

MAINE STATE LEGISLATURE

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L.D. 1032

(Filing No. H-222)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "*A*" to H.P. 723, L.D.
1032, Bill, "AN ACT Relating to the Regulations and
Distribution of Funds for All-terrain Vehicles."

Amend the Bill by inserting before the enacting
clause the following:

'Emergency clause. Whereas, Acts of the Legisla-
ture do not become effective until 90 days after ad-
journalment unless enacted as emergencies; and

Whereas, there are immediate needs to address the
safety and recreational conflict regarding the use of
all-terrain vehicles; and

Whereas, all-terrain vehicle registration is for
the 12-month period commencing on July 1st of each
year; and

Whereas, because of the July 1st registration
date and the length of time required for the proposed
study, these immediate needs could not otherwise be-
gin to be addressed until July 1987; and

Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

Further amend the Bill by striking out everything
after the enacting clause and inserting in its place
the following:

'Sec. 1. 12 MRSA §7854, sub-§§3 and 4, as en-

COMMITTEE AMENDMENT "A" to H.P. 723, L.D. 1032

1 acted by PL 1983, c. 297, §§1 and 3, are amended to
2 read:

3 3. Fee. The annual registration fee for an ATV
4 is ~~\$5~~ \$7.

5 4. Allocation of fees. All ~~moneys~~ money received
6 under this subchapter shall be credited to the de-
7 partment for the cost of administration and enforce-
8 ment of this subchapter, for the provision of educa-
9 tion on the safe operation of all-terrain vehicles
10 and a study on the safety and recreational management
11 of all-terrain vehicles.

12 Sec. 2. 12 MRSA §7854, sub-§7, ¶A, as enacted by
13 PL 1983, c. 297, §§1 and 3, is amended to read:

14 A. Whoever transfers the ownership or permanent-
15 ly discontinues the use of a registered ATV and
16 applies for registration of another ATV in the
17 same registration year shall be entitled to a
18 certificate of registration upon payment of a
19 transfer of \$2 and shall not be required to pay
20 the regular registration fee of ~~\$5~~ \$7.

21 Sec. 3. Study. The Bureau of Parks and Recre-
22 ation shall serve as lead agency to implement and co-
23 ordinate a study the purpose of which shall be to
24 make recommendations for management of all-terrain
25 vehicles. This study shall include the recreational
26 needs of all-terrain vehicle use, conflicts with oth-
27 er recreational activities and with landowners, safe-
28 ty matters, noise, damage and trespass issues, spe-
29 cial apprehension problems posed by the
30 maneuverability of all-terrain vehicles and special
31 problems caused by the fact that many drivers are mi-
32 nors. The latter problems include problems of prose-
33 cution, parental financial responsibility and atti-
34 tudes by parents, the community and law enforcement
35 and judicial authorities.

36 The following shall participate in this study:

COMMITTEE AMENDMENT "A" to H.P. 723, L.D. 1032

- 1 1. The Department of Inland Fisheries and Wild-
2 life;
3 2. The Attorney General and district attorneys;
4 3. Representatives of the judicial system; and
5 4. Representatives of state, county and municip-
6 al law enforcement agencies.
7 Recommendations and proposed legislation from
8 this study shall be reported by the Bureau of Parks
9 and Recreation to the Legislature by February 1,
10 1986.

11 Sec. 4. Allocation. The following funds are al-
12 located from revenues dedicated to the Department of
13 Inland Fisheries and Wildlife as follows.

14		<u>1985-86</u>
15	<u>CONSERVATION, DEPARTMENT OF</u>	
16	Bureau of Parks and Recreation	
17	Personal Services	\$12,000
18	All Other	<u>8,000</u>
19	TOTAL	\$20,000

20 This allocation pro-
21 vides funds to set up
22 a special dedicated
23 revenue account with-
24 in the Bureau of
25 Parks and Recreation
26 to conduct a study on
27 the safety and recre-
28 ational management of
29 all-terrain vehicles.

30 Emergency clause. In view of the emergency cited

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1 in the preamble, this Act shall take effect when ap-
2 proved.

3 FISCAL NOTE

4 It is estimated that enactment of this bill will
5 result in an increase in dedicated revenues of
6 \$36,000, annually, due to the proposed \$2 increase in
7 the all-terrain vehicles annual registration fee.'

8 STATEMENT OF FACT

9 The purpose of this amendment is to provide for
10 safety education on the operation of all-terrain ve-
11 hicles and for a study of the recreational and safety
12 needs of all-terrain vehicles and the conflicts aris-
13 ing from their use.

14 The amendment accomplishes this purpose by amend-
15 ing the all-terrain vehicle regulation passed in
16 1983, rather than repealing that law and adding
17 all-terrain vehicle regulation to the snowmobile law
18 which the original draft did.

19 The registration fee is increased from \$5 to \$7
20 in the amendment. The original draft increased the
21 fee to \$11.25.

22 This cost of this study is \$20,000. A major por-
23 tion of that is for compensation of a project leader
24 who must be added to the bureau for the life of the
25 project.

Reported by the Committee on Fisheries and Wildlife
Reproduced and distributed under the direction of the
Clerk of the House

5/28/85

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