

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1204

H.P. 865

House of Representatives, April 18, 1989

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

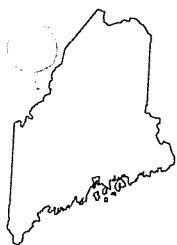
Presented by Representative HEESCHEN of Wilton.

Cosponsored by Representative AULT of Wayne, Representative MILLS of Bethel and Senator ERWIN of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act Concerning All-terrain Vehicle Use in State Parks.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 12 MRSA §602, sub-§15, ¶B, as amended by PL 1973, c.**
460, §19, is further amended to read:

5 B. The Maine Trails System shall consist of:

7 (1) Recreational trails. Trails designated to provide
9 a variety of recreational opportunities. Recreational
11 trails may be limited to foot, horse or other
13 nonmotorized means of transportation, or motorized
15 means of transportation or combination thereof, as
deemed appropriate by the director except that no ATV's
used for recreational purposes may be allowed on
state-owned land which was designated as a state park
prior to January 1, 1989.

17 (2) Primitive trails. Trails providing for the
19 appreciation of natural and primitive areas and for the
21 conservation of significant scenic, historic, natural
23 or cultural qualities of the areas through which the
trails pass and offering primarily the experience of
25 solitude and self-reliance in natural or near-natural
surroundings. Rights-of-way and buffer areas may be
27 established and maintained to further that experience
and no use or development shall be permitted which
threatens such primitive character. Nothing in this
29 subsection shall be construed as excluding from a
primitive trail system areas of development, provided
31 that such areas are deemed by the director to be
relatively insignificant compared to the system as a
33 whole, or that such development either is not likely to
remain or leave a lasting mark or is integral to the
35 trail system itself. Primitive trails may be restricted
to foot traffic, including hiking, snowshoeing and
37 skiing, except in those areas where the trails are on
existing roads. The Appalachian Trail shall be included
as a primitive trail in the Maine Trails System and
39 other trails may also be included.

41 (3) Facilities. Camp sites, shelters and related
43 public-use and management facilities to the extent that
they do not interfere with the nature and purposes of
the trails which they serve.

45 **Sec. 2. 12 MRSA 7856, sub-§3 is enacted to read:**

47 **3. Recording of permission.** Whenever the Bureau of Parks
49 and Recreation or an ATV club obtains permission to operate an
ATV on the land of another, the name of the owner and the
51 location of the property will be given to the Bureau of Parks and

1 Recreation so that a list may be compiled. This information will
2 be available to the public upon request.

3

4 **Sec. 3. 12 MRSA §7857, sub-§22-B is enacted to read:**

5

6 22-B. Operating an ATV in a state park prohibited. A
7 person is guilty of operating an ATV in a state park if that
8 person operates an ATV on any state-owned land which was
9 designated as a state park prior to January 1, 1989. This
10 subsection does not apply to employees of the Department of
11 Conservation, Bureau of Parks and Recreation, while acting in
12 their official capacity.

13

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15 STATEMENT OF FACT

16

17 The purpose of this bill is to prohibit recreational use of
18 ATV's in state parks.

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