
OLR Bill Analysis

HB 5726

AN ACT CONCERNING THE SEIZURE OF ALL-TERRAIN VEHICLES.

SUMMARY

This bill allows all municipalities that regulate all-terrain vehicle (ATV) use by ordinance, rather than just municipalities with populations of 20,000 or more that do so, to provide for their seizure and forfeiture by ordinance as well (see BACKGROUND). Under existing law, unchanged by the bill, only municipalities that meet this population threshold may provide for the seizure and forfeiture of dirt bikes and mini motorcycles (CGS § 14-390m).

By law, if a municipality confiscates an ATV used in violation of an ordinance, it must sell it at a municipally conducted public auction. The sale proceeds must be paid to the municipal treasurer for deposit into the municipality's general fund.

Existing law's forfeiture provisions are subject to any bona fide lien, lease, or security interest (including a lien for towing and storing a vehicle). The law protects an owner or lienholder's interest when forfeiture is due to someone else's act or omission if the owner or lienholder did not know, and could not have reasonably known, that the ATV was used or was intended to be used in violation of a municipal ordinance.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

Regulating Dirt Bikes, Mini Motorcycles, ATVs, and Snowmobiles by Ordinance

By law, municipalities may adopt ordinances on the operation and use of (1) dirt bikes and mini motorcycles on public property, including hours of use, and (2) ATVs and snowmobiles, including

hours and zones of use. An ordinance may set fines of up to:

1. \$1,000 for a first violation,
2. \$1,500 for a second violation, and
3. \$2,000 for subsequent violations (CGS §§ 14-390 & -390m).

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 35 Nay 0 (03/24/2021)