

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1109

H.P. 813

House of Representatives, March 5, 2019

**An Act Regarding the Size and Weight of All-terrain Vehicles, the
Operation of Motor Vehicles on Designated All-terrain Vehicle
Trails and the Operation of All-terrain Vehicles on Trails Posted
with Size or Weight Limits**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MARTIN of Sinclair.
Cosponsored by President JACKSON of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §13001, sub-§3**, as enacted by PL 2003, c. 414, Pt. A, §2 and
3 affected by c. 614, §9, is amended to read:

4 **3. All-terrain vehicle or ATV.** "All-terrain vehicle" or "ATV" means a motor-
5 driven, off-road, recreational vehicle capable of cross-country travel ~~on land, snow, ice,~~
6 ~~marsh, swampland or other natural terrain,~~ the width of which does not exceed 65 inches
7 and the weight of which does not exceed 2,000 pounds. "All-terrain vehicle" or "ATV"
8 includes, but is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a
9 motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or
10 other means of transportation deriving motive power from a source other than muscle or
11 wind. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include ~~an~~
12 ~~automobile~~ a motor vehicle as defined in Title 29-A, section 101, subsection 7; ~~an electric~~
13 ~~personal assistive mobility device as defined in Title 29-A, section 101, subsection 22-A;~~
14 ~~a truck as defined in Title 29-A, section 101, subsection 88; a snowmobile; an airmobile;~~
15 ~~a construction or logging vehicle used in performance of its common functions; a farm~~
16 ~~vehicle used for farming purposes; or a vehicle used exclusively for emergency, military,~~
17 ~~law enforcement or fire control purposes~~ 42.

18 **Sec. 2. 12 MRSA §13157-A, sub-§5-A**, as enacted by PL 2007, c. 202, §1, is
19 amended to read:

20 **5-A. Operating a motor vehicle on an ATV trail.** A person may not operate a
21 ~~truck, pickup truck or passenger motor vehicle as defined in Title 29-A, section 101,~~
22 ~~subsection 42~~ on a designated ATV trail that is not on a gravel road system unless that
23 use has been authorized by the landowner or the landowner's agent or it is necessitated by
24 an emergency involving the safety of a person or property. ~~For purposes of this~~
25 ~~subsection, "pickup truck" and "truck" have the same meanings as in Title 29-A, section~~
26 ~~101, subsections 55 and 88, respectively, and "passenger vehicle" means a self-propelled~~
27 ~~4-wheel motor vehicle designed primarily to carry passengers on public roads.~~

28 A. A person who violates this subsection commits a civil violation for which a fine
29 of not less than \$100 nor more than \$500 may be adjudged.

30 B. A person who violates this subsection after having been adjudicated as having
31 committed 3 or more civil violations under this Part within the previous 5-year period
32 commits a Class E crime.

33 **Sec. 3. 12 MRSA §13157-A, sub-§5-B** is enacted to read:

34 **5-B. Operating ATV on ATV trail posted with size or weight restrictions.** A
35 person may not operate an ATV on a trail posted with size or weight restrictions unless
36 that use has been authorized by the landowner or the landowner's agent. The following
37 penalties apply to violations of this subsection.

38 A. A person who violates this subsection commits a civil violation for which a fine
39 of not less than \$100 nor more than \$500 may be adjudged.

