TOWN OF STEPHENTOWN

Rensselaer County, New York

PROPOSED LOCAL LAW NO. 6 OF 2026

Opening Certain Roads for Snowmobiles in the Town of Stephentown

Be it enacted by the Town Board of the Town of Stephentown as follows:

SECTION 1. TITLE

This local law shall be known and cited as “Town of Stephentown Local Law No. 6 of the Year 2026 Opening Certain Roads for Snowmobiles in the Town of Stephentown”

SECTION 2. PURPOSE AND AUTHORITY

The Town Board of the Town of Stephentown has determined, upon request of residents of the town, that it is appropriate for snowmobiles to be operated on certain town highways and deems it appropriate to designate such town highways for travel by snowmobiles subject to and in accordance with the following conditions as otherwise regulated by state law. The New York State Parks, Recreation and Historic Preservation Law §§ 25.05 and 25.09 authorizes municipalities to post and designate certain highways within such municipalities for travel by snowmobiles and the Town Board of the Town of Stephentown hereby exercises such authority.

SECTION 3. INCONSISTENT LAWS OR REGULATIONS.

All local laws, ordinances or resolutions inconsistent with any provision or provisions of this law are hereby repealed. Specifically repealed is resolution 23-07.

SECTION 4. DEFINITIONS.

Unless otherwise provided, all words, phrases and terms herein shall have the same meaning as set forth in the New York State Parks, Recreation and Historic Preservation Law, Title D, Snowmobiles. (If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 5. TOWN HIGHWAYS DESIGNATED FOR TRAVEL BY SNOWMOBILES

Unless otherwise prohibited in New York State Parks, Recreation and Historic Preservation Law § 25.05, snowmobiles may be operated on the shoulder or inside bank of the following town highways and not others and only if same have appropriate signage as provided by all applicable statutes, rules and regulations, it being hereby determined that that as to such designated highways the slopes or areas outside the guardrails or on the back side of the snow embankments are nonexistent or impassable: Newton Road, Moore Hill Road, Black River Road, Round Mountain Road, Knapp Road, Pease Road, Calvin Cole Road, Grange Hall Road, CCC Dam Road, Andrews Lane, Southard Hotel Road, South Pease Road and Osgood Road.

SECTION 6. CONDITIONS AND RESTRICTIONS ON SNOWMOBILE OPERATIONS.

A. Whenever the operation of a snowmobile is permitted on any highway in the Town as provided in Section 5 above, the conditions and restrictions set forth both herein and in New York State Parks, Recreation and Historic Preservation Law § 25.05 et seq. shall be applicable to all such snowmobile operations. In addition at highway crossings, snowmobiles shall be operated so as to take a direct crossing of a highway provided that the crossing is made at an angle approximately 90° to the direction of the highway, at a place where no obstruction prevents a quick and safe

crossing, the snowmobile is brought to a complete stop before crossing the main travelled way of the highway and the driver yields the right of way to all oncoming traffic. B. In addition to the restrictions set forth in subpart A above, it shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways on any Town of Stephentown snowmobile trail or highway: 1. Imprudent speed. At a rate of speed greater than reasonable or proper under the surrounding circumstances and in no event greater than 15 mph. 2. Reckless operation. In a careless, reckless or negligent manner so as to unreasonably endanger the person or property of another or to cause injury or damage thereto. 3. Narcotics and drugs. While in an intoxicated condition or under the influence of narcotics or drugs as defined in section 114-A of the Vehicle and Traffic Law of the State of New York. 4. Failure to stop and yield. In any place at any time failing to stop and yield to an authorized ambulance, civil defense or police snowmobile or police vehicle being operated as an emergency vehicle and approaching from any direction. 5. Failure and refusal to comply. In any place at any time failure or refusal to comply with any lawful order or direction of any police officer or other person duly empowered to enforce all laws of the state relating to snowmobiles. 6. Pulling Person or Certain Equipment. Pulling a person on skis or drawing or towing a sleigh, sled or toboggan which carries or transports any person. No person on skis shall be pulled by, and no person shall ride on or in a sleigh, sled or toboggan which is being towed or trailed by a snowmobile on a highway. 7. On lands of another on private property, without the consent of the owner or lessee thereof. Any person operating a snowmobile upon lands of another in violation of this section shall stop and identify himself upon the request of the landowner, his or her duly authorized representative or lessee, and if requested to do so by the landowner, representative or lessee shall promptly remove said snowmobile from the premises. This law does not obviate any need to obtain consent of any landowners who may have a superior right to the rights of the Town, if any. 8. Noncompliant lighting. a. Between sunset and sunrise or when lights are required for safety without displaying at least one lighted headlight and taillight. b. Operating other than as an emergency vehicle and displaying one or more lighted red or combination red or white lights which is revolving, rotating, flushing, oscillating or constantly moving light.

