

“P” 2 (2024)

“M” 2 (2024)

Albany, New York

February 14, 2024

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 539 of the Laws of 2023 – Operation of All-Terrain Vehicles (ATVs)
by Minors

Effective February 22, 2024, Chapter 539 of the Laws of 2023 amends Vehicle and Traffic Law (VTL) sections 2409 and 2410 regarding the operation of all-terrain vehicles (ATVs) by minors.

VTL §2409(2) is amended to increase the minimum age for successfully completing an ATV safety course from ten to fourteen.

VTL §2410(1) is amended to require that only a person eighteen or older may supervise an ATV operator who is under sixteen and operating an ATV on land not owned or leased by the operator’s parent or guardian.

VTL §2410(2) is amended to allow only persons who are fourteen or fifteen and who received the appropriate DMV-issued ATV safety certificate to operate an ATV in the same manner as a person sixteen or older.

A copy of Chapter 539 of the Laws of 2023 is attached for reference.

Please share this information with appropriate staff. Thank you.

Mark J.F. Schroeder
Commissioner

Attachment

LAWS OF NEW YORK, 2023

CHAPTER 539

AN ACT to amend the vehicle and traffic law, in relation to the operation of all-terrain vehicles by minors

Became a law October 25, 2023, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 2409 of the vehicle and traffic law, as added by chapter 402 of the laws of 1986, is amended to read as follows:

2. Safety certificate. Upon successful completion of a safety course given in conformity with subdivision one of this section by a person [~~ten~~] **fourteen** years of age or over, the person or entity which gave the course shall notify the commissioner of such completion in a manner prescribed by the commissioner. The commissioner shall, upon receipt of such information, issue an ATV safety certificate to the person who has successfully completed the course. Such certificate may be limited to the type of vehicle for which the course was given.

§ 2. Subdivisions 1 and 2 of section 2410 of the vehicle and traffic law, as added by chapter 402 of the laws of 1986, are amended to read as follows:

1. Except as provided by subdivision two of this section, no person under the age of sixteen years shall operate an ATV except upon lands owned or leased by his **or her** parent or guardian, unless he **or she** is under general supervision of a person eighteen years of age or over [~~or a person sixteen years of age or over who holds an ATV safety certificate~~]. "Leased lands" as herein used shall not include lands leased by an organization of which said operator or his **or her** parent or guardian is a member.

2. A person [~~ten~~] **fourteen** years of age but less than sixteen years of age who has received safety training as prescribed by the commissioner and has received the appropriate ATV safety certificate issued by the commissioner may operate an ATV in the same manner as a person who is sixteen years of age or older.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.

The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly