feet to 50 feet from the vehicle when directly in front of lawful upper beams of headlamps. A separate reflector is not required if the tail light itself is reflectorized.

Section 2 - Emergency Vehicles.

Snowmobiles and recreational vehicles of police and fire departments, municipal departments or public service corporations, shall be allowed to operate on streets and highways in the performance of their official duties.

Notice Given on: Public Hearing held: Filing Date: Effective Date: