

# **Ask MAC: Can Snowmobilers Travel on Town Highways?**



Vermont's picturesque snow-covered winter landscapes inspire outdoor activities such as skiing, snowboarding, ice fishing, and snowmobiling. A favorite pastime of many Vermonters, snowmobiling can raise questions for municipalities. For instance, can snowmobiles be used on town highways? The answer is yes – to a certain extent. See [23 V.S.A. § 3206](#). Snowmobile operators have the right to travel on any town highway that is not maintained by the town in winter; therefore, if a town does not plow a town highway during the snow season, it may not prohibit snowmobile use on that highway. Additionally, snowmobiles may be operated on a town highway if the path of travel is located five or more feet from the plowed portion of the highway. However, this law does not apply to Class 4 roads or privately maintained trails.

**Snowmobiles may be operated on or across a town highway only when all the following conditions are met:**

1. The crossing is made at an angle of 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;
2. The operator brings the snowmobile to a complete stop before entering the traveling portion of the highway;
3. The operator yields the right of way to motor vehicles and pedestrians; and
4. The operator is 16 years of age or older, or, if 12 to 16 years old, is under the direct supervision of a person 18 years of age or older.

These rights are granted by state law, which means a town must allow such snowmobile use. A town may, however, impose restrictions regarding the time, manner, and location of snowmobile operation. [23 V.S.A. § 3210](#); [24 V.S.A. § 2291\(4\)](#). For instance, a town may – with some limitations – prohibit the operation of snowmobiles between the hours of 11 p.m. and 6 a.m. See [23 V.S.A. § 3206\(b\)\(20\)](#). Other restrictions related to time, manner, or location of snowmobile use include setting speed limits on snowmobile operation, prohibiting racing, or requiring single-file operation. Note, however, that the selectboard must impose any allowable restrictions through a duly



adopted ordinance for them to be enforceable. Any ordinance regulating snowmobile use must be consistent with Vermont law. [23 V.S.A. § 3210](#).

Snowmobiles may also be operated on any town highway that the selectboard has opened and so posted. [23 V.S.A. § 3206\(b\)\(4\)](#). For a selectboard to “open” a highway, it can simply adopt a policy or pass a resolution (that is, take a formal vote) at a duly warned selectboard meeting that declares the highway open for snowmobile use. Regardless of the mechanism that the selectboard uses to “open” the highway, the selectboard must also have signage posted on the highway that provides notice that the highway is open to snowmobile travel. Signage must be in conformance with the [Manual of Uniform Traffic Control Devices](#), as required by [23 V.S.A. § 1025](#).

The Municipal Assistance Center created its [Model Snowmobile Ordinance and Guidance](#) to help selectboards regulate snowmobiling within their towns and provide the means for selectboards to open additional town highways and sidewalks for snowmobile travel.

