

MAINE STATE LEGISLATURE

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7/10/03

L.D. 2057

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DATE: 4-6-06

(Filing No. H-961)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1453, L.D. 2057, Bill, "An Act To Implement the Recommendations of the ATV Trail Advisory Council"

Amend the amendment by inserting after section 2 the following:

'Sec. 3. 12 MRSA §13154-A, sub-§2-A is enacted to read:

2-A. Unlawfully operating ATV by person 10 to under 14 years of age. Except as provided in subsection 6, a person 10 years of age or older but under 14 years of age may not operate an ATV unless that person has successfully completed a training course approved by the department pursuant to section 13152 and is accompanied by an adult.

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

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 4. 12 MRSA §13154-A, sub-§§3, 4 and 5, as enacted by PL 2003, c. 655, Pt. B, §404 and affected by §422 and enacted by c. 695, Pt. B, §12 and affected by Pt. C, §1, are amended to read:

HOUSE AMENDMENT

2018

2 **3. Unlawfully operating ATV by person 14 to under 19 years**
3 **of age.** Except as provided in subsection 6, a person ~~10~~ 14 years
4 of age or older but under ~~16~~ 19 years of age may not operate an
5 ATV unless that person has successfully completed a training
6 course approved by the department pursuant to section 13152 and
~~is accompanied by an adult.~~

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

12 B. A person who violates this subsection after having been
13 adjudicated as having committed 3 or more civil violations
14 under this Part within the previous 5-year period commits a
15 Class E crime.

16 **4. Person under 14 years of age crossing public way.** A
17 person under ~~16~~ 14 years of age may not cross a public way
18 maintained for travel unless the crossing is in accordance with
19 section 13157-A, subsection 6, paragraph A and the person
20 satisfies the requirements of subsection 3.

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

26 B. A person who violates this subsection after having been
27 adjudicated as having committed 3 or more civil violations
28 under this Part within the previous 5-year period commits a
29 Class E crime.

32 **5. Permitting an unaccompanied person under 14 years of age**
33 **to operate an ATV.** Except as provided in subsection 6, a person
34 may not permit an unaccompanied person 10 years of age or older
35 but under ~~16~~ 14 years of age to operate an ATV.

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

40 B. A person who violates this subsection after having been
41 adjudicated as having committed 3 or more civil violations
42 under this Part within the previous 5-year period commits a
43 Class E crime.'

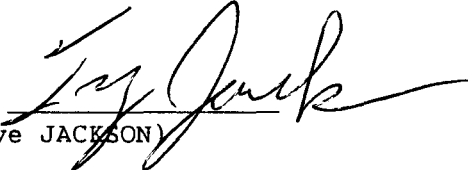
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SUMMARY

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50 This amendment raises the age limit for a person who must
take an ATV safety course before operating an ATV from 16 to 19

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1453,
L.D. 2057

years of age and requires a person under 14 years of age to be
accompanied by an adult even after the completion of the training
course.

It also lowers the age at which a person may cross a public
way with an ATV from 16 to 14 years of age to make this provision
consistent with snowmobile laws.

SPONSORED BY: 
(Representative JACKSON)

TOWN: Allagash

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/05/06 *MAC*

122nd MAINE LEGISLATURE

LD 2057

LR 3216(05)

An Act To Implement the Recommendations of the ATV Trail Advisory Council

Fiscal Note for House Amendment "A" to Committee Amendment "A"

Sponsor: Rep. Jackson

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Minor Revenue Increase - General Fund

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.