

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1614

H.P. 1191

House of Representatives, March 13, 2001

**An Act to Implement the Recommendations of the Secretary of State and
the Maine State Police Regarding Low-speed Vehicles.**

Reported by Representative FISHER for the Secretary of State and the Maine State Police pursuant to Public Law 1999, chapter 660, section 4.

Reference to the Joint Standing Committee on Transportation suggested and printing ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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

4 **Sec. 1. 29-A MRSA §101, sub-§25-A** is enacted to read:

6 **25-A. Golf cart.** "Golf cart" means a motor vehicle that is
originally designed and manufactured for operation on a golf
course for sporting or recreational purposes and that is not
capable of exceeding speeds of 20 miles per hour. A golf cart
does not include an ATV as defined in Title 12, section 7851.

10 **Sec. 2. 29-A MRSA §101, sub-§41-B** is enacted to read:

12 **41-B. Motorized scooter.** "Motorized scooter" means a toy
vehicle, as defined in section 2063, subsection 1, that is
powered by a motor having a maximum piston displacement of less
than 25 cubic centimeters or an electric driven motor and is
capable of a maximum speed of no more than 25 miles per hour on a
flat surface.

20 **Sec. 3. 29-A MRSA §501, sub-§2-A**, as amended by PL 1999, c.
790, §4 and affected by §19, is further amended to read:

22 **2-A. Island vehicles, golf carts and low-speed vehicles.**
24 The following provisions apply to vehicles operating on islands
that have no public ways maintained or supported by the State.

26 A. Notwithstanding subsection 1, an automobile may be
28 registered for an annual fee of \$4. A low-speed vehicle or
golf cart may be registered for an annual fee of \$4. The
30 registrant must show evidence of payment of the excise tax
required by Title 36, section 1482. The municipality may
32 collect an additional \$4 fee annually to defray the cost of
removing abandoned vehicles or golf carts.

34 B. A low-speed vehicle or golf cart may be operated on an
36 island if the governing body of the municipality allows. A
low-speed vehicle or golf cart may be operated only on a
38 road or street where the posted speed limit is 35 miles per
hour or less. A low-speed vehicle or golf cart may cross,
40 at an intersection, a road or street with a posted speed
limit of more than 35 miles per hour.

42 C. Any person operating a low-speed vehicle or a golf cart
44 on an island must possess a valid driving license in any
class.

46 **Sec. 4. 29-A MRSA §1252, sub-§3**, as enacted by PL 1993, c.
48 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2 **3. Mopeds and motorized scooters.** A moped or motorized
3 scooter may not be operated:

4 A. By a person who does not possess a valid license of any
5 class or a license specially endorsed to operate a
6 motorcycle, a motor-driven cycle or a moped; or

7 B. On an interstate highway or on a way on which a bicycle
8 is prohibited.

9 **Sec. 5. 29-A MRSA §2063**, as amended by PL 1995, c. 371, §1,
10 is further amended to read:

11 **§2063. Bicycles, motorized scooters and toy vehicles**

12 **1. Definitions.** For the purpose of this section, "bicycle"
13 includes a motorized bicycle or a motorized tricycle, and "toy
14 vehicle" includes, but is not limited to, motorized scooters,
15 skateboards, rollerskates, wagons, sleds and coasters.

16 **2. Riding to the right.** A person operating a bicycle or
17 motorized scooter shall ride it as far as practicable to the
18 right side of the way, except when making a left turn. This
19 subsection does not apply in a municipality that, by ordinance
20 and with the approval of the Department of Public Safety and the
21 Department of Transportation, makes other provisions for the
22 location of bicycle traffic and motorized scooter traffic.

23 **3. Seating.** A person operating a bicycle may not ride
24 other than astride a regular and permanently attached seat. A
25 bicycle may not be used to carry more persons than the number for
26 which it is designed and equipped.

27 **4. Hitching rides.** A person riding on a bicycle, motorized
28 scooter or toy vehicle may not attach it to a moving vehicle on a
29 way.

30 **5. Rights and duties.** A person riding a bicycle on a way
31 has the rights and is subject to the duties applicable to the
32 operator of a vehicle, except as to:

33 A. Special regulations; and

34 B. Provisions in this Title that by their nature can have
35 no application.

36 **6. Speed.** A motorized bicycle or a motorized scooter may
37 not be operated in excess of 20 miles per hour.

2 **7. Penalties.** A person 17 years of age or over who
violates this section commits a traffic infraction ~~with-a-maximum~~
4 ~~fine--of~~ for which a forfeiture of no more than \$10 may be
 adjudged.

6 **8. Impoundment.** The chief of police of a municipality, or
if there is no chief of police, the chair of the local
8 legislative body, when satisfied that a juvenile under the age of
17 years has ridden a bicycle or motorized scooter in violation
10 of this section, may impound the bicycle or motorized scooter for
a period not to exceed 5 days for the first offense, 10 days for
12 a 2nd offense and 30 days for a subsequent offense.

14

SUMMARY

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This bill implements the recommendations of the Secretary of
18 State and the Maine State Police regarding low-speed vehicles
pursuant to Public Law 1999, chapter 660, section 4 and makes the
20 following changes to the motor vehicle laws. The bill:

22

1. Defines golf cart;

24

2. Defines motorized scooter;

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3. Adds golf carts as vehicles allowed to be registered and
operated on islands that have no public ways maintained or
28 supported by the State;

30

4. Specifies that golf carts may be operated on an island
only if the municipality allows such operation and only on roads
32 or streets where the posted speed limit is 35 miles per hour or
less;

34

5. Prohibits the operation of a motorized scooter by a
36 person who does not possess a valid license of any class or a
license specially endorsed to operate a motorcycle, a
38 motor-driven cycle or a moped;

40

6. Prohibits the operation of a motorized scooter on an
interstate highway or on a way on which a bicycle is prohibited;

42

7. Requires an operator of a motorized scooter to ride it
44 as far as practicable to the right side of the way, except when
making a left turn;

46

8. Prohibits a person operating a motorized scooter from
48 attaching it to a moving vehicle on a way;

2 9. Establishes a maximum speed limit of 20 miles per hour
for a motorized scooter; and

4 10. Allows a municipality to impound a motorized scooter if
the operator is under 17 years of age and is found in violation
6 of the Maine Revised Statutes, Title 29-A, section 2063.