

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1062

6
7 H.P. 822 House of Representatives, March 4, 1983

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

10 EDWIN H. PERT, Clerk

11 Presented by Representative Foster of Ellsworth.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Require the Registration of
18 Off-road Motorized All-terrain Vehicles.
19

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

22 Sec. 1. 12 MRSA c. 715, sub-c. II, first 2
23 lines, as enacted by PL 1979, c. 420, §1, are
24 repealed and the following enacted in their place.

25 SUBCHAPTER II

26 SNOWMOBILES AND OFF-ROAD

27 MOTORIZED ALL-TERRAIN

28 VEHICLES

29 Sec. 2. 12 MRSA §7821, sub-§6 is enacted to
30 read:

1 6. All-terrain vehicle. "All-terrain vehicle"
2 means any multi-wheeled vehicle propelled by mechanical
3 power not to exceed 35 horsepower equipped with
4 balloon tires each of which contains 5 pounds of
5 pressure or less and designed for off-road use exclu-
6 sively.

7 Sec. 3. 12 MRSA §7822, as enacted by PL 1979, c.
8 420, §1, is amended to read:

9 §7822. Application

10 This subchapter shall apply to the operation of
11 snowmobiles and all-terrain vehicles in all areas
12 which come within the jurisdiction of the State.

13 Sec. 4. 12 MRSA §7823, as enacted by PL 1979, c.
14 420, §1, is amended to read:

15 §7823. License

16 No operator's license is required for the opera-
17 tion of a snowmobile or an all-terrain vehicle.

18 Sec. 5. 12 MRSA §7824, as enacted by PL 1981, c.
19 698, §§75 to 79, is amended to read:

20 §7824. Registration

21 1. Application and issuance. The commissioner,
22 or an agent designated by him, may register and
23 assign a registration number to all snowmobiles and
24 all-terrain vehicles upon application and payment of
25 an annual fee by the owner. A registration shall be
26 valid for one year commencing July 1st of each year.

27 2. Fee. The annual snowmobile registration fee
28 is \$11.25 and the annual all-terrain vehicle regis-
29 tration fee is \$10.75.

30 3. Allocation of fees.

31 A. The registration fee for residents shall be
32 credited as follows:

33 (1) \$4.75 of each fee shall be credited to
34 the department;

1 (2) 50¢ of each snowmobile fee shall be
2 credited to the Snowmobile Trail Fund of the
3 Bureau of Parks and Recreation; and

4 (3) \$6 of each fee shall be annually dis-
5 tributed to the municipality of the owner's
6 residence as shown on his registration cer-
7 tificate, except that in unorganized town-
8 ships, \$6 of each fee shall be annually dis-
9 tributed to the county of the owner's resi-
10 dence as shown on his registration certifi-
11 cate.

12 B. The registration fee for nonresidents shall
13 be credited as follows:

14 (1) \$10.75 of each snowmobile fee and the
15 entire all-terrain vehicle fee shall be
16 credited to the department; and

17 (2) 50¢ of each snowmobile fee shall be
18 credited to the Snowmobile Trail Fund of the
19 Bureau of Parks and Recreation.

20 C. All other moneys received under this subchap-
21 ter, including dealer license fees, shall be
22 credited to the department.

23 4. Use of fees.

24 A. All moneys credited to the department,
25 including registration fees, shall be expended by
26 the department solely for the cost of administra-
27 tion, establishment of a safety program for snow-
28 mobile operators and enforcement of this subchap-
29 ter.

30 B. The Bureau of Parks and Recreation ~~is author-~~
31 ~~ized to~~ may use the moneys credited to the Snow-
32 mobile Trail Fund of the Bureau of Parks and
33 Recreation to make grants-in-aid to political
34 subdivisions, educational institutions, regional
35 planning agencies, snowmobile groups and others
36 for the construction and maintenance of snow-
37 mobile trails and for research, development and
38 planning of snowmobile trails on such terms as
39 the bureau determines necessary.

1 (1) The bureau shall determine what trails
2 will be eligible.

3 (2) The bureau may charge a reasonable fee
4 for these services and materials when the
5 moneys credited to it under this paragraph
6 are insufficient to satisfy the demand for
7 the services and materials. All fees so col-
8 lected shall be deposited in the Snowmobile
9 Trail Fund of the Bureau of Parks and
10 Recreation.

