

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 424, L.D. 543, Bill, "An Act to Amend the Laws Pertaining to the Distance Snowmobiles May Be Operated from Certain Buildings"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 12 MRSA §7828, sub-§23, ¶D, as amended by PL 1979, c. 543, §80, is further amended to read:

D. Notwithstanding the provisions of subsection 4:

(1) Properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 300 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert;

(2) Properly registered snowmobiles may operate on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing, as directly as possible, a bridge, overpass or underpass, provided that that operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on the public way;

(3) Snowmobiles may operate on any portion of a public ways way when the public way has been closed in accordance with Title 23, section 2953;

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

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

30 (6) Snowmobiles may be operated on streets and public  
31 ways in special snowmobile events of limited duration  
32 conducted according to a prearranged schedule, under a  
33 permit from the governmental unit having jurisdiction;  
34 and

36 (7) Notwithstanding subparagraphs (1) to (6),  
37 snowmobiles may be operated on the extreme right of a  
38 public way within the built-up portion of a  
39 municipality, unorganized or unincorporated township if  
40 the appropriate governmental unit has designated the  
41 public way as a snowmobile-access route for the purpose  
42 of allowing snowmobiles access to places of business.  
43 A public way designated by an appropriate governmental  
44 unit as a snowmobile-access route must be posted  
45 conspicuously at regular intervals by that governmental  
46 unit with highly visible signs designating the  
47 snowmobile-access route. Before designating a public  
48 way as a snowmobile-access route, the appropriate  
49 governmental unit shall make appropriate determinations  
50 that snowmobile travel on the extreme right of the

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public way may be conducted safely and will not interfere with vehicular traffic on the public way. For purposes of this subparagraph, "appropriate governmental unit" means the Department of Transportation, county commissioners or municipal officers within their respective jurisdictions. The jurisdiction of each appropriate governmental unit over public ways pursuant to this subparagraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29, section 902. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this subparagraph.'

**STATEMENT OF FACT**

This amendment replaces the bill. Under this amendment municipal officials, county commissioners and the Department of Transportation, within their respective jurisdictions, are granted the authority to establish snowmobile-access routes within the built-up portions of any town or township for the purpose of allowing snowmobiles to access places of business. Local law enforcement officials are given primary enforcement responsibility under this provision.

Reported by the Committee on Fisheries and Wildlife  
Reproduced and distributed under the direction of the Clerk of the House  
4/27/93 (Filing No. H-200)