

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



LAW LIBRARY  
AUGUSTA, MAINE

# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

---

Legislative Document

No. 745

S.P. 292

In Senate, February 26, 2009

### An Act To Allow the Operation of Modified Utility Vehicles on Public Ways

---

Reference to the Committee on Transportation 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 DAMON of Hancock.  
Cosponsored by Representative MAZUREK of Rockland.

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

2           **Sec. 1. 12 MRSA §13001, sub-§3,** as enacted by PL 2003, c. 414, Pt. A, §2 and  
3 affected by c. 614, §9, is amended to read:

4           **3. All-terrain vehicle or ATV.** "All-terrain vehicle" or "ATV" means a motor-  
5 driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice,  
6 marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but  
7 is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a motorcycle or  
8 related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means  
9 of transportation deriving motive power from a source other than muscle or wind. For  
10 purposes of this subpart, "all-terrain vehicle" or "ATV" does not include an automobile as  
11 defined in Title 29-A, section 101, subsection 7; an electric personal assistive mobility  
12 device as defined in Title 29-A, section 101, subsection 22-A; a truck as defined in Title  
13 29-A, section 101, subsection 88; a modified utility vehicle as defined in Title 29-A,  
14 section 101, subsection 35-B; a snowmobile; an airmobile; a construction or logging  
15 vehicle used in performance of its common functions; a farm vehicle used for farming  
16 purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire  
17 control purposes.

18           **Sec. 2. 29-A MRSA §101, sub-§35-B** is enacted to read:

19           **35-B. Modified utility vehicle.** "Modified utility vehicle" means a 4-wheeled  
20 automobile, commonly known as a utility vehicle, recreational utility vehicle or  
21 multipurpose utility vehicle, that has been modified so as to meet the equipment  
22 requirements in accordance with section 1927. "Modified utility vehicle" does not  
23 include an ATV as defined in Title 12, section 13001 or an off-road vehicle.

24           **Sec. 3. 29-A MRSA §102, sub-§3** is enacted to read:

25           **3. Operation of modified utility vehicle.** The registration and operation of a  
26 modified utility vehicle in accordance with section 501, subsection 12 and section 2093 is  
27 authorized. A municipality may prohibit the use of modified utility vehicles by municipal  
28 ordinance or restrict the use of modified utility vehicles in accordance with section 2093,  
29 subsection 2.

30           **Sec. 4. 29-A MRSA §501, sub-§12** is enacted to read:

31           **12. Modified utility vehicle.** Registration of modified utility vehicles is subject to  
32 the provisions of this subsection.

33           **A.** The Secretary of State shall issue a registration for a modified utility vehicle upon  
34 application and payment of an annual fee of \$35. The registrant must provide proof  
35 of ownership, proof of financial responsibility required by section 1601 and evidence  
36 of payment of the excise tax required by Title 36, section 1482. A modified utility  
37 vehicle registered under this section is issued a motorcycle registration plate as  
38 described in section 515-A. The Secretary of State may issue a facsimile plate for a  
39 60-day period.

1 B. Proof of ownership may be demonstrated either by affidavit or by providing the  
2 manufacturer's certificate of origin.

3 **Sec. 5. 29-A MRSA §1752, sub-§12** is enacted to read:

4 **12. Modified utility vehicle.** A modified utility vehicle registered pursuant to  
5 section 501, subsection 12. A modified utility vehicle must be equipped in accordance  
6 with section 1927.

7 **Sec. 6. 29-A MRSA §1927** is enacted to read:

8 **§1927. Equipment requirements for modified utility vehicles**

9 **1. Equipment required.** A modified utility vehicle registered pursuant to section  
10 501, subsection 12 must be equipped, at a minimum, with:

11 A. Brakes for each wheel;

12 B. Headlights;

13 C. Odometer;

14 D. One exterior rearview mirror;

15 E. One interior rearview mirror;

16 F. A parking device;

17 G. Rear reflectors;

18 H. A windshield;

19 I. A speedometer;

20 J. Stop lamps;

21 K. Rear lights;

22 L. Seat belts;

23 M. Turn signal lamps; and

24 N. A vehicle identification number.

25 **2. Working condition.** Equipment required in subsection 1 must be in good  
26 working condition.

27 **Sec. 7. 29-A MRSA §2093** is enacted to read:

28 **§2093. Operation of modified utility vehicles**

29 A person operating a modified utility vehicle on a public way shall comply with the  
30 provisions of this chapter as they apply to the operator of an automobile and with this  
31 section.

32 **1. License required.** A person operating a modified utility vehicle must possess a  
33 valid Class A, Class B or Class C driver's license pursuant to section 1252.

