



NEW YORK STATE SENATOR

William Larkin

## Larkin "atv" Bill Passes Senate

[WILLIAM J. LARKIN JR.](#) August 1, 2005

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced that legislation he is sponsoring to increase the penalties for the illegal operation of an All Terrain Vehicle (ATV) on farmlands has passed the Senate.

The bill (S.1398-B) would make it a traffic infraction to illegally trespass on posted farmland with an ATV without the consent of the farmer. The measure provides for a graduated punishment if the violator commits a similar infraction within an 18-month period of time.

"In the Hudson Valley, the unauthorized use of ATVs is very prevalent on agricultural lands," said Senator Larkin. "As a result, many orchards, vineyards, farm access roads and crop lands can be seriously damaged. ATVs dig up the ground and cause large ruts and soil erosion. This can also lead to significant damage to farm equipment and water drainage problems. In addition to the economic damages, the risk of injury to the ATV operators increases as does the liability to the farmers. This bill would impose stiffer violations on those who go joy riding on private property."

Under current law, defendants that do go to court are rarely fined the maximum of \$250 and are often released with a warning or admonishment not to commit the violation again. The criminal penalties to unauthorized use of an ATV are bolstered by this bill to help deter this activity and to protect the lives of ATV operators and farmers.

The bill was passed by both the Senate and Assembly and now goes to the Governor.