

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1450

6
7 S.P. 541

In Senate, May 2, 1985

8 Reference to the Committee on Fisheries and Wildlife suggested and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Brown of Washington.

11 Cosponsored by Representative Salsbury of Bar Harbor, Representative
Weymouth of West Gardiner and Representative Moholland of Princeton.

12 STATE OF MAINE
13

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

17 AN ACT to Restrict the Use of All-terrain
18 Vehicles in Residential Areas and
19 Along Roadways.
20

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

23 Sec. 1. 12 MRSA §7857, sub-§24, ¶D, as enacted
24 by PL 1983, c. 797, §13, is amended to read:

25 D. Notwithstanding the provisions of subsection
26 5:

27 (1) Properly registered ATV's may operate
28 on a public way only the distance necessary,
29 but in no case to exceed 300 yards for a
30 distance not to exceed 50 yards, unless a
31 greater distance is clearly shown to be
32 necessary, on the extreme right of the
33 traveled way for the purpose of crossing, as
34 directly as possible, a public way, sidewalk
35 or culvert;

1 (2) Properly registered ATV's may operate
2 on a public way only the distance necessary;
3 but in no case to exceed 500 yards for a
4 distance not to exceed 50 yards, unless a
5 greater distance can be clearly shown to be
6 necessary, on the extreme right of the
7 traveled way for the sole purpose of cross-
8 ing, as directly as possible, a bridge,
9 overpass or underpass, provided that that
10 operation can be made in safety and that it
11 does not interfere with traffic approaching
12 from either direction on the public way;

13 (3) ATV's may operate on any portion of
14 public ways when the public way has been
15 closed in accordance with Title 23, section
16 2953;

17 (4) ATV's may operate on a public way which
18 is not maintained or utilized for the opera-
19 tion of conventional motor vehicles, except
20 that operation on the left side of the way
21 shall be prohibited during the hours from
22 sunset to sunrise;

23 (5) ATV's may be operated on streets and
24 public ways during a period of emergency
25 when the emergency has been so declared by a
26 police agency having jurisdiction and when
27 travel by conventional motor vehicles is not
28 practicable; and

29 (6) ATV's may be operated on streets and
30 public ways in special events of limited du-
31 ration conducted according to a prearranged
32 schedule, under a permit from the governmen-
33 tal unit having jurisdiction.

34 Sec. 2. 12 MRSA §7857, sub-§25 is enacted to
35 read:

36 25. Penalties, municipal authority. The follow-
37 ing provisions apply to enforcement.

38 A. Penalties for unlawful operation of ATV's as
39 specified in this section are provided in section
40 7901.

1 B. None of the provisions in this section pre-
2 clude the authority of a municipality to adopt
3 ordinances which regulate or restrict the use of
4 ATV's.

5

STATEMENT OF FACT

6 This bill reduces the amount of latitude opera-
7 tors of ATV's have to operate on or cross a public
8 way and it makes clear reference to the Maine Revised
9 Statutes, Title 12, section 7901, which specifies
10 that unlawful operation of an ATV is a Class E crime.

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