

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1032

7 H.P. 723

House of Representatives, March 13, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Ridley of Shapleigh.

11 Cosponsored by Representative Lord of Waterboro, Representative Paul  
of Sanford and Representative McGowan of Canaan.

12 STATE OF MAINE  
13

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

17 AN ACT Relating to the Regulations and  
18 Distribution of Funds for All-terrain  
19 Vehicles.  
20

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

23 Sec. 1. 12 MRSA §7821, sub-§1-A is enacted to  
24 read:

25 1-A. All-terrain vehicle. "All-terrain vehicle"  
26 means a motor driven, off-road, recreational vehicle  
27 capable of cross-country travel on land, snow, ice,  
28 marsh, swampland or other natural terrain. It in-  
29 cludes, but is not limited to, a multi-track,  
30 multi-wheel or low pressure tire vehicle; a motorcy-  
31 cle or related 2-wheel, 3-wheel or belt-driven vehi-  
32 cle; and amphibious machine; or other means of trans-  
33 portation deriving motive power from a source other  
34 than muscle or wind. For purposes of this subchap-  
35 ter, "all-terrain vehicle" does not include a snowmo-  
36 bile; an airmobile; a construction or logging vehicle

1 used in performance of its common functions; a farm-  
2 ing vehicle used for farming purposes; a vehicle used  
3 exclusively for emergency, military, law enforcement  
4 or fire control purposes.

5 Sec. 2. 12 MRSA §§7822 and 7823, as enacted by  
6 PL 1979, c. 420, §1, are amended to read:

7 §7822. Application

8 This subchapter shall apply to the operation of  
9 snowmobiles or all-terrain vehicles in all areas  
10 which come within the jurisdiction of the State.

11 §7823. License

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

14 Sec. 3. 12 MRSA §7824, sub-§§1 and 2, as enacted  
15 by PL 1979, c. 420, §1, are amended to read:

16 1. Application and issuance. The commissioner,  
17 or an agent designated by him, may register and as-  
18 sign a registration number to all snowmobiles or  
19 all-terrain vehicles upon application and payment of  
20 an annual fee by the owner. A registration shall be  
21 valid for one year commencing July 1st of each year.

22 2. Fee. The annual snowmobile or all-terrain  
23 vehicle registration fee is \$11.25.

24 Sec. 4. 12 MRSA §7824, sub-§4, ¶A, as enacted by  
25 PL 1979, c. 420, §1, is amended to read:

26 A. All ~~moneys~~ money credited to the department,  
27 including registration fees, shall be expended by  
28 the department solely for the cost of administra-  
29 tion, establishment of a safety program for snow-  
30 mobile or all-terrain vehicle operators and en-  
31 forcement of this subchapter.

32 Sec. 5. 12 MRSA §7824, sub-§4, ¶C, as repealed  
33 and replaced by PL 1981, c. 698, §79, is amended to  
34 read:

1 C. The Bureau of Parks and Recreation ~~is auth-~~  
2 ~~rized to~~ may use moneys money credited to the  
3 Snowmobile Trail Fund of the Bureau of Parks and  
4 Recreation for snowmobile trail acquisition, in-  
5 cluding, but not limited to, the purchase or  
6 lease of real estate and the acquisition of ease-  
7 ments, construction, development, planning and  
8 maintenance and for providing educational and in-  
9 formational materials for the use of operators of  
10 snowmobiles or all-terrain vehicles and for re-  
11 search.

12 Sec. 6. 12 MRSA §7824, sub-§5, as enacted by PL  
13 1979, c. 420, §1, is amended to read:

14 5. Form of registration. The snowmobile or  
15 all-terrain vehicle registration shall be in such  
16 form as the commissioner may determine.

17 Sec. 7. 12 MRSA §7824, sub-§7, as amended by PL  
18 1979, c. 543, §77, is amended to read:

19 7. Numbers permanent. All numbers once awarded  
20 under this section to a snowmobile or all-terrain  
21 vehicle shall remain with that snowmobile or  
22 all-terrain vehicle until the snowmobile or  
23 all-terrain vehicle is destroyed, abandoned or perma-  
24 nently removed from this State, except that numbers  
25 that have been inactive for at least 7 years may be  
26 reissued by the division.

27 Sec. 8. 12 MRSA §7824, sub-§§8, 9 and 10, as en-  
28 acted by PL 1979, c. 420, §1, are amended to read:

29 8. Transfer of ownership or discontinuance of  
30 use.

