

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 304

H.P. 247

House of Representatives, January 28, 2003

An Act to Raise the Minimum Age for Operation of an ATV from 10 Years of Age to 16 Years of Age

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McKEE of Wayne.
Cosponsored by Senator BRENNAN of Cumberland and
Representatives: COWGER of Hallowell, MAILHOT of Lewiston, MARRACHÉ of
Waterville, SAVIELLO of Wilton, SMITH of Van Buren.

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

2
4 **Sec. 1.** 12 MRSA §7853, sub-§2, as amended by PL 1989, c. 493,
§59, is repealed.

6 **Sec. 2.** 12 MRSA §7853, sub-§3, as enacted by PL 1989, c. 493,
§60, is amended to read:

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10 **3. Minimum age.** No person less than ~~10~~ 16 years of age may
operate an ATV, except on the land on which that person is
domiciled or land owned by that person's parent or guardian.

12 **Sec. 3.** 12 MRSA §7857, sub-§13, as amended by PL 1997, c. 432,
14 §55, is repealed and the following enacted in its place:

16 **13. Unlawfully operating ATV while underage.** A person is
guilty of unlawfully operating an ATV while underage if that
18 person is under 16 years of age.

20 **Sec. 4.** 12 MRSA §7857, sub-§13-A, as amended by PL 1989, c.
493, §68, is repealed.

22 **Sec. 5.** 12 MRSA §7857, sub-§14, as amended by PL 1997, c. 432,
24 §56, is repealed.

26 **Sec. 6.** 12 MRSA §7857, sub-§14-A, as enacted by PL 1989, c.
493, §69, is amended to read:

28 **14-A. Permitting child under 16 years of age to operate**
30 **ATV.** A person is guilty, except as provided in subsection 24, of
permitting a child under the 16 years of age ~~of 10~~ to operate an
32 ATV, if that person permits a child under the 16 years of age ~~of~~
10 to operate an ATV.

34 **Sec. 7.** 12 MRSA §7857, sub-§24, ¶E, as amended by PL 2001, c.
36 387, §43, is further amended to read:

38 E. Notwithstanding ~~subsections~~ subsection 13, 13-A and 14,
these ~~subsections~~ this subsection does not apply on land
40 owned by the parent or guardian of the operator or on land
where permission for use has been granted to the parent or
42 guardian.

44 **Sec. 8.** 12 MRSA §7901-A, sub-§12, ¶C, as enacted by PL 2001,
c. 421, Pt. B, §88 and affected by Pt. C, §1, is amended by
46 repealing subparagraphs (11) and (14).

48 **Sec. 9.** 12 MRSA §7901-A, sub-§12, ¶C, as enacted by PL 2001,
c. 421, Pt. B, §88 and affected by Pt. C, §1, is amended by
50 amending subparagraph (15) to read:

2 (15) Permitting a child under ~~10~~ 16 years of age to
4 operate an ATV as described in section 7857, subsection
14-A;

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SUMMARY

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10 This bill raises the minimum age for operating an ATV from
10 years to 16 years of age. It also changes other sections of
law affected by the age restriction.