

MASSACHUSETTS

The following abstracts summarize some important Massachusetts recreation vehicle laws as of August 2001. For the complete law refer to Massachusetts General Law, Chapter 90B (Sections 20-35) and 323 Code of Massachusetts Regulations 3.00, available in booklet form.

Recreation Vehicle-Defined

Any motor vehicle designed or modified for use over unimproved terrain, if used for recreation or pleasure off a public way. Also, includes all legally registered motor vehicles when used off a public way. Any motor vehicle registered under Chapter 90 will not be subject to registration under Chapter 90B, but must display a current motor vehicle registration.

Prohibited Operation: The following are examples of prohibited operation

- * Operating under the influence of drugs and alcohol.
- * Operating on public ways or upon the right-of-way limits of a controlled access highway.
- * Failure to come to a complete stop when crossing a public way (must yield to motor vehicle traffic). No person under 16? years of age shall operate across a public way.
- * Operating so as to endanger any person or property.
- * Operating at an unreasonable, improper, and unsafe speed for existing conditions.
- * Operating on land of another without permission of the owner. (Permission may be given to an individual or group).
- * Operating within 150 feet of an occupied residence without permission of the owner.
- * Operating on an ocean beach or sand dune in a manner so as to destroy, damage or break down any beach, dune or dune grass.
- * Operating in a manner so as to harass or chase wildlife or domestic animals.
- * Operating on a wetland such as a bog, marsh, or swamp so as to destroy or damage the wetland, if such area has been designated and posted as a protected wetland area.
- * Operating in Wildlife Management Areas.

Trail Etiquette

Observing trail etiquette is important, particularly when trails are heavily used. Whenever possible all recreation vehicles shall keep to the right side of trails. Please stay within the trail corridor and respect adjacent private and public land. When passing hikers, horseback riders, and other such trail users, operators shall reduce speed, yield right-of-way, and not pass until it can be accomplished with complete safety. Operators shall not accelerate until beyond 50 feet of such trail users.

Registration, Decals and Trail Permits

- * Recreation vehicles operated on public or private property must be registered through the Commonwealth of Massachusetts, except if used solely on land owned by the operator. Out-of-state recreation vehicle registrations are not valid in Massachusetts.
- * The registration certificate shall be in possession for examination by a law enforcement officer or landowner.
- * The registration plate shall be displayed on the back of each recreation vehicle.
- * For further registration information call (617) 626-1610.

MA Hold Harmless Law: Massachusetts Recreational Use Statute MASSACHUSETTS GENERAL LAWS PART I. ADMINISTRATION OF THE GOVERNMENT TITLE II. EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE COMMONWEALTH CHAPTER 21. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT DIVISION OF WATER RESOURCES

*** 17C. Public use of land for recreational, conservation, scientific educational and other purposes; landowner's liability limited; exception**

(a) Any person having an interest in land including the structures, buildings, and equipment attached to the land, including without limitation, wetlands, rivers, streams, ponds, lakes, and other bodies of water, who lawfully permits the public to use such land for recreational, conservation, scientific, educational, environmental, ecological, research, religious, or charitable purposes without imposing a charge or fee therefor, or who leases such land for said purposes to the commonwealth or any political subdivision thereof or to any nonprofit corporation, trust or association, shall not be liable for personal injuries or property damage sustained by such members of the public, including without limitation a minor, while on said land in the absence of wilful, wanton, or reckless conduct by such person. Such permission shall not confer upon any member of the public using said land, including without limitation a minor, the status of an invitee or licensee to whom any duty would be owed by said person.

(b) The liability of any person who imposes a charge or fee for the use of his land by the public for the purposes described in subsection (a) shall not be limited by any provision of this section. The term "person" as used in this section shall be deemed to include the person having an interest in the land, his agent, manager, or licensee and shall include without limitation, any governmental body, agency or instrumentality, nonprofit corporation, trust or association, and any director, officer, trustee, member, employee or agent thereof. A contribution or other voluntary payment not required to be made to use such land shall not be considered a charge or fee within the meaning of this section.

MA OHV Definition:

<http://www.mass.gov/legis/laws/mgl/90b-20.htm>

MA Landowner Permission Required:

<http://www.mass.gov/legis/laws/mgl/90b-26.htm>