31 A. Whoever transfers the ownership or permanent-  
32 ly discontinues the use of a registered snowmo-  
33 bile or all-terrain vehicle and applies for reg-  
34 istration of another snowmobile or all-terrain  
35 vehicle in the same registration year shall be  
36 entitled to a certificate of registration upon  
37 payment of a transfer fee of \$2 and shall not be  
38 required to pay the regular registration fee of  
39 \$11.25.

1 B. Whenever ownership is transferred or the use  
2 of a snowmobile or all-terrain vehicle for which  
3 a registration certificate has already been is-  
4 sued is discontinued, the old registration cer-  
5 tificate shall be properly signed and executed by  
6 the owner showing that the ownership of the snow-  
7 mobile or all-terrain vehicle has been trans-  
8 ferred or its use discontinued and returned to  
9 the commissioner within 10 days of the transfer  
10 or discontinuance of use.

11 C. If there is a change of ownership of a snow-  
12 mobile or all-terrain vehicle for which a regis-  
13 tration certificate number has previously been  
14 issued, the new owner shall apply for a new reg-  
15 istration certificate, shall set forth the origi-  
16 nal number in the application and shall pay the  
17 regular fee for the particular snowmobile or  
18 all-terrain vehicle involved.

19 9. Reciprocity. Reciprocity shall be allowed to  
20 nonresidents from all states, provinces, countries or  
21 districts which allow similar privileges to residents  
22 of this State, providing they are covered by a valid  
23 registration from that state, province, country or  
24 district.

25 A. If the snowmobile or all-terrain vehicle is  
26 owned by a nonresident, but is primarily operated  
27 by a Maine resident, it must be registered under  
28 this section.

29 B. Nothing in this subsection ~~shall~~ may be con-  
30 strued to authorize the operation of any snowmo-  
31 bile or all-terrain vehicle described in any man-  
32 ner contrary to this subchapter.

33 10. Restrictions.

34 A. The registration certificate shall be subject  
35 to inspection by any law enforcement officer on  
36 demand.

37 B. The registration number assigned to a snowmo-  
38 bile or all-terrain vehicle shall be displayed in  
39 such form and manner as the commissioner may de-  
40 termine.

1 C. The registrant shall notify the commissioner  
2 if a snowmobile or all-terrain vehicle is de-  
3 stroyed, abandoned or permanently removed from  
4 this State.

5 Sec. 9. 12 MRSA §7825, sub-§§1, 4 and 5, as en-  
6 acted by PL 1979, c. 420, §1, are amended to read:

7 1. Application and issuance. Any person who is  
8 in the business of selling snowmobiles or all-terrain  
9 vehicles in the State shall register as a dealer and  
10 secure a dealer's license from the commissioner.  
11 Dealers so registered and licensed need not register  
12 individual snowmobiles or all-terrain vehicles.

13 4. Temporary registrations and numbers. The com-  
14 missioner may issue temporary numbers and registra-  
15 tions to bona fide dealers who may, upon the sale or  
16 exchange of a snowmobile or all-terrain vehicle, is-  
17 sue them to new owners in order to allow them to op-  
18 erate snowmobiles or all-terrain vehicles for a peri-  
19 od of 20 consecutive days only after the day of sale  
20 in lieu of a permanent number as required by this  
21 subchapter.

22 5. Restrictions. Dealers shall display their  
23 dealer's number on each snowmobile or all-terrain  
24 vehicle being used until the sale of the snowmobile  
25 or all-terrain vehicle, whereupon it becomes the  
26 owner's responsibility to register the snowmobile or  
27 all-terrain vehicle.

28 Sec. 10. 12 MRSA §7826, sub-§2, as enacted by PL  
29 1979, c. 420, §1, is amended to read:

30 2. Stop and identify requirement. Any person op-  
31 erating a snowmobile or all-terrain vehicle upon the  
32 land of another shall stop and identify himself upon  
33 the request of the landowner or his duly authorized  
34 representative. Any person in violation shall be held  
35 accountable to the owner under existing law.

36 Sec. 11. 12 MRSA §7827, as amended by PL 1981,  
37 c. 698, §80, is further amended to read:

38 § 7827. Prohibited acts

1           1. Operating unregistered snowmobile or  
2 all-terrain vehicle. A person is guilty, except as  
3 provided in subsection 23, paragraphs A and B, of op-  
4 erating an unregistered snowmobile or all-terrain  
5 vehicle if he operates a snowmobile or all-terrain  
6 vehicle which is not registered in accordance with  
7 section 7824.