SECTION 7. OBEDIENCE TO VEHICULAR TRAFFIC CONTROLS.

Each person operating a snowmobile on any town snowmobile trail or highway shall observe all vehicular traffic signs and signals and all rules and regulations applicable to vehicular traffic and shall obey the order and directions of any state, county or local police officer or town constable or any other law enforcement officer authorized to direct or regulate traffic.

SECTION 8. SEASONS OF OPERATION/TIME OF OPERATION.

No person shall operate a snowmobile on the land permitted by this local law from the first day of April through November 30th of each and every year and shall not operate a snowmobile from sundown to sun up on such permitted days.

SECTION 9. LIABILITY INSURANCE.

No snowmobile shall be operated on any Town of Stephentown snowmobile trail or highway designated as open to the public in the Town of Stephentown, unless the owner of such snowmobile has secured a policy of insurance, affording coverage against liability imposed by law for bodily injury or death and for property damage to at least the minimum limits as required by the provisions of section 25.13 of the Parks, Recreation and Historic Preservation Law of the State of New York and the regulations promulgated thereunder. A. The owner of a snowmobile shall maintain proof of financial security by means of a certificate of insurance, indicating compliance with the minimum coverage requirements of the aforementioned section. The failure to produce such certificate of insurance, when required to do so upon the demand of a magistrate, state, county or local police officer or town constable which such vehicle is being operated on any highway or public highway which includes snowmobile trails in the Town of Stephentown, shall be presumptive evidence of operating a snowmobile without securing policy of insurance. B. This section specifically

supersedes the provision of section 25.13(1) of the New York State Parks, Recreation and Historic Preservation Law by requiring liability insurance for operation on all snowmobile trails.

SECTION 10. INCORPORATION OF NEW YORK STATE PARKS, RECREATION AND HISTORICAL PRESERVATION LAW.

This local law does not except out, and therefore affirmatively incorporates by reference, all other aspects of the New York State Parks, Recreation and Historic Preservation Law not inconsistent or superseded herewith.

SECTION 11. FILING OF COPY OF LAW WITH NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC

PRESERVATION A copy of this local law shall be filed with the New York State Office of Parks, Recreation and Historic Preservation.

SECTION 12. LIABILITY FOR NEGLIGENCE.

Negligence in the use or operation of a snowmobile shall be attributable to the owner. Every owner of a snowmobile used or operated in the Town of Stephentown shall be liable and responsible for death or injury to a person or damage to property resulting from negligence and the use or operation of such snowmobile by any person using or operating the same with the permission, expressed or implied, of such owner, provided, however, that such operator's negligence shall not be attributed to the owner as to any claim or cause of action accruing to the operator or his legal representative for such injuries or death.

SECTION 13. PRIOR WRITTEN NOTICE.

With respect to injuries arising from the operation of snowmobiles, no civil action shall be maintained against the Town of Stephentown or any officer or employee thereof, for damages or injuries to person or property sustained by reason of any snowmobile trail, highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed, unless prior written notice of such defective, unsafe, dangerous or obstructed condition on such snowmobile trail, highway, bridge or culvert was actually given to the municipal agent, officer or employee authorized by § 311 of the Civil Practice Law and Rules to receive service or to the chief municipal officer in charge of highway supervision and maintenance, and there was a failure or neglect within a reasonable time thereafter to repair or remove the defect, danger or obstruction complained of. No such actions shall be maintained for damages or injuries to person or property sustained solely due to conditions caused by snow and/or ice removal, or the non-removal thereof, from any Town of Stephentown snowmobile trail or highways designated as open to snowmobiles in the Town of Stephentown.

SECTION 14. SEVERABILITY

The invalidity or unenforceability of any section, sub section, paragraph, sentence, clause, provision, or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

SECTION 15. PENALTIES FOR OFFENSES.

Failure to comply with any of the provisions of this local law shall be deemed a violation and the violator shall be liable for a fine of not more than $250 for a first violation and $350 for a second violation and $500 for any subsequent violation.

SECTION 16. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the New York State Department of State's office.