

Mis.			L.D. 231
P .	2	DATE: $4/20/5$ (Filing No. H- /57)
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	б	INLAND FISHERIES AND	WILDLIFE
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:	10	Reproduced and distributed under the d the House.	direction of the Clerk of
:	12	STATE OF MAIN	VE
:	14	HOUSE OF REPRESENT 122ND LEGISLATU	URE
:	16	FIRST SPECIAL SES	SSION
	18	COMMITTEE AMENDMENT "A" to H.P.	
	20	Act To Provide for Registration Trail-grooming Equipment"	of Certain Snowmobile
	22	Amend the bill by striking out eve	
	24	clause and before the summary and inst following:	serting in its place the
:	26	'Sec. 1. 12 MRSA §10203, sub-§5, as	
:	28	414, Pt. A, §2 and affected by c. 614, §	9, is amended to read:
:	30	5. Snowmobiles and trail-groot relating to snowmobile and trail-groot	oming equipment laws and
:	32	rules must be collected and expended i 1893, subsection 3 and section 10206, su	
:	34	Sec. 2. 12 MRSA §10206, sub-§2, as	
:	36	614, §9 and amended by c. 655, Pt. B, is further amended to read:	§48 and affected by §422,
:	38	2. Snowmobile and trail-grooming	equipment revenues. The
	40	Legislature shall appropriate to the of year an amount equal to the administrate	tive costs incurred by the
	42	department in collecting revenue under department's administrative costs mu	
	44	Department of Conservation and the Dep and Financial Services.	partment of Administrative
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COMMITTEE AMENDMENT "A" to H.P. 170, L.D. 231

Α. The snowmobile and trail-grooming equipment registration 2 fee for residents collected under chapter 937 is credited as follows: 4 (1) Twenty-two percent is credited to the General Fund 6 as undedicated revenue; 8 Fifty-two percent is credited to the Snowmobile (2) Trail Fund of the Department of Conservation, Bureau of Parks and Lands; and 10 12 (3) Twenty-six percent is annually distributed to the municipality of the owner's residence as shown on the 14 owner's registration certificate, except that in unorganized territory, 26% is annually distributed to the county of the owner's residence as shown on the 16 owner's registration certificate and credited to the 18 unorganized territory fund of that county established in Title 30-A, section 7502. 20 fee for nonresidents в. The snowmobile registration collected under chapter 937 is credited as follows. 22 24 (1)Eighteen percent is credited to the General Fund as undedicated revenue. 26 Seven percent is credited to the Snowmobile (2) 28 Enforcement Fund established under section 10258. 30 The remainder is credited to the Snowmobile Trail (3) Fund of the Department of Conservation, Bureau of Parks 32 and Lands. The annual fee for each snowmobile dealer number plate 34 D. issued pursuant to section 13109 is credited as follows: 36 (1) Thirty percent is credited to the General Fund as undedicated revenue; and 38 Seventy percent is credited to the Snowmobile 40 (2) Trail Fund of the Department of Conservation, Bureau of Parks and Lands. 42 All money received under the provisions of this Part 44 Ε. relating to snowmobiles, including chapter 937, other than that credited pursuant to paragraphs A to D, including 46 snowmobile dealer license fees, is credited to the General Fund as undedicated revenue. 48 Sec. 3. 12 MRSA §13113 is enacted to read: 50

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COMMITTEE AMENDMENT "A" to H.P. 170, L.D. 231

R.S.S.

2	<u>\$13113. Registration of trail-grooming equipment</u>
4	1. Definitions. For purposes of this section,
	"trail-grooming equipment" means a self-propelled vehicle that:
6	A. Has a minimum weight of 1,200 pounds;
8	B. Exceeds 60 inches in width:
10	
12	<u>C. Is driven by a track or tracks in contact with the snow;</u> and
14	D. Is performing winter trail maintenance by plowing, leveling or compacting snow by use of a front plow or rear
16	attachments that include but are not limited to rollers, compactor bars or trail drags.
18	
20	2. Operating unregistered trail-grooming equipment. Except as provided in this section, a person may not operate trail-grooming equipment on a snowmobile trail that is financed
22	in whole or in part by the Snowmobile Trail Fund unless that trail-grooming equipment is registered in accordance with this
24	section.
26	A. A registration is not required for trail-grooming equipment operated on land on which the owner lives or on
28	land on which the owner is domiciled, if the trail-grooming equipment is not operated elsewhere within the jurisdiction
30	of this State.
32	<u>B. A registration is not required for trail-grooming equipment operated by a commercial ski area for the purpose</u>
34	of packing snow or for rescue operation, unless the
36	<u>trail-grooming equipment is required to cross a public way</u> during that operation.
38	C. Trail-grooming equipment owned and operated by the
40	<u>Federal Government, the State or a political subdivision of</u> the State is exempt from registration fees, but must be
42	registered and is required to display the registration.
44	3. Application and issuance. The commissioner may register trail-grooming equipment upon application by the owner if the
46	owner is an organization that has an approved contract for snowmobile trail grooming with the Department of Conservation,
19	Bureau of Parks and Lands, Off-Road Vehicle Division or a person
48	that can provide proof to the department at the time of application that the person is a member of an organization
50	eligible to register trail-grooming equipment under this
52	section. The commissioner may establish procedures necessary to carry out the purposes of this section.

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COMMITTEE AMENDMENT " H" to H.P. 170, L.D. 231

2 4. Form of registration. The trail-grooming equipment registration must be in such form as the commissioner may 4 determine. 5. Fee. The registration fee for trail-grooming equipment 6 is a one-time fee of \$33. The registration fee is valid from the 8 date of issuance until the date that the equipment is sold or transferred. Revenue from the registration fee is allocated 10 according to section 10206, subsection 2, paragraph A. 12 6. Fraudulent acquisition of trail-grooming registration. A person may not obtain a trail-grooming equipment registration 14 through fraud, misstatement or misrepresentation. 16 7. Penalty. The following penalties apply to violations of this section. 18 A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more 20 than \$500 may be adjudged. 22 B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations 24 under this Part within the previous 5-year period commits a 26 Class E crime.' 28 **SUMMARY** 30 This amendment replaces the bill and prohibits the use of snowmobile trail-grooming equipment on snowmobile trails unless 32 that equipment is registered. It defines "trail-grooming equipment" and limits those eligible to register trail-grooming 34 equipment to organizations that have an approved contract with 36 the Department of Conservation or a person who can show proof of membership in such an organization. This amendment establishes a one-time registration fee of \$33 and provides that revenue from 38 the registration of trail-grooming equipment be allocated in the same manner as revenue from snowmobile registrations. It also 40 provides an exception to the registration requirement, under certain conditions, for landowners, commercial ski areas and 42 federal, state and local governmental units. Finally, the amendment makes it a civil violation to fraudulently obtain a 44 trail-grooming equipment registration or to operate unregistered trail-grooming equipment on a snowmobile trail. 46 48

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R.85.

FISCAL NOTE REQUIRED (See attached)

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122nd MAINE LEGISLATURE

LD 231

LR 0949(02)

An Act To Provide for Registration of Certain Snowmobile Trail-grooming Equipment

Fiscal Note for Bill as Amended by Committee Amendment '

Fiscal Note

Minor cost increase - General Fund Minor revenue increase - General Fund Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Establishes a new civil violation and Class E crime.

The collection of additional fines may increase General Fund revenue by minor amounts.