8           2. Operating a snowmobile or all-terrain vehicle  
9 upon a controlled access highway. A person is guilty,  
10 except as provided in subsection 23, paragraph C, of  
11 operating a snowmobile or all-terrain vehicle upon a  
12 controlled access highway if he operates a snowmobile  
13 or all-terrain vehicle upon a controlled access high-  
14 way or within the right-of-way limits of a controlled  
15 access highway.

16           3. Unlawfully operating a snowmobile or  
17 all-terrain vehicle on a plowed road. A person is  
18 guilty of unlawfully operating a snowmobile or  
19 all-terrain vehicle on a plowed road if he operates a  
20 snowmobile or all-terrain vehicle upon any plowed  
21 private road, or public road plowed privately without  
22 public compensation, after having been forbidden to  
23 do so by the owner thereof, the owner's agent or a  
24 municipal official, either personally or by appropri-  
25 ate notices posted conspicuously on that road.

26           4. Operating a snowmobile or all-terrain vehicle  
27 on a public way. A person is guilty, except as pro-  
28 vided in subsection 3 and subsection 23, paragraph D,  
29 of operating a snowmobile or all-terrain vehicle on a  
30 public way if he operates a snowmobile or all-terrain  
31 vehicle upon the main traveled portion, the sidewalks  
32 or the plowed snowbanks of a public way.

33           4-A. Unlawfully operating a vehicle on a snowmo-  
34 bile or all-terrain vehicle trail. A person is guilty  
35 of unlawfully operating a vehicle on a snowmobile or  
36 all-terrain vehicle trail if he operates any 4-wheel  
37 drive vehicle, dune buggy, motorcycle or other  
38 motorized vehicle, other than a snowmobile or  
39 all-terrain vehicle and appurtenant equipment, over  
40 the snow on roads and trails maintained for snowmo-  
41 bile or all-terrain vehicle use and financed in whole  
42 or in part with funds from the Snowmobile Trail Fund,  
43 unless such that use has been authorized by the land-

1 owner or his agent, or unless the use is necessitated  
2 by an emergency involving safety of persons or prop-  
3 erty.

4 5. Failing to stop a snowmobile or all-terrain  
5 vehicle before entering a public way. A person is  
6 guilty of failing to stop a snowmobile or all-terrain  
7 vehicle before entering a public way if he fails to  
8 bring a snowmobile or all-terrain vehicle to a com-  
9 plete stop before entering a public way.

10 6. Failing to yield right-of-way while operating  
11 a snowmobile or all-terrain vehicle. A person is  
12 guilty of failing to yield the right-of-way while op-  
13 erating a snowmobile or all-terrain vehicle if he  
14 fails to yield the right-of-way to all vehicular  
15 traffic while operating a snowmobile or all-terrain  
16 vehicle on a public way.

17 7. Crossing a closed bridge, culvert, overpass  
18 or underpass with a snowmobile or all-terrain vehi-  
19 cle. A person is guilty of crossing a closed bridge,  
20 culvert, overpass or underpass with a snowmobile or  
21 all-terrain vehicle if he crosses with a snowmobile  
22 or all-terrain vehicle a bridge, culvert, overpass or  
23 underpass closed to snowmobiles or all-terrain  
24 vehicles by the Commissioner of Transportation. The  
25 Commissioner of Transportation may, following a pub-  
26 lic hearing, prohibit the crossing of an individual  
27 bridge, culvert, overpass or underpass if he deter-  
28 mines that that crossing or use of the public way is  
29 hazardous. Any bridge, culvert, overpass or underpass  
30 closed by the Commissioner of Transportation ~~must~~  
31 shall be posted by appropriate notices.

32 8. Reckless operation of snowmobile or  
33 all-terrain vehicle. A person is guilty of reckless  
34 operation of a snowmobile or all-terrain vehicle if  
35 he operates any snowmobile or all-terrain vehicle in  
36 such a way as to recklessly create a substantial risk  
37 of serious bodily injury to another person.

38 9. Operating a snowmobile or all-terrain vehicle  
39 under the influence. A person is guilty of operating  
40 a snowmobile or all-terrain vehicle under the influ-  
41 ence if he operates any snowmobile or all-terrain  
42 vehicle while under the influence of intoxicating li-



1 quor or drugs. Standards, tests and procedures appli-  
2 cable in determining whether a person is under the  
3 influence within the meaning of this section shall be  
4 those applicable pursuant to Title 29, sections 1312,  
5 1312-B and 1312-C.

