

OPINIONS OF THE ATTORNEY GENERAL

The full text of an informal or formal opinion of the Attorney General may be obtained by writing to the Office of Legal Records, Department of Law, State Capitol, Albany, NY 12224. Please include the identification number, the date, the section(s) of law considered and the subject of the opinion.

INFORMAL OPINIONS

No. 2005-21

Environmental Conservation Law, Art. 8; State Finance Law, §92-o; Vehicle and Traffic Law, art. 48-C, §§2280, 2281, 2282, 2291, 2400, 2402, 2403, 2405; 6 NYCRR 617; 15 NYCRR 103.7; L. 2005, ch. 59, Part D; L. 1990, ch. 190, §§323, 324; L. 1988, ch. 61; L. 1986, ch. 402; L. 1985, ch. 671

Municipal highways may be designated for use by ATVs only when necessary to provide access to adjacent trails. Highways previously designated for use by ATVs do not qualify as "adjacent trails" for this purpose. Trails on private land that are open to the public for recreational ATV use may qualify as "adjacent trails." *September 2005*

FORMAL OPINIONS

No. 2005-F2

Civil Service Law, §161; Education Law, §§350(3), 352(3), 353, 355, 357, 390, 5701, 5711, 5712, 5714, 5715; Executive Law, §310; Public Officers Law, §73; Retirement and Social Security Law, §40; State Finance Law, §§5, 53-a, 112.

Agreements between state agencies and Cornell University to procure academic services from the statutory or contract colleges administered by Cornell should be regarded as contracts between a state party and a non-state party. *September 2005*