

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1708

S.P. 640

In Senate, December 17, 2003

An Act Regarding the Operation of All-terrain Vehicles on Private Roads

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 16, 2003. Referred to the Committee on Inland Fisheries and Wildlife pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GAGNON of Kennebec.
Cosponsored by Representative CLARK of Millinocket and
Senators: BRYANT of Oxford, HATCH of Somerset, STANLEY of Penobscot,
Representatives: COLLINS of Wells, DUNLAP of Old Town, USHER of Westbrook,
WATSON of Bath, WOTTON of Littleton.

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

Sec. 1. 12 MRSA §13157, sub-§24 is enacted to read:

24. Operating ATV on private road. A person may not operate an ATV on a private road in violation of a restriction placed on the operation of an ATV by the landowner pursuant to this subsection. A landowner may:

A. Require that an operator of an ATV on a private road be a licensed driver;

B. Require that an operator of an ATV on a private road obey all the applicable rules of the road that other motor vehicles on that private road must obey, including, but not limited to, speed limits, rules governing lane usage and rules governing yielding the right-of-way; and

C. Place restrictions on the number of ATVs that may travel together in a group and the distance that groups must maintain between one another.

If a landowner prohibits the operation of ATVs on a private road, that landowner also shall prohibit the operation of similar recreational vehicles on that private road.

A person who violates this subsection commits a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

SUMMARY

This bill permits a landowner to:

1. Require that an operator of an ATV on a private road be a licensed driver;

2. Require that an operator of an ATV on a private road obey all the applicable rules of the road that other motor vehicles on that private road must obey, including, but not limited to, speed limits, rules governing lane usage and rules governing yielding the right-of-way; and

3. Place restrictions on the number of ATVs that may travel together in a group and the distance that groups must maintain between one another.

2 It also provides that if a landowner prohibits the operation
of ATVs on a private road that landowner also must prohibit the
operation of similar recreational vehicles on that private road.