6 10. Operating a snowmobile or all-terrain vehi-  
7 cle to endanger. A person is guilty of operating a  
8 snowmobile or all-terrain vehicle to endanger if he  
9 operates any snowmobile ~~se~~ or all-terrain vehicle as  
10 to endanger any person or property.

11 11. Operating a snowmobile or all-terrain vehi-  
12 cle at greater than reasonable and prudent speed. A  
13 person is guilty of operating a snowmobile or  
14 all-terrain vehicle at greater than a reasonable and  
15 prudent speed if he operates any snowmobile or  
16 all-terrain vehicle except at a reasonable and pruden-  
17 tent speed for the existing conditions.

18 12. Unlawfully operating a snowmobile or  
19 all-terrain vehicle while underage. A person is  
20 guilty of unlawfully operating a snowmobile or  
21 all-terrain vehicle while underage if he is under the  
22 age of 14 years and operates a snowmobile or  
23 all-terrain vehicle across any public way maintained  
24 for travel.

25 13. Permitting an unaccompanied child to operate  
26 a snowmobile or all-terrain vehicle. A person is  
27 guilty, except as provided in subsection 23, para-  
28 graph E, of permitting an unaccompanied child to op-  
29 erate a snowmobile or all-terrain vehicle if he per-  
30 mits a child under 10 years of age to operate any  
31 snowmobile or all-terrain vehicle unless he is accom-  
32 panied by an adult.

33 14. Operating a snowmobile or all-terrain vehi-  
34 cle which exceeds noise limit. A person is guilty,  
35 except as provided in subsection 23, paragraphs A and  
36 F, of operating a snowmobile or all-terrain vehicle  
37 which exceeds the noise limit if he operates a snow-  
38 mobile or all-terrain vehicle above the following  
39 noise limits.

40 A. Every snowmobile or all-terrain vehicle manu-  
41 factured after October 1, 1973, and offered for

1 sale or sold in this State shall be constructed  
2 to limit the total vehicle noise to not more than  
3 82 decibels of sound pressure level at 50 feet on  
4 the "A" scale, as measured by the SAE standards  
5 J-192.

6 B. Every snowmobile or all-terrain vehicle manu-  
7 factured after February 1, 1975, and offered for  
8 sale or sold in this State shall be constructed  
9 to limit total vehicle noise to not more than 78  
10 decibels of sound pressure level at 50 feet on  
11 the "A" scale, as measured by the SAE standards  
12 J-192.

13 15. Unlawfully modifying snowmobile or  
14 all-terrain vehicle. A person is guilty, except as  
15 provided in subsection 23, paragraph A, of unlawfully  
16 modifying a snowmobile or all-terrain vehicle if he  
17 modifies any snowmobile or all-terrain vehicle in a  
18 manner that amplifies or otherwise increases total  
19 noise emission above that emitted by the snowmobile  
20 or all-terrain vehicle as originally constructed, re-  
21 gardless of the date of manufacture.

22 16. Operating a snowmobile or all-terrain vehi-  
23 cle with insufficient lights. A person is guilty, ex-  
24 cept as provided in subsection 23, paragraph A, of  
25 operating a snowmobile or all-terrain vehicle with  
26 insufficient lights if he operates a snowmobile or  
27 all-terrain vehicle which is not equipped as follows:

28 A. Every snowmobile or all-terrain vehicle shall  
29 have mounted on the front at least one headlight  
30 capable of casting a white beam for a distance of  
31 at least 100 feet directly ahead of the snowmo-  
32 bile or all-terrain vehicle; and

33 B. Every snowmobile or all-terrain vehicle shall  
34 have mounted on the rear at least one lamp capa-  
35 ble of displaying a red light which shall be vis-  
36 ible at a distance of at least 100 feet behind  
37 the snowmobile or all-terrain vehicle.

38 17. Failure to use snowmobile or all-terrain ve-  
39 hicle lights. A person is guilty, except as provided  
40 in subsection 23, paragraph A, of failure to use  
41 snowmobile or all-terrain vehicle lights if he fails

1 to use the lights required under subsection 16 as  
2 follows:

3 A. During the period from 1/2 hour after sunset  
4 to 1/2 hour before sunrise; and

5 B. At any time when, due to insufficient light  
6 or unfavorable atmospheric conditions caused by  
7 fog or otherwise, other persons, vehicles and  
8 other objects are not clearly discernible for a  
9 distance of 500 feet ahead.

