

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

---

Legislative Document

No. 1685

H.P. 1232

House of Representatives, January 11, 1996

---

### **An Act to Provide Recovery for Motor Vehicle Damage to Forest Lands.**

---

Reported by Representative JACQUES for the Commission to Study Trespass Laws pursuant to Resolve 1995, chapter 53.

Reference to the Joint Standing Committee on Criminal Justice suggested and printing ordered under Joint Rule 20.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

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

2  
4       **Sec. 1. 17 MRSA §3853-D**, as enacted by PL 1989, c. 289, is amended to read:

6       **§3853-D. Operating a motor vehicle on land of another**

8       **1. Damage or destruction to farmland or forest land.** A person who, as a result of operating a motor vehicle on farmland  
10       or forest land, damages or destroys crops, forest products,  
12       personal property or roads on that farmland or forest land, commits a Class E crime.

14       **2. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following  
16       meanings.

18       A. "Farmland" means land used for the production of fruits, vegetables, grains, hay or herbs that consists of 5 or more  
20       contiguous acres. The term "farmland" does not include land used for the production of wood products.

22       A-1. "Forest land" means land used for the production of forest products.

26       A-2. "Forest products" means any woody stemmed plant as well as any products that have been harvested but not yet  
28       transported from the harvesting site, including logs, pulpwood, veneer, bolt wood, wood chips, stud wood, poles,  
30       pilings, biomass, fuel wood, Christmas trees, evergreen boughs and cones for seed production.

32       B. "Motor vehicle" means any self-propelled vehicle not operated exclusively on tracks, including all-terrain  
34       vehicles as defined in Title 12, section 7851, but not including snowmobiles.

38       **3. Application.** This section does not apply to:

40       A. A landowner operating a motor vehicle on farmland or forestland owned by that landowner;

42       B. A person given permission by a landowner to operate a motor vehicle on farmland or forest land owned by that  
44       landowner;

46       C. An agent or employee of a landowner who operates a motor vehicle on farmland or forest land owned by that landowner  
48       in the scope of that agent's or employee's agency or employment; or  
50

2 D. A law enforcement officer who, in an emergency and in  
the scope of that law enforcement officer's employment,  
4 operates a motor vehicle on farmland or forest land owned by  
another.

6

8

### STATEMENT OF FACT

10 This bill makes it a Class E crime to damage forest  
products, personal property or roads as a result of operating a  
12 motor vehicle on forest land. The bill defines forest products  
as any woody stemmed plant as well as any products that have been  
14 harvested but not yet transported from the harvesting site.