

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 634

S.P. 227

In Senate, March 3, 2015

### **An Act To Allow Operation of Modified Utility Vehicles on a Public Way**

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Reference to the Committee on Transportation suggested and ordered printed.

Handwritten signature of Heather J.R. Priest in cursive.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator DILL of Penobscot.  
Cosponsored by Representative SAUCIER of Presque Isle and  
Senators: DIAMOND of Cumberland, DUTREMBLE of York, PATRICK of Oxford,  
SAVIELLO of Franklin, Representatives: BLACK of Wilton, McCABE of Skowhegan.

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

2 **Sec. 1. 29-A MRSA §101, sub-§35-B** is enacted to read:

3 **35-B. Modified utility vehicle.** "Modified utility vehicle" means a 4-wheeled  
4 automobile, commonly known as a utility vehicle, recreational utility vehicle or  
5 multipurpose utility vehicle, that has been modified so as to meet the equipment  
6 requirements in accordance with section 1927. For purposes of this subsection, "utility  
7 vehicle" means a 4-wheeled vehicle in which a passenger may be seated next to the driver  
8 and includes, but is not limited to, a cargo body, roll cage and steering wheel.

9 **Sec. 2. 29-A MRSA §102, sub-§3** is enacted to read:

10 **3. Operation of modified utility vehicle.** The registration and operation of a  
11 modified utility vehicle in accordance with section 501, subsection 13 and section 2093  
12 are authorized. A municipality may prohibit the use of modified utility vehicles by  
13 municipal ordinance or restrict the use of modified utility vehicles in accordance with  
14 section 2093, subsection 2.

15 **Sec. 3. 29-A MRSA §501, sub-§13** is enacted to read:

16 **13. Modified utility vehicle.** Registration of a modified utility vehicle is subject to  
17 the provisions of this subsection.

18 A. The Secretary of State shall issue a registration for a modified utility vehicle upon  
19 application and payment of an annual fee of \$35. The registrant must provide proof  
20 of ownership, proof of insurance required by section 1601 and evidence of payment  
21 of the excise tax required by Title 36, section 1482. A modified utility vehicle  
22 registered under this subsection is issued a motorcycle registration plate as described  
23 in section 515-A. The Secretary of State may issue a facsimile plate for a 60-day  
24 period.

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

27 **Sec. 4. 29-A MRSA §1752, sub-§11,** as amended by PL 2011, c. 8, §2, is further  
28 amended to read:

29 **11. Low-speed vehicle.** A low-speed vehicle registered pursuant to section 501,  
30 subsection 11. A low-speed vehicle must be equipped in accordance with section 1925;  
31 ~~and~~

32 **Sec. 5. 29-A MRSA §1752, sub-§12,** as enacted by PL 2011, c. 8, §3, is  
33 amended to read:

34 **12. Antique motorcycle.** An antique motorcycle registered under section 457-; and

35 **Sec. 6. 29-A MRSA §1752, sub-§13** is enacted to read:

1           **13. Modified utility vehicle.** A modified utility vehicle registered pursuant to  
2 section 501, subsection 13. A modified utility vehicle must be equipped in accordance  
3 with section 1927.

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

5           **§1927. Equipment requirements for modified utility vehicles**

6           **1. Equipment required.** A modified utility vehicle registered pursuant to section  
7 501, subsection 13 must be equipped, at a minimum, with:

- 8           A. Brakes for each wheel;
- 9           B. Headlights;
- 10           C. An odometer;
- 11           D. One exterior rearview mirror;
- 12           E. One interior rearview mirror;
- 13           F. A parking brake;
- 14           G. Rear reflectors;
- 15           H. A windshield;
- 16           I. A speedometer;
- 17           J. Stop lamps;
- 18           K. Rear lights;
- 19           L. Seat belts;
- 20           M. Turn signal lamps; and
- 21           N. A vehicle identification number.

22           **2. Working condition.** Equipment required in subsection 1 must be in good  
23 working condition.

24           **Sec. 8. 29-A MRSA §2093** is enacted to read:

25           **§2093. Operation of modified utility vehicles**

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

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

31           **2. Road restrictions.** A modified utility vehicle may be operated on a road or street  
32 with a posted speed limit of 45 miles per hour or less and only to go from a designated  
33 state-approved ATV trail under Title 12, section 13157-A to the closest gasoline station  
34 or establishment selling prepared food as defined in Title 36, section 1752, subsection

1 8-A and return to the designated state-approved ATV trail. A modified utility vehicle  
2 may cross, at an intersection, a road or street with a posted speed limit higher than 45  
3 miles per hour. A municipality may prohibit the operation of a modified utility vehicle  
4 on any road under its jurisdiction if it determines that the prohibition is necessary in the  
5 interest of public safety.

6 **3. Violation.** A person who operates a modified utility vehicle in violation of  
7 subsection 2 commits a traffic infraction.

8 **SUMMARY**

9 This bill allows a modified utility vehicle, commonly known as a utility vehicle,  
10 recreational utility vehicle or multipurpose utility vehicle, to be registered and operated  
11 on a public way in Maine with certain limitations.

12 A modified utility vehicle that meets specified equipment requirements may be  
13 operated on Maine roads with a posted speed limit of 45 miles per hour or less to go from  
14 an all-terrain vehicle trail to a gasoline station or an establishment selling prepared food  
15 and return to the all-terrain vehicle trail. Like a low-speed vehicle, a modified utility  
16 vehicle is exempt from inspection requirements and is registered by application to the  
17 Secretary of State, which application must be accompanied by proof of ownership, proof  
18 of insurance and proof of payment of excise tax.

19 In order to avoid the cost of printing a new registration plate specifically for modified  
20 utility vehicles, a modified utility vehicle is issued a motorcycle registration plate.