

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1503

H. P. 1168

House of Representatives, March 15, 1973

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Regulating Airmobiles.

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

R. S., T. 12, c. 304-A, additional. Title 12 of the Revised Statutes is amended by adding a new chapter 304-A to read as follows:

CHAPTER 304-A

AIRMOBILES

§ 1990. Findings and purpose

The Legislature finds and declares that the use of airmobiles in the State of Maine has a great potential for damage and destruction to the natural environment and the plant and animal life therein as well as for the invasion of the privacy of the citizens of Maine. It is the purpose of this chapter to prohibit the operation of airmobiles until a study is conducted to determine the effects of such vehicles.

§ 1991. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Airmobile. "Airmobile" means any vehicle propelled by mechanical power that is primarily designed to travel upon a cushion of air on or within 2 feet of the water or land surface of the earth.

2. Operate. The verb "to operate" in all its moods and tenses, when it refers to an airmobile, means to use that vehicle in any manner within the jurisdiction of the State whether or not said vehicle is under way.

§ 1992. Prohibition

No person shall operate, cause to be operated or allow to be operated an airmobile anywhere within the State of Maine, except as provided in section 1995, subsection 4.

§ 1993. Penalty

Any person who violates this chapter shall be punished by a fine of not less than \$100 for each such violation.

Any airmobile used in violation of this chapter shall be forfeited to the State of Maine, unless such use is without the knowledge of the owner thereof.

§ 1994. Enforcement

Every law enforcement officer in the State, including wardens, foresters and rangers, shall enforce this chapter.

§ 1995. Committee to study airmobiles

1. **Study.** The Commissioner of the Department of Environmental Protection, the Executive Director of the Maine Land Use Regulation Commission, the Attorney General, the Commissioner of Sea and Shore Fisheries, the Commissioner of Inland Fisheries and Game, the Executive Director of the Soil and Water Conservation Commission, the State Tax Assessor, the Secretary of State and the Commissioner of the Department of Transportation, or their designated alternates, shall be members of a "Committee to Study Airmobiles."

2. **Legislation.** The committee shall undertake a study of airmobiles and their use and shall submit a draft of legislation to the members of the 107th Legislature, which either continues the prohibition or regulates the use of airmobiles in the State of Maine.

3. **Areas of concern.** The committee's study and legislation shall reflect consideration of the following areas of concern, among others: Damage, destruction and displacement of plant and animal life, intrusion upon the privacy of others by sight and sound, the necessity of requiring registration of vehicles and licensing of operators, mechanical safety features, limits on sound and speed, use on public roads, soil erosion and the needs of the public for a safe, healthy and aesthetic environment.

4. **Power.** In conducting its study, the committee may operate or allow to be operated airmobiles.

STATEMENT OF FACT

Airmobiles are newly developed vehicles which fly on a cushion of air by means of an engine and propeller which generate both thrust and cushion. They are able to attain speeds up to and exceeding 40 miles per hour over snow, ice, salt marshes, sand dunes, wetlands, beaches, waterways and frozen

lakes. Typically they are about 11 feet long, 6 feet wide and 4 feet high and built for a single passenger. In addition to generating a great deal of noise, they also create a wind which may result in soil erosion on sand dunes and beaches and disrupt the habitat of nesting birds and other wildlife.

There is presently no regulation of such airmobiles in the State, nor is there any certainty that their use will not be greatly harmful to the environment and the privacy of persons on their own property as well as at state parks, beaches, etc.

This bill would prohibit the operation of such vehicles because of the apparent harm which they create and would create a committee to study airmobiles and draft legislation continuing the prohibition or proposing regulation to the members of the 107th Legislature.