

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 414

H.P. 302

House of Representatives, February 10, 2009

An Act To Improve the Safety of Snowmobile Trails

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CONNOR of Kennebunk.
Cosponsored by Senator BRANNIGAN of Cumberland and
Representatives: ADAMS of Portland, BRYANT of Windham, CLEARY of Houlton, EATON
of Sullivan, EBERLE of South Portland, LEGG of Kennebunk, PERCY of Phippsburg,
Senator: SULLIVAN of York.

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

2 **Sec. 1. 12 MRSA §1893, sub-§3, ¶A,** as enacted by PL 2003, c. 414, Pt. C, §1
3 and affected by c. 614, §9, is amended to read:

4 A. The bureau is authorized to use the money credited to the Snowmobile Trail
5 Fund to make grants-in-aid to political subdivisions, educational institutions, regional
6 planning agencies, snowmobile groups and others for the construction and
7 maintenance of snowmobile trails and for research, development and planning of
8 snowmobile trails.

9 (1) For all grants disbursed after July 1, 1984, the bureau shall adopt rules
10 specifying how to apply for the grants, which projects are eligible and the
11 formula for state support.

12 (2) The bureau may charge a reasonable fee for these services and materials
13 when the money credited to it under this paragraph is insufficient to satisfy the
14 demand for the services and materials. All fees so collected must be deposited in
15 the Snowmobile Trail Fund.

16 (3) If any of the money is not expended during the year in which the money is
17 collected, the unexpended balance does not lapse, but is carried as a continuing
18 account available for the purposes specified until expended.

19 (4) A political subdivision, educational institution, regional planning agency,
20 snowmobile group or any other person or entity that receives money from the
21 Snowmobile Trail Fund shall ensure that:

22 (a) All trail markings and signs on the snowmobile trails maintained by that
23 political subdivision, educational institution, regional planning agency,
24 snowmobile group or other person or entity that receives money from the
25 Snowmobile Trail Fund substantially comply with guidelines regarding
26 snowmobile trail signs published by the department; and

27 (b) A rope, cord, line, chain or similar material does not cross a snowmobile
28 trail and is not used in any way to create a barrier to or within a snowmobile
29 trail so as to create a potential hazard on a snowmobile trail maintained by
30 that political subdivision, educational institution, regional planning agency,
31 snowmobile group or other person or entity that receives money from the
32 Snowmobile Trail Fund.

33 A person or entity that violates this subparagraph commits a civil violation for
34 which a fine of not less than \$100 and not more than \$500 must be adjudged. If a
35 person or entity violates this subparagraph and that violation causes death or
36 serious bodily injury, that person or entity, in addition to being liable for the fine
37 described in this subparagraph, is not eligible to receive funding from the
38 Snowmobile Trail Fund for 3 years after that death or serious bodily injury.

SUMMARY

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This bill provides that a person or entity that receives money from the Snowmobile Trail Fund shall ensure that all trail markings and signs on the snowmobile trails maintained by that person or entity comply with guidelines regarding snowmobile trail signs published by the Department of Conservation and that a rope, cord, line, chain or similar material does not cross a snowmobile trail and is not used in any way to create a potential hazard on a snowmobile trail. A person or entity that violates these provisions is subject to a fine of not less than \$100 and not more than \$500 and, if the violation causes death or serious bodily injury, ineligibility to receive funding from the Snowmobile Trail Fund for 3 years.