10 18. Operating a snowmobile or all-terrain vehi-  
11 cle on railroad tracks. A person is guilty of operat-  
12 ing a snowmobile or all-terrain vehicle on railroad  
13 tracks if he operates any snowmobile or all-terrain  
14 vehicle along or adjacent and parallel to the tracks  
15 of any railroad within the limits of the railroad  
16 right-of-way without written permission from the  
17 railroad.

18 19. Operating a snowmobile or all-terrain vehi-  
19 cle in a cemetery. A person is guilty of operating a  
20 snowmobile or all-terrain vehicle in a cemetery if he  
21 operates any snowmobile or all-terrain vehicle in any  
22 cemetery, burial place or burying ground.

23 20. Operating too close to certain buildings. A  
24 person is guilty, except as provided in subsection  
25 23, paragraph G, of operating too close to a dwell-  
26 ing, hospital, nursing home, convalescent home or  
27 church if he operates a snowmobile or all-terrain  
28 vehicle within 200 feet of any of those buildings.

29 21. Unlawfully permitting operation. A person is  
30 guilty of unlawfully permitting operation of a snow-  
31 mobile or all-terrain vehicle if he owns a snowmobile  
32 or all-terrain vehicle and knowingly permits it to be  
33 operated in violation of any section of this subchap-  
34 ter.

35 22. Failure to report accident. A person is  
36 guilty of failure to report a snowmobile or  
37 all-terrain vehicle accident if:

38 A. He is the operator of any snowmobile or  
39 all-terrain vehicle involved in any accident re-

1 sulting in injuries requiring the services of a  
2 physician, in death of any person or in property  
3 damage to the estimated amount of \$100 or more;  
4 some person acting for such an operator; or the  
5 owner of the involved snowmobile or all-terrain  
6 vehicle having knowledge of the accident, should  
7 the operator of the snowmobile or all-terrain  
8 vehicle be unknown; and

9 B. He fails to give notice of the accident, by  
10 the quickest means of communication, to a law en-  
11 forcement officer available nearest to the place  
12 where the accident occurred.

13 23. Exceptions.

14 A. Notwithstanding subsections 1, 14, 15, 16 and  
15 17, snowmobiles or all-terrain vehicles operated  
16 at a prearranged racing meet whose sponsor has  
17 obtained a permit to hold such a meet from the  
18 commissioner are exempt from the provisions of  
19 this subchapter concerning registration, noise,  
20 horsepower, and lights during the time of opera-  
21 tion at ~~such~~ the meets and at all prerace prac-  
22 tice at the location of the meet.

23 B. Notwithstanding the provisions of subsection  
24 1:

25 (1) No registration ~~shall~~ may be required  
26 for a snowmobile or all-terrain vehicle op-  
27 erated over the snow on land on which the  
28 owner lives or on lands on which he is domi-  
29 ciled, provided the snowmobile or  
30 all-terrain vehicle is not operated else-  
31 where within the jurisdiction of this State;

32 (2) No registration ~~shall~~ may be required  
33 for a snowmobile or all-terrain vehicle op-  
34 erated by a commercial ski area for the pur-  
35 pose of packing snow or for rescue operation  
36 thereon, unless the snowmobile or  
37 all-terrain vehicle is required to cross a  
38 public way during that operation; and

39 (3) Snowmobiles or all-terrain vehicles  
40 owned and operated in this State by the Fed-

1           eral Government, the State or political sub-  
2           division of the State shall be exempt from  
3           registration fees, but shall be registered  
4           and required to display numbers.

5           C.   Notwithstanding the provisions of subsection  
6           2:

7                   (1) Properly registered snowmobiles or  
8                   all-terrain vehicles may cross controlled  
9                   access highways by use of bridges over or  
10                  roads under those highways, or by use of  
11                  roads crossing controlled access highways at  
12                  grade; and

13                  (2) The Commissioner of Transportation may  
14                  issue special permits for designated cross-  
15                  ings of controlled access highways.

