

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1030

H. P. 845

House of Representatives, March 12, 1975

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McBreairty of Perham.

Cosponsors: Mr. Peterson of Caribou and Mr. Martin of St. Agatha.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Concerning the Registration and Operation of Snowmobiles.

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

Sec. 1. 12 MRSA § 1975, as last amended by PL 1973, c. 613, § 5, is repealed and the following enacted in place thereof:

§ 1975. Vehicles exempt from registration

No registration shall be required for a snowmobile operated over the snow on land on which the owner lives or on lands on which he is domiciled, provided the snowmobile is not operated elsewhere within the jurisdiction of the State.

No registration shall be required for a snowmobile operated by a commercial ski area for the purpose of packing snow or for rescue operation thereon, unless the snowmobile is required to cross a public way during such operation.

Snowmobiles owned and operated in this State by the Federal Government, the State or political subdivision of the State, shall be exempt from registration fees, but shall be registered and required to display numbers.

Sec. 2. 12 MRSA § 1977, as last amended by PL 1973, c. 625, § 69, is repealed and the following enacted in place thereof:

§ 1977. Authority under registration

1. Limitations on operation of snowmobiles. No person shall operate a snowmobile upon controlled access highways or within the right-of-way limits thereof.

No person shall operate a snowmobile upon any plowed private road after having been forbidden to do so by the owner thereof or the owner's agent, either personally or by appropriate notices posted conspicuously on said way.

No person shall operate a snowmobile upon the main traveled portion, the sidewalks or the plowed snowbanks of any other public way.

2. Exceptions. The following are exceptions to the provisions of subsection 1:

A. Controlled access highways. Properly registered snowmobiles may cross controlled access highways by use of bridges over or roads under such highways, or by use of roads crossing controlled access highways at grade. The Commissioner of Transportation may issue special permits for designated crossings of controlled access highways.

B. Other ways. Properly registered snowmobiles may operate only the distance necessary, but in no case to exceed 500 yards, on the right hand side of a public way as far removed from the traveled way as possible for the purpose of crossing the public way, sidewalk, bridge, cuivert, overpass or underpass, provided that such operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on such way. It shall be the responsibility of the operator of the snowmobile to yield the right of way to all vehicular traffic upon any way before crossing same.

Snowmobiles may operate on any portion of public ways when the main traveled portion is unplowed and unused by conventional motor vehicles. If the main traveled portion of a public way is plowed and utilized by conventional motor vehicles, snowmobiles may operate only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way shall be prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles.

C. Operation on public ways.

(1) Snowmobiles shall be brought to a complete stop before entering the said way.

(2) Snowmobile operators shall yield the right of way to all vehicular traffic on said way.

(3) Snowmobiles, other than for the sole purpose of crossing a public way, shall be operated on the extreme right of the traveled way.

(4) The Commissioner of Transportation may, following a public hearing, prohibit crossing of an individual bridge, culvert, overpass or underpass, if the commissioner determines such crossing or use of the public way is hazardous. Any bridge, culvert, overpass or underpass closed by the commissioner must be posted by appropriate notices.

(5) The intent of the exceptions in this chapter is to give snowmobilers a limited right to operate on the highway for the sole purpose of by-

passing obstructions where other means of passing, at present, is not possible.

Sec. 3. 12 MRSA § 1978, sub-§ 5, last sentence, as enacted by PL 1973, c. 613, § 10, is repealed and the following enacted in place thereof:

It shall be unlawful for anyone to permit a child under 10 years of age to operate any snowmobile unless he is accompanied by an adult, except on land which is owned by the parent or guardian or on land where permission for use has been granted to the parent or guardian.

Sec. 4. 12 MRSA § 1980, as last amended by PL 1973, c. 739, § 4, is repealed and the following enacted in place thereof:

§ 1980. Reciprocity

Reciprocity shall be allowed to nonresidents from all states, provinces, countries or districts which allow similar privileges to residents of this State, providing they are covered by a valid registration from said state, province, country or district. If the snowmobile is owned by a nonresident, but is primarily operated by a Maine resident, it must be registered under section 1972. Nothing in this section shall be construed to authorize the operation of any snowmobile described in any manner contrary to this chapter.

Sec. 5. 12 MRSA § 1981, as enacted by PL 1969, c. 414, § 1, is repealed and the following enacted in place thereof:

§ 1981. Application

This chapter shall apply to the operation of snowmobiles in all areas which come within the jurisdiction of the State.

Sec. 6. 12 MRSA § 1984, as last repealed and replaced by PL 1973, c. 613, § 20, is repealed and the following enacted in place thereof:

§ 1984. Penalty

Any person who violates this chapter or any rules or regulations promulgated by the Commissioner of Inland Fisheries and Game shall be subject to the penalties provided in section 3060 for each offense, except that the minimum fine shall be \$50 for violation of any provision of section 1978, subsection 12.

STATEMENT OF FACT

The purpose of this bill is to clarify the laws concerning registration and operation of snowmobiles.