

MAINE STATE LEGISLATURE

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M
S

L.D. 380

DATE: April 29, 1997

(Filing No. S-166)

INLAND FISHERIES AND WILDLIFE

Reported by: Majority

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT " A " to S.P. 101, L.D. 380, Bill, "An Act to Repeal the Requirement That All-terrain Vehicles Be Equipped with Brake Lights"

Amend the bill by striking out the title and substituting the following:

'An Act to Clarify Maine's All-terrain Vehicle Laws and to Improve Competition between Maine's All-terrain Vehicle Industry and its Out-of-state Competitors'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 12 MRSA §7857, sub-§24, ¶G, as enacted by PL 1993, c. 438, §41, is amended to read:

G. Notwithstanding the provisions of subsection 16, a person may operate an ATV without a headlight, and taillight ~~and-brake-light~~ between the hours of sunrise and sunset, provided:

(1) The ATV has an engine size of 90 cubic centimeters or less; and

(2) ~~The~~ ATV has 4 or more wheels; ~~and.~~

~~(3) The American National Standards for Four-Wheel All-Terrain Vehicles, Equipment, Configuration, and Performance Requirements proscribed equipping the vehicle at the time of manufacture with the lighting equipment specified in subsection 16, paragraphs A, B and G.~~

COMMITTEE AMENDMENT

2 **Sec. 3. 12 MRSA §7857, sub-§25**, as enacted by PL 1995, c. 455,
3 §43, is amended to read:

4
5 **25. Prohibition on sales without lights.** Except as
6 provided in this subsection, a person may not sell or offer to
7 sell a new ATV unless that ATV is equipped with a functioning
8 headlight, ~~a~~ and taillight ~~and~~ brake light. This subsection does
9 not apply to an ATV that:

10 A. Is a 2-wheel off-road motorcycle; ~~or~~

11 B. Was manufactured prior to 1991; ~~or~~

12 C. Has an engine size of 90 cubic centimeters or less and
13 has 4 or more wheels.'

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17 Further amend the bill by inserting at the end before the
18 summary the following:

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22 **FISCAL NOTE**

23 The Judicial Department may realize some minor savings from
24 reductions of workload and administrative costs associated with
25 the minimal number of cases that will no longer be filed in the
26 court system. Reductions in the collection of fines may decrease
27 General Fund revenue by minor amounts.'

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30 **SUMMARY**

31 This amendment allows new all-terrain vehicles to be sold
32 without brake lights and allows the operation of all-terrain
33 vehicles without brake lights during daylight hours. This
34 amendment also adds a fiscal note to the bill.
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