16           D.   Notwithstanding the provisions of subsection  
17           4:

18                   (1) Properly registered snowmobiles or  
19                   all-terrain vehicles may operate on a public  
20                   way only the distance necessary, but in no  
21                   case to exceed 300 yards on the extreme  
22                   right of the traveled way for the purpose of  
23                   crossing, as directly as possible, a public  
24                   way, sidewalk or culvert;

25                   (2) Properly registered snowmobiles or  
26                   all-terrain vehicles may operate on a public  
27                   way only the distance necessary, but in no  
28                   case to exceed 500 yards on the extreme  
29                   right of the traveled way for the sole pur-  
30                   pose of crossing, as directly as possible, a  
31                   bridge, overpass or underpass, provided that  
32                   that operation can be made in safety and  
33                   that it does not interfere with vehicular  
34                   traffic approaching from either direction on  
35                   the public way;

36                   (3) Snowmobiles or all-terrain vehicles may  
37                   operate on any portion of public ways when  
38                   the public way has been closed in accordance  
39                   with Title 23, section 2953;

1 (4) If the main traveled portion of a public  
2 way is publicly plowed and utilized by  
3 conventional motor vehicles, snowmobiles or  
4 all-terrain vehicles may operate only on  
5 that portion of the way not maintained or  
6 utilized for the operation of conventional  
7 motor vehicles, except that operation on the  
8 left side of the way shall be prohibited  
9 during the hours from sunset to sunrise on  
10 the portion of the way not maintained or  
11 utilized for the operation of conventional  
12 motor vehicles. This subparagraph shall not  
13 apply to a snowmobile or all-terrain vehicle  
14 operated by a public utility regulated by  
15 the Public Utilities Commission while being  
16 operated in the course of the utility's corporate  
17 function, so that public utilities  
18 may effectively and speedily carry out their  
19 obligations to the public;

20 (5) Snowmobiles or all-terrain vehicles may  
21 be operated on streets and public ways during  
22 a period of emergency when the emergency  
23 has been so declared by a police agency having  
24 jurisdiction and when travel by conventional  
25 motor vehicles is not practicable. This  
26 subparagraph shall not apply to a snowmobile  
27 or all-terrain vehicle operated by a  
28 public utility regulated by the Public Utilities  
29 Commission while being operated in the  
30 course of the utility's corporate function,  
31 so that public utilities may effectively and  
32 speedily carry out their obligations to the  
33 public; and

34 (6) Snowmobiles or all-terrain vehicles may  
35 be operated on streets and public ways in  
36 special snowmobile or all-terrain vehicle  
37 events of limited duration conducted according  
38 to a prearranged schedule, under a permit  
39 from the governmental unit having jurisdiction.  
40

41 E. Notwithstanding subsection 13, that subsection  
42 does not apply on land which is owned by the  
43 parent or guardian or on land where permission  
44 for use has been granted to the parent or guardian.  
45

1 F. Notwithstanding subsection 14:

2 (1) Snowmobiles or all-terrain vehicles  
3 manufactured on or before October 1, 1973,  
4 may be operated without reference to that  
5 subsection, unless they have been modified  
6 in violation of subsection 15; and

7 (2) Snowmobiles or all-terrain vehicles  
8 manufactured after October 1, 1973, but on  
9 or before February 1, 1975, may be operated  
10 without reference to the requirements of  
11 that subsection concerning the noise limit  
12 of 78 decibels of sound pressure.

13 G. Notwithstanding subsection 20, that subsection  
14 does not apply in the following situations:

15 (1) When operating on public ways in ac-  
16 cordance with subsections 4, 5, 6 and 7 and  
17 subsection 23, paragraph C;

18 (2) When operating on the frozen surface of  
19 any body of water; and

20 (3) When operating on land which the opera-  
21 tor owns or is permitted to use.

22 24. Operating an all-terrain vehicle on land of  
23 another. Notwithstanding the provisions of this sub-  
24 chapter, a person is guilty of operating an  
25 all-terrain vehicle on land of another if he crosses  
26 or goes on the property of another without a license  
27 or permission of the landowner or his agent or unless  
28 the use is necessitated by an emergency involving  
29 safety of persons or property.

30 Sec. 12. 12 MRSA c. 715, sub-c. IV, as amended,  
31 is repealed.

32 STATEMENT OF FACT

33 This bill provides for the registration of  
34 all-terrain vehicles under the snowmobile law in the  
35 Revised Statutes, Title 12. All-terrain vehicles are  
36 established as a separate type of vehicle which is

1 subject to the same provisions of the law as snowmo-  
2 biles. All-terrain vehicles are subject to a regis-  
3 tration fee, the proceeds of which are distributed in  
4 the same manner as proceeds from snowmobile registra-  
5 tion fees. All-terrain vehicles are subject to the  
6 same prohibition as snowmobiles. In order to travel  
7 on trails on private property, operators of  
8 all-terrain vehicles are required to obtain the land-  
9 owners permission.

10

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