11 (3) If any of these moneys are not expended
12 during the year in which they are collected,
13 the unexpended balance shall not lapse, but
14 shall be carried as a continuing account
15 available for the purposes specified until
16 expended.

17 C. The Bureau of Parks and Recreation ~~is auther-~~
18 ~~ized to~~ may use moneys credited to the Snowmobile
19 Trail Fund of the Bureau of Parks and Recreation
20 for snowmobile trail acquisition, including, but
21 not limited to, the purchase or lease of real
22 estate and the acquisition of easements, con-
23 struction, development, planning and maintenance
24 and for providing educational and informational
25 materials for the use of operators of snowmobiles
26 and for research.

27 D. The moneys distributed to the municipalities
28 by the department may be appropriated by the
29 municipalities for any purpose for which they may
30 lawfully appropriate moneys.

31 E. The moneys distributed to the counties by the
32 department may be appropriated by the counties
33 for use in the unorganized townships where the
34 fee was payable.

35 5. Form of registration. The snowmobile and
36 all-terrain vehicle registration shall be in such
37 form as the commissioner may determine.

38 6. Duplicate registration certificate. The
39 holder of any registration certificate issued under
40 this section may obtain a duplicate from the commis-

1 sioner upon application and payment of a fee of \$1.

2 7. Numbers permanent. All numbers once awarded
3 under this section to a snowmobile and an all-terrain
4 vehicle shall remain with that snowmobile or
5 all-terrain vehicle until the snowmobile or
6 all-terrain vehicle is destroyed, abandoned or perma-
7 nently removed from this State, except that numbers
8 that have been inactive for at least 7 years may be
9 reissued by the division.

10 8. Transfer of ownership or discontinuance of
11 use.

12 A. Whoever transfers the ownership or perma-
13 nently discontinues the use of a registered snow-
14 mobile or an all-terrain vehicle and applies for
15 registration of another snowmobile or all-terrain
16 vehicle in the same registration year shall be
17 entitled to a certificate of registration upon
18 payment of a transfer fee of \$2 and shall not be
19 required to pay the regular registration fee ~~of~~
20 ~~of \$11-25~~.

21 B. Whenever ownership is transferred or the use
22 of a snowmobile or an all-terrain vehicle for
23 which a registration certificate has already been
24 issued is discontinued, the old registration cer-
25 tificate shall be properly signed and executed by
26 the owner showing that the ownership of the snow-
27 mobile or all-terrain vehicle has been trans-
28 ferred or its use discontinued and returned to
29 the commissioner within 10 days of the transfer
30 or discontinuance of use.

31 C. If there is a change of ownership of a snow-
32 mobile or an all-terrain vehicle for which a
33 registration certificate number has previously
34 been issued, the new owner shall apply for a new
35 registration certificate, shall set forth the
36 original number in the application and shall pay
37 the regular fee for the particular snowmobile or
38 all-terrain vehicle involved.

39 9. Reciprocity. Reciprocity shall be allowed to
40 nonresidents from all states, provinces, countries or
41 districts which allow similar privileges to residents

1 of this State, providing they are covered by a valid
2 registration from that state, province, country or
3 district.

4 A. If the snowmobile or all-terrain vehicle is
5 owned by a nonresident, but is primarily operated
6 by a Maine resident, it must be registered under
7 this section.

8 B. Nothing in this subsection ~~shall~~ may be con-
9 strued to authorize the operation of any snow-
10 mobile or all-terrain vehicle described in any
11 manner contrary to this subchapter.

12 10. Restrictions.

13 A. The registration certificate shall be subject
14 to inspection by any law enforcement officer on
15 demand.

16 B. The registration number assigned to a snow-
17 mobile or an all-terrain vehicle shall be dis-
18 played in such form and manner as the commis-
19 sioner may determine.

20 C. The registrant shall notify the commissioner
21 if a snowmobile or an all-terrain vehicle is
22 destroyed, abandoned or permanently removed from
23 this State.

24 STATEMENT OF FACT

25 This bill requires registration of all off-road
26 motorized all-terrain vehicles and establishes a sep-
27 arate registration fee. The Department of Inland
28 Fisheries and Wildlife is responsible for administer-
29 ing this requirement which parallels current snow-
30 mobile registration requirements.

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