

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-99)

COMMITTEE AMENDMENT " A " to S.P. 276, L.D. 858, Bill,
"AN ACT to Provide for the Registration of Off-road Motorcycle
Type Vehicles."

Amend the Bill in section 1 in that part designated
"§483." by striking out all of the 2nd underlined sentence
and inserting in its place the following: 'If any moneys are not
expended for the administration and enforcement of this chapter
during the year in which they are collected, the Secretary of
State may provide funds, upon request and in order of application,
to political subdivisions, educational institutions and to off-
road motorcycle type vehicle organizations for the construction,
acquisition or maintenance of off-road motorcycle trails and for
the establishment of educational and safety programs for operators
of off-road motorcycle type vehicles. Any moneys not expended
in the year in which they are collected for the purposes described
herein shall be deposited in the General Highway Fund.'

Further amend the Bill in section 1 by striking out all of that
part designated "§485." and inserting in its place the following:
'§485. Off-road motorcycle type vehicle operated on vehicle
owners' property

No registration shall be required for an off-road motorcycle
type vehicle operated solely over the property owned or leased
by the owner, provided the off-road vehicle is not operated
elsewhere within the jurisdiction of the State.'

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Further amend the Bill in section 1 in that part designated "§486." in subsection 2 by striking out all of paragraph C.

Further amend the Bill in section 1 in that part designated "§486." by inserting after subsection 2 the following:

'3. Commissioner of Transportation. The Commissioner of Transportation, in accordance with the Maine Administrative Procedure Act, may promulgate rules pertaining to the operation of off-road motorcycle type vehicles across and over public ways and bridges. The Commissioner of Transportation may prohibit crossing of an individual bridge, culvert, overpass or underpass, if the commissioner determines that crossing or use of the public way is hazardous. Any bridge, culvert, overpass or underpass closed by the commissioner shall be posted.'

Further amend the Bill in section 1 in that part designated "§486." by renumbering subsection 3 to be subsection 4.

Further amend the Bill in section 1 in that part designated "§488." in subsection 1 by striking out all of paragraph E and inserting in its place the following:

'E. On the property of another and who fails to stop and identify himself upon the request of the landowner or his duly authorized representative. This section is in no way to be construed as giving license or permission to cross or go on the property of another.'

Further amend the Bill in section 1 in that part designated "§488." in subsection 1 by striking out all of paragraph F and relettering paragraphs G to I to be paragraphs F to H.

Further amend the Bill in section 1 in that part designated "§488." in subsection 1 by adding at the end the following:

'I. Along or adjacent and parallel to the tracks of any railroad within the limits of the railroad right-of-way without written permission from the railroad.'

Statement of Fact

The intent of this amendment is to provide that surplus registration fees may be used for educational and safety programs. Off-road motorcycle type vehicles may be used on property owned or leased by the operator and the Commissioner of Transportation may issue rules pertaining to the operation of off-road motorcycle type vehicles over or across public ways. In addition, this amendment would specifically prohibit the operation of motorcycle type vehicles along railroad rights-of-ways without written permission from the railroads.

Reported by the Committee on Transportation.

Reproduced and distributed pursuant to Senate Rule 11-A.

April 10, 1979

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