

# MAINE STATE LEGISLATURE

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M

L.D. 1922

DATE: 3-16-06

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INLAND FISHERIES AND WILDLIFE

Reported by: Majority

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 722, L.D. 1922, Bill, "An Act To Amend the Laws Governing All-terrain Vehicles"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 12 MRSA §13157-A, sub-§1-A, as enacted by PL 2005, c. 397, Pt. E, §21, is amended to read:

1-A. Permission required. A person may not operate an ATV on the land of another without the permission of the landowner or lessee. Permission is presumed on ATV trails that are conspicuously posted or in areas open to ATVs by landowner policy. Written permission of the landowner or lessee is required on cropland or pastureland or in an orchard. As used in this subsection, "cropland" means acreage in tillage rotation, land being cropped and land in bush fruits and "pastureland" means acreage devoted to the production of forage plants used for animal production.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated of having committed 3 or more civil violations

COMMITTEE AMENDMENT

2 under this Part within the previous 5-year period commits a  
Class E crime.

4 Nothing in this subsection may be construed to affect the lawful  
6 rights of a person holding an easement or right-of-way over the  
land of another.'

8  
10 **SUMMARY**

12 This amendment clarifies that provisions in the Maine  
14 Revised Statutes, Title 12, section 13157-A requiring landowner  
permission before operating an ATV on that landowner's property  
may not be construed to affect the lawful rights of a person  
holding an easement or right-of-way over the land of another.