

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 378

S.P. 166

Received by the Secretary, February 5, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Oxford

Cosponsored by Representative HEESCHEN of Wilton, Representative AULT of Wayne and Representative MITCHELL of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Prohibit the Use of All-terrain Vehicles in State Parks.



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

2 Sec. 1. 12 MRSA §602, sub-§15, ¶B, as amended by PL 1973, c.
4 460, §19, is further amended to read:

6 B. The Maine Trails System shall ~~consist~~ consists of:

8 (1) Recreational trails. Trails designated to provide
10 a variety of recreational opportunities. Recreational
12 trails may be limited to foot, horse or other
14 nonmotorized means of transportation, or motorized
16 means of transportation or combination thereof, as
deemed appropriate by the director, except that ATV's
used for recreational purposes are not allowed on
state-owned land that was designated as a state park
prior to January 1, 1989;

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

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

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

48 3. Recording of permission. Whenever the Bureau of Parks
50 and Recreation or an ATV club obtains permission to operate an
ATV on the land of another, the name of the owner and the
location of the property must be given to the Bureau of Parks and

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

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

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

14 **STATEMENT OF FACT**

16 This bill prohibits recreational use of ATV's in state parks.