

SENATE, No. 2015

STATE OF NEW JERSEY
212th LEGISLATURE

INTRODUCED JUNE 12, 2006

Sponsored by:
Senator SHIRLEY K. TURNER
District 15 (Mercer)

SYNOPSIS

Requires DEP to designate one site in State park or forest where all-terrain vehicles may be used.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT concerning all-terrain vehicles, amending and
2 supplementing P.L.1983, c.324 (C.13:1L-1 et seq.), and
3 amending P.L.1973, c.307.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 3 of P.L.1983, c.324 (C.13:1L-3) is amended to read
9 as follows:

10 3. For the purposes of this act:

11 **[a.]** “All-terrain vehicle” means the same as the term is defined
12 pursuant to section 1 of P.L.1973, c.307 (C.39:3C-2).

13 “Commissioner” means the Commissioner of Environmental
14 Protection.

15 "Department" means the Department of Environmental
16 Protection.

17 **[b.]** "Forest resources" means those renewable products and
18 reusable resources of all forest lands in the State, including but not
19 limited to trees, timber, shrubs and other vegetation, and the value
20 of forest lands relating to recreation, wilderness appreciation,
21 aesthetic appeal and soil fertility.

22 **[c.]** "Green Acres program" means the program for the purchase
23 of land for recreation and conservation purposes pursuant to
24 P.L.1961, c.45 (C. 13:8A-1 et seq.), P.L.1971, c.419 (C. 13:8A-19
25 et seq.), **[and]** P.L.1975, c.155 (C. 13:8A-35 et seq.) , any Green
26 Acres bond act, and P.L.1999, c.152 (C.13:8C-1 et seq.) .

27 **[d.]** "Recreational activities" includes, but is not limited to, fresh
28 and salt water swimming, water skiing, boating and fishing, ice
29 skating, snow skiing, camping, trail hiking, horseback riding,
30 picnicking, bicycling, court and field games, track and field events,
31 birdwatching, playground activities and golf.

32 **[e.]** "State parks and forests" means all State owned or leased
33 lands, waters and facilities administered by the Department of
34 Environmental Protection, including, but not limited to, parks,
35 forests, recreational areas, marinas, historic sites, burial sites and
36 natural areas, but not including wildlife management areas or
37 reservoir lands.

38 (cf: P.L.1983, c.324, s. 3)

39

40 2. (New section) a. Within nine months after the date of
41 enactment of this act, the Commissioner of Environmental
42 Protection shall:

43 (1) designate and make available one site for the use of all-
44 terrain vehicles within one State park or forest; and

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 (2) adopt, pursuant to the “Administrative Procedure Act,”
2 P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
3 governing the use of the site designated pursuant to paragraph (1) of
4 this subsection. These rules and regulations shall seek to minimize
5 any detrimental effects on the environment that may be caused by
6 all-terrain vehicles and shall protect public safety.

7 b. In designating the site for the use of all-terrain vehicles within
8 a State park or forest pursuant to subsection a. of this section, the
9 commissioner shall survey each State park and forest to determine
10 the most suitable location for this designation. The commissioner
11 shall consider: impacts to wildlife, biota, natural resources and
12 forest resources, and water quality; the potential impacts to other
13 authorized recreational activities that occur within the designated
14 State park or forest; and public safety.

15 c. The site designated pursuant to subsection a. of this section
16 may be the same site as the commissioner may designate pursuant
17 to section 14 of P.L.1973, c.307 (C.39:3C-14).

18 d. If the Commissioner of Environmental Protection is unable to
19 designate and make available one site for the use of all-terrain
20 vehicles within one State park or forest pursuant to subsection a. of
21 this section, the commissioner shall submit a report to the Governor
22 and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
23 Legislature detailing the reasons why a site has not been designated.
24

25 3. Section 14 of P.L.1973, c.307 (C.39:3C-14) is amended to
26 read as follows:

27 14. The commissioner, with a view towards minimizing
28 detrimental effects on the environment and protecting public safety,
29 shall adopt rules and regulations relating to and including, but not
30 limited to, the following:

31 a. Use of snowmobiles and all-terrain vehicles insofar as fish,
32 wildlife and plantlife resources or public safety are affected;

33 b. Use of snowmobiles and all-terrain vehicles on public lands
34 and waters under the jurisdiction of the Department of
35 Environmental Protection ; and

36 c. Use of all-terrain vehicles in one State park or forest pursuant
37 to section 2 of P.L. , c. (C.) (pending before the
38 Legislature as this bill) .

39 The commissioner may locate, designate and make available by
40 the effective date of **[this act]** P.L.1973, c.307 (C.39:3C-1 et seq.)
41 appropriate areas of public lands upon which all-terrain vehicle
42 safety education and training programs established or certified by
43 the **[Director of the Division of Motor Vehicles]** chief
44 administrator of the New Jersey Motor Vehicle Commission in
45 accordance with section 15 of P.L.1973, c.307 (C.39:3C-15) may be
46 conducted. The commissioner shall report to the Legislature and
47 the Governor within one year after the effective date of **[this act]**
48 P.L.1973, c.307 (C.39:3C-1 et seq.) on the size and location of the

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1 public lands located, designated and made available; on the
2 frequency of the use, or the estimated frequency of use, of these
3 public lands for safety education and training programs; and the
4 environmental impact of this use on the lands.

5 (cf: P.L.1991, c.322, s.3)

6

7 4. This act shall take effect immediately.

8

9

10 **STATEMENT**

11

12 This bill requires the Commissioner of Environmental Protection
13 to designate and make available one site in one State park or forest
14 where the use of all-terrain vehicles is allowed. In selecting a site,
15 the commissioner is directed to survey each State park and forest to
16 determine the most suitable location for this designation. The
17 commissioner is directed to consider: impacts to wildlife, biota,
18 natural resources and forest resources, and water quality; the
19 potential impacts to other authorized recreational activities that
20 occur within the designated State park or forest; and public safety.
21 If the commissioner is unable to designate a site, the commissioner
22 is required to submit a report to the Governor and the Legislature
23 detailing the reasons why.