

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 340

S.P. 104

In Senate, February 3, 2009

An Act To Provide Greater Access to ATVs by Lowering the Minimum Operating Age

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and
Senator: BRYANT of Oxford, Representatives: CLARK of Millinocket, SAVIELLO of
Wilton, WHEELER of Kittery.

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

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

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

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

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

14 **Sec. 2. 12 MRSA §13154-A, sub-§4**, as enacted by PL 2003, c. 655, Pt. B, §404
15 and affected by §422 and enacted by c. 695, Pt. B, §12 and affected by Pt. C, §1, is
16 amended to read:

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

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

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

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

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

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

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

SUMMARY

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This bill lowers the minimum age that a person may operate an ATV unaccompanied by an adult from 16 years of age to 14 years of age.