

MAINE STATE LEGISLATURE

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m
H. O. S.

L.D. 2057

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DATE: 4-6-06

(Filing No. S-564)

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Reproduced and distributed under the direction of the Secretary
of the Senate.

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**STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION**

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SENATE 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"

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Amend the amendment by inserting after section 2 the
following:

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

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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.

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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.

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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.

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**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:**

SENATE AMENDMENT

2015

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

3. **Unlawfully operating ATV by person 14 to under 19 years of age.** Except as provided in subsection 6, a person ~~10~~ 14 years of age or older but under ~~16~~ 19 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.

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

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.

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

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.'

SUMMARY

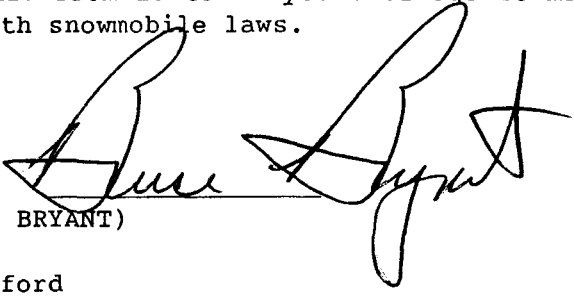
This amendment raises the age limit for a person who must take an ATV safety course before operating an ATV from 16 to 19

SENATE AMENDMENT

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

2 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.

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6 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.

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12 SPONSORED BY: 
14 (Senator B. BRYANT)

16 COUNTY: Oxford

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/05/06 *mac*

122nd MAINE LEGISLATURE

LD 2057

LR 3216(04)

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

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

Sponsor: Sen. Bryant

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.