



NEW YORK STATE SENATOR

William Larkin

Larkin Sets Penalties For Atvs On Ball Fields

WILLIAM J. LARKIN JR. June 6, 2006

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced the Senate has passed legislation he is sponsoring (S.7111) to increase the penalties for the illegal operation of all terrain vehicles (ATVs) on public or private school grounds or on any community baseball, football or soccer field.

"Last year, the state legislature adopted Chapter 601 prohibiting the illegal use of ATVs on farmland," said Senator Larkin. "But instead, many ATV owners have taken their hobby to school grounds and athletic fields, and in many cases have caused extensive damage. The schools are then left with the bills to repair their fields. This legislation would severely fine anyone caught damaging school grounds or community athletic fields with an ATV."

Under current law, defendants that are cited for trespass on school grounds or little league fields are rarely fined because the maximum penalty for an infraction is \$250, which according to Senator Larkin, is never enforced, as well as no jail time. Many times, defendants are released with a warning because there is no lower crime for them to plead down to by the district attorney.

Under this bill, there would be graduated increase in penalties so that violators will realize that this is a serious crime that causes substantial physical damage to community assets.

Under the bill, for the:

- First infraction, a penalty of \$250 and/or jail time of 15 days.
- Second infraction committed with 18 months results in a penalty of \$400 and/or jail time of up to 45 days.
- Third infraction, all of which were committed within 18 months results in a fine of \$ 550 and/or jail time up